



Licence Number: _____
 Sponsor Number: _____

Application for a General Direct-Writer Insurance Licence

Please print or type. Incomplete applications will be returned.

1.) Name of Applicant: _____

Last
First
Middle Initial
(Mr., Mrs., Ms., Miss)

2.) Residence Address: _____
Mailing Address (Street, Box, R.R., Site)

City
Province
Postal Code

3.) Date of Birth: ____/____/____ 4.) Residence Telephone: (____) _____

Day
Month
Year

5.) Social Insurance Number: _____ 6.) Are you a permanent resident or citizen of Canada? Yes No

7.) Business Address: _____

Street/Box/R.R./Site
City

Province
Postal Code
E-mail Address

8.) Business Telephone: _____ 9.) Business Fax: _____

10.) Name of Sponsoring Insurance Company: _____

11.) Licence Level being applied for: Level 1 Level 2 Level 3

12.) Applying for: New Licence Renewal Transfer/Amendment Supplementary Licence
**Fees: \$185.00
\$185.00
\$70.00
\$185.00**

13.) Do you plan to engage in any Business, Occupation or Economic Activity other than as an insurance Agent/Broker?
 Yes No If YES, give details: _____

14.) Are you indebted to any insurance company for which you have acted as an Agent or Broker?
 Yes No If YES, give details: _____

15.) I will maintain Professional Liability Insurance (Errors & Omissions) as required under Section 371(1.1) of The Insurance Act of Manitoba and Section 13 of the Insurance Agents & Adjusters Regulations, Amendment (\$1,000,000.00 per Occurrence with a \$2,000,000.00 Aggregate). Yes No **Attach a copy of your coverage to this application.**

16.) I have attached an ORIGINAL SECURITY CLEARANCE FORM (Criminal Record Check) as part of Council's licence application review process. (NOTE: a copy must be attached if you are a new applicant or have not held a licence for the past 12 months with our Council.) Yes No

APPLICANTS ARE INSTRUCTED TO READ THE FOREGOING INFORMATION CAREFULLY AND SIGN PAGE 4

- 1) “Agent” means a person who, for compensation solicits insurance on behalf of any insurer or transmits for a person other than himself, an application for or a policy of insurance to or from such insurer or offers or acts or assumes to act in the negotiation of such insurance or in negotiating the continuance or renewal of other than life insurance contracts.
- 1) No person in the province shall enter into a contract of insurance with an insurer not licensed under the Insurance Act of Manitoba, except through a special broker duly licensed.
- 3) Unfair or deceptive acts or practices in the business of insurance includes any payment, allowance or gift, or any offer to pay, allow or give, directly or indirectly, any money or thing of value as an inducement to any prospective insured to insure.
- 4) No person shall engage in any unfair or deceptive act or practice in the business of insurance.
- 5) No person shall act, or offer or undertake to act, as an insurance agent in the province without having first obtained a licence under *The Insurance Act* of Manitoba.
- 6) Every licence expires on the 31st day of May next within one year of its issue but may be renewed on application to the Insurance Council of Manitoba together with the payment of the prescribed fee.
- 7) A licence may be revoked or suspended by the Insurance Council of Manitoba if, after due investigation it is determined that the holder of the licence:
 - (a) has been guilty of misrepresentation, fraud, deceit, or dishonesty; or
 - (b) has violated any provision of the Insurance Act of Manitoba or any rule or regulation under the Insurance Act of Manitoba; or
 - (c) has unreasonably failed to pay over to the insurer or agent entitled thereto any monies collected by him and retained beyond the term stipulated in his agency contract or agreement; or
 - (d) has placed insurance with insurers other than those licensed in the province under the Insurance Act of Manitoba, without complying with the provisions relating to unlicensed insurance; or
 - (e) has demonstrated his incompetence or untrustworthiness to transact the business of insurance agency for which the licence was granted.
- 8) No insurer licensed under the Insurance Act of Manitoba, and no officer, agent, or employee of such an insurer, and no insurance agent authorized under the Insurance Act of Manitoba, shall, directly or indirectly, pay or allow, or offer or agree to pay or allow, any commission or other compensation or anything of value to any person for acting or attempting or assuming to act as an insurance agent in respect of insurance in the province or for having or claiming or appearing to have any influence or control over the insured or prospect for insurance unless that person holds at the time a subsisting insurance agent’s licence.
- 9) No insurer, and no officer, employee, or agent thereof, shall, directly or indirectly, make or attempt to make an agreement as to the premium to be paid for a contract of insurance other than as set forth in the contract.
- 10) No insurer, and no officer, employee, or agent thereof, shall, directly or indirectly, pay, allow, or give, or offer or agree to pay, allow, or give, any rebate of the whole or part of the premium stipulated by the contract, or any other consideration or thing of value intended to be in the nature of a rebate of premium, to any person insured or applying for insurance.
- 11) Any person who, not being duly licensed as an agent, a broker, or an adjuster, represents or holds himself out to the public as being an agent, broker, or adjuster, or as being engaged in the insurance business, by means of advertisements, cards, circulars, letterheads, signs or other methods, or being duly licensed as such an agent, broker, or adjuster, advertises as aforesaid or carries on such a business in any other name than that stated in the licence, is guilty of an offence.
- 12) An agent or broker is personally liable to the insured on all contracts of insurance unlawfully made by or through him, directly or indirectly, with any insurer not licensed to undertake insurance in the province, in the same manner as if the agent or broker were the insurer.
- 13) An agent or broker who acts in negotiating, or renewing or continuing a contract of insurance, other than life insurance, with a licensed insurer, and who receives any money or other consideration, as a premium for such a contract, from the insured, shall be deemed to hold the premium in trust for the insurer, and, if he fails to pay it over to the insurer within 15 days after written demand made upon him therefor, less his commission and any deductions to which, by the written consent of the insurer, he is entitled, the failure is evidence that he has applied the premiums to his own use or to a use contrary to his trust.

I hereby declare that I have read and understood the above.

Signature

Date

21.) **DECLARATION**

(I) **I UNDERSTAND THAT IT IS AGAINST THE LAW OF THIS PROVINCE:**

To act as an Agent / Broker or solicitor of Insurance without having obtained a licence to act as an insurance Agent/ Broker.

- (a) To misrepresent any condition of a policy.
- (b) To rebate any part of the premium or commission or offer any valuable consideration as an inducement to take insurance, other than that clearly expressed in the policy.
- (c) To continue to carry on the business as an insurance Agent / Broker after the 31st of May next following the issue of the licence or after the suspension of your licence without securing its renewal or reinstatement.
- (d) To negotiate insurance with unlicensed companies.
- (e) To hold insurance premiums received by you other than as funds held in trust for your company to be paid over within fifteen days after written notice therefore.
- (f) To hold out to the public or engage in the business of insurance by means of advertisements, business cards, circulars, letterheads, signs or other methods, or carry on business in any other name than that stated in the licence.

(II) **I UNDERSTAND THAT THE INSURANCE COUNCIL OF MANITOBA IS EMPOWERED TO SUSPEND, REVOKE OR CANCEL MY LICENCE SHOULD I CONTRAVENE ANY OF THE PROVISIONS OF THE INSURANCE ACT OF MANITOBA.**

(III) **I DECLARE:**

- (a) That I have read carefully and understood the information disclosed in this application.
- (b) That the statements and answers to all questions in the foregoing application are True and Correct.
- (c) That this application is not made for the purpose of obtaining a licence to act as an insurance agent solely in respect of any particular individual risk, or risks, or merely to obtain commission for the insurance of my own property or the property of my family, employer, or fellow employees.
- (d) That this application is made in good faith upon my own behalf and not on behalf of any person who is not competent to receive a licence, and upon receipt of a licence pursuant hereto, I intend to hold myself out publicly and carry on business in Good Faith as an insurance agent.
- (e) As a licensed agent, I will not occupy office space in the office of a bank, credit union, trust company, caisse populaire, or any other financial institution, other than an insurance company.

Signature of Applicant

Signed in the presence of _____ on the _____ day of _____, _____ in _____,
(Print name of Witness) (Date) (Month) (Year) (City, Town, Village)

Signature of Witness

Address of Witness

22.) **RECOMMENDATION – (DUTY OF CARE OF PERSON OR INSURER GIVING APPROVAL)**

370(3.1) No person or insurer who for the purposes of subsection (2) is authorized under this Act to approve a licence application shall recommend the applicant for an insurance agent licence unless the person or the insurer has implemented reasonable screening procedures to determine if the applicant is a suitable person to receive the licence.

370(2) Subject to subsection (2.1), the application shall be approved in writing by a least one of the insurers to be represented, certifying to the good business reputation of the applicant and his qualifications for, and knowledge of, the business of insurance, and recommending the granting to him of a licence.

The qualifications and record of the applicant have been investigated. I find the statements and answers in the foregoing application to be True and Correct and the applicant to be a Trustworthy and Competent person. I recommend that the applicant be granted an insurance agent/broker licence to act for:

NAME OF INSURER: _____

It is understood and agreed that if and when this approval or the employment is terminated, written notice, with reason for termination and effective date, will be given to the Insurance Council of Manitoba within fifteen (15) days.

DATE	SIGNATURE	PRINT NAME	OFFICIAL CAPACITY
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The above recommendation for an insurance agent licence can **only** be signed by the person who has been authorized to sign for the Head Office of the Insurer or by a specifically authorized appointee **whose name** has been filed with the Insurance Council of Manitoba.

General Insurance Agent/Broker

Licensing Procedures for Personal/Direct Writer Application Forms

Effective April 10, 1995, the Province of Manitoba implemented a three (3) Level Licensing System for General Insurance Agent/Brokers. Non-residents are issued a licence at the level in which they are licensed in their home jurisdiction. However, an applicant transferring from another jurisdiction must satisfy Manitoba's licensing requirements for the issue of a licence.

On November 19, 1998 the General Insurance Agents Licensing Rules were amended to include continuing education for non-residents. This means effective immediately every holder of a licence will be required to accumulate 8 hours of continuing education, pursuant to Section 9(1) of the General Insurance Agents Licensing Rules. The licence of an agent/broker who fails to comply with the continuing education will not be renewed until they have provided Council with the required number credit hours.

Effective April 11, 2001 mandatory professional liability insurance came into law. All persons applying for a licence must provide written verification of E&O insurance in the amount of \$1,000,000 per any one occurrence with an overall policy aggregate of \$2,000,000.

A Criminal Record Check must accompany first applications for licensing. This document can be obtained from your local RCMP detachment or municipal police department in advance to determine the processing requirements, cost of the service, and hours the service is available in your jurisdiction. Individuals who have a conviction must have their Criminal Record Check done by fingerprints. This process could take up to six (6) months.

In addition, all agents/brokers operating in the Province of Manitoba are required to comply with the Insurance Act of Manitoba, the General Insurance Agent's Licensing Rules and Code of Conduct.

The following defines each level of licence and their restrictions and/or authorizations. An applicant applying for a licence in their personal name must qualify for not less than a level 2 licence.

Level 1

- prohibited from selling outside the office of a general insurance agency;
- must operate under the supervision of a Level 2 Agent/Broker.
- can sign insurance policies

Level 2

- can sell inside and outside of the office of a general insurance agency;
- can sign insurance policies.

Level 3

- can sell inside and outside of the office of a general insurance agency;
- can sign insurance policies;
- can manage the office of a general insurance agency.

To assist in the proper completion of the Personal Direct Writer application form, the following steps have been set out in point form. Applications received that are incomplete, pending information or documentation will be returned to the applicant. Please note the completion of an application does not guarantee the issue of a licence. Each applicant must be found suitable to hold a licence.

1. Complete questions 1 - 6 with your personal data.
2. Complete questions 7 - 9 with your business address.
3. Complete question 10 with the name of the insurance company that you will be representing.
4. Complete question 11 by checking off what level of licence you are applying for.
5. Complete question 12 by checking off one of the given.

6. Complete questions 13 - 16 by answering "yes" or "no" and providing details and/or documentation where requested.
 7. Complete questions 17 & 18 by providing your PRESENT EMPLOYER, POSITION and DUTIES along with employment history for the previous FIVE years.
 8. Question 19, select an answer ensuring details and documentation have been provided where requested. **NOTE:** Any person who has been convicted of a criminal offence must include a Criminal Record Search which must be done by fingerprints.
 9. Question 20 must be fully completed with your signature authorizing our office to undertake a criminal record check and confirm with any police agency the details of any convictions which may have been made against you for any offence under any federal or provincial legislation as well as for any charge which may be outstanding against you under such legislation. **Please ensure to read this CONSENT section carefully to fully understand it.**
 10. Page 3 must evidence your signature and date stating that you declare that you have read and understood the partial sections of the Insurance Act of Manitoba as stated on this page.
 11. Question 21, the "Declaration" section must be signed before a witness and dated. Please ensure you have read and understood the information printed on page 3 of this form prior to signing.
 12. Question 22 is to be completed by the sponsoring insurance company that you will be representing. (Must be the same insurer as indicated in question 7) **Please note Manitoba requires that an insurance company sponsor all applications.**
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Please ensure that the following is included with your application form:

- Attach a copy of either your insurer's or your individual Errors and Omissions Insurance obtained through a licensed insurance company in Manitoba. Coverage must be at minimum in the amount of \$1,000,000 per any one occurrence with an overall policy aggregate of \$2,000,000.
- Attach the applicable licence fee of \$185.00.
(Cheque or Money Order must be in CANADIAN FUNDS and made payable to the "*Insurance Council of Manitoba*")
- If you are a **Non-Resident** of Manitoba, you must include an **original** Non-Resident Endorsement Form (also known as a Certificate of Authority/Certificate of Status) not more than 60 days old from your home jurisdiction.
- Attach an original [Criminal Record Check](#) not more than 6 months old. **NOTE:** If you are currently licensed in MANITOBA and are only amending your licence, or have been licensed in MANITOBA in the past 12 months, you do not have to supply a Criminal Record Check. For Canadian residents, criminal record checks can be obtained from your local RCMP detachment or Municipal Police Department. For residents of the United States, criminal record checks must be obtained from the Federal Bureau of Investigation (FBI).
- US residents only are required to provide a curriculum vitae (CV) which will enable Council to review your experience, education and background in the industry.
- US residents may also be required to provide a short memo advising Council what specific insurance products you plan on marketing in Manitoba.

Pursuant to Section 9(1) of the General Insurance Agents Licensing Rules, every holder of a licence is required to accumulate 8 continuing education credit hours per licensing year. If your home jurisdiction requires that you obtain Continuing Education Credit Hours, these may be used to renew your Manitoba licence. If not, you may apply to Council for consideration on various courses/seminars by submitting a detailed outline including an indication of its duration, date(s) and length of each course/seminar.

Manitoba's licensing year runs from JUNE 1 to MAY 31, and licence fees are not prorated.

NOTE: Licence renewal forms are mailed out mid April.