

FALL WINTER UPDATE



INSURANCE COUNCIL
OF MANITOBA

ICM REPORT

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Farewell to Executive Director

It is with regret that the Council members of the Insurance Council of Manitoba announce the resignation of the Executive Director, Barbara Palace Churchill.

Barbara came into the Executive Director position five years ago and quickly adjusted to a new industry. She used what we came to call her ‘lawyer brain’ to familiarize herself with the structure of ICM and her financial acumen to grasp the financial complexities and constraints of the organization. Those strengths proved invaluable to those of us that relied on her leadership. Who knew that during that time we would be hit by a global pandemic that totally rewrote the book on how we conduct business. Barbara proved adept at pivoting and adjusting, always keeping the needs of the staff and the councils in focus. That is no small feat.

On behalf of all the Council Members we wish to thank Barbara for her hard work, dedication, and service to ICM. We wish you all the best in your future endeavours.

Carol-Ann Borody-Siemens, Chair Manitoba Council & Chair Life Council
Cindy Cassils, Chair General Council

Extension of General Level 1 Insurance Agents Temporary Rules Easement – To June 30, 2022

The Insurance Council of Manitoba continues to monitor and assess developments with COVID-19. Council recognizes that full or partial remote work for insurance brokerages may continue to be the norm for the foreseeable future.

This notice advises industry that the current temporary Rules easement as outlined below has been extended by the Superintendent of Insurance up to and including June 30th, 2022.

Under Manitoba’s [General Insurance Licensing Rules](#), Level 1 general agents are required to work inside the office of a general insurance agency and under the supervision of a Level 2 or 3 licence holder. Recognizing work from home plans and protocols that have been put in place by agencies, the following plan has been made to assist industry with business continuity.

The Superintendent of Financial Institutions has approved that the requirement for Level 1 general licence holders to only work inside the office of a general insurance agency will continue to be temporarily suspended up to and including **June 30th, 2022**, with the following restrictions, designed to ensure consumer protection is still of the utmost importance:

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Industry Councils

Life Council

Carol-Ann Borody-Siemens
(Chairperson) (licensed Agent)
Kayla Harold **(Vice-Chairperson)**
(licensed Agent)
Andy Anderson (licensed Agent)
Justin Boonen (public
representative)
Sofie Bruce (licensed Agent)
Lisa Churchward (public
representative)
Jean-Paul Craft (licensed Agent)
Craig Shanks (public
representative; licensed Adjuster)
Carole Urias (licensed Agent)

General Council

Cindy Cassils **(Chairperson)**
(licensed Agent)
Lyndon Friesen **(Vice-
Chairperson)** (company
representative)
Frederick Dobchuk (licensed Agent)
Irwin Kumka (licensed Agent)
Elenor Nowosad (licensed Agent)
Keith Phillips (licensed Agent)
Lynn Rempel (licensed Agent)
Grant Rerie (licensed Adjuster)
Justin Schinkel (public
representative)

Manitoba Council

Carol-Ann Borody-Siemens
(Chairperson)
Cindy Cassils
(Vice-Chairperson)
Lyndon Friesen
Kayla Harold
Irwin Kumka
Craig Shanks

- That Level 1 general agents working from home may only deal with processing renewals that do not have any amendments to coverage; any changes to coverages or remarketing of policies for Manitoba clients must be referred to a Level 2 or 3 agent for action; after review and approval by the Level 2 or 3 agent, the Level 1 agent may complete the transaction;
- With respect **only** to Manitoba Public Insurance (MPI) auto transactions with no SRE, a Level 1 licence holder working from home may make coverage changes on the MPI policy as long as the Level 1 licence holder has consistent and immediate access to communicate with a Level 2 or 3 licence holder if required; AND
- That the Operating Agent must provide the attestation to the ICM via email (on the form [here](#) on the ICM website) that the agency has an appropriate supervision plan in place for all Level 1 general agents working from home, and that the agency agrees that the Level 1 agents' business activity will be restricted to processing renewals as outlined above. Although the supervision plan does not have to be filed, ICM may at any reasonable time request a copy of the supervision plan. **Operating Agents who have already provided this form to the ICM office are not required to provide the form again.**

The above restrictions apply to all Level 1 General insurance agents working remotely outside of an office of a general insurance agency. Further, whether a Level 1 General Licensee works inside the office of the agency or from home, they must continue to be appropriately supervised by a Level 2 or 3 General Licensee.

PLEASE NOTE: Council intends to seek information and input from industry through a consultation focused on the potential for a permanent change to the Rules' requirement that Level 1 general agents work only inside the office of a general insurance agency. Information about this consultation will be circulated to industry and stakeholders in the coming weeks.

Additional current information and FAQs regarding Level 1 general agents working from home can be found on ICM's website under [COVID-19 Important Information](#). Agents are also advised to log in to ICM's licensing portal on an ongoing basis for additional 'News and Bulletins' that may relate to licensing matters.

ICM Exam Schedule

ICM monitors demand for in-person exams at the ICM office in Winnipeg on an ongoing basis. Based upon current demand, we are running in-person exam sittings twice per week, on Tuesdays and Thursdays. ICM staff will ensure that any increase in demand for in-person examinations will be addressed by opening additional exam sittings on Mondays and/or Wednesdays as necessary.

Currently, the ICM exam room has capacity to sit 5 individuals per module, adhering to safety protocols for COVID-19. (ensuring that there is at least 6 feet of space between desks and that all applicants continue to wear masks throughout the sitting)

The final day of in-person exams prior to the holiday break will be December 22nd, 2021. Exams will resume on January 6th, 2022.

On-line Delivery of LLQP Examinations Now Available

An individual who wishes to sell life and/or accident & sickness insurance products in Manitoba must complete the LLQP (Life Licence Qualification Program) and write and pass the LLQP examination(s).

As of Thursday, November 4th, 2021, Manitoba individuals wishing to write their LLQP examination(s) were provided with the choice to write the exam in-person OR in an on-line format remotely.

The Insurance Council of Manitoba (ICM) recognizes the importance of providing accommodation to those applicants who may not be able to write an examination in-person. In response to industry feedback, we are happy to announce that Manitoba exam applicants now have the option of writing the LLQP exam either in-person or on-line.

1. **In-Person Examination:** LLQP exams continue to be offered in-person at our Winnipeg testing site at the ICM office located at 466-167 Lombard Avenue **or** at our Brandon testing site through Assiniboine Community College (ACC) at the Test Centre located at 1430 Victoria Avenue East.

OR

2. **On-Line Examination:** The on-line exam is now offered through our approved external provider, Durham College. ***NEW***

To register to write the LLQP exam – whether in-person OR on-line - all applicants **must use ICM's [on-line registration portal](#) to first register through the ICM website. Applicants will not be able to register for the on-line exam directly with Durham College without having registered through the ICM on-line registration portal first.*

Applicants should refer to the instructions contained in the [User Guide](#) for both in-person registration and registration for the on-line format remotely. The User Guide provides detailed, easy to follow instructions including visual aids to assist with the registration process.

Important steps to register for the LLQP on-line option:

STEP 1: Before deciding to register to take the LLQP exam on-line, review the **Terms & Policies** that apply to taking the LLQP on-line through Durham College, available on the Durham College website [here](#). This site outlines the Fees/Costs, as well as general information, including information that once the exam is scheduled, there are no refunds, cancellations or rescheduling of exams permitted through Durham College.

STEP 2: If you wish to write the LLQP exam on-line, you are required to begin **and** complete your registration through the [ICM on-line portal](#), including providing all information as required and specifying that you wish to write the on-line option.

STEP 3: After you register on the [ICM portal](#) for the on-line LLQP exam, look for an email from ICM to you that confirms the ICM has received your request that you wish to write the LLQP exam(s) on-line with Durham College. This email will advise you to allow up to 5-business days for your information to be transferred to Durham College's database. ICM provides Durham College with the contact information for applicants who wish to write the LLQP exam on-line to confirm that they are eligible to write the LLQP.

STEP 4: 5-business days after your confirmation email from ICM, **you must** contact [Durham College](#) directly to schedule and pay for the on-line exam(s). It is the responsibility of the applicant to contact Durham College to complete the on-line exam registration process and schedule your exam date. If you require assistance with any aspect of Durham College's on-line exam scheduling process, [contact Durham College directly](#). Payment for the on-line exam is made when you schedule with Durham College. Payment for these exams is not paid or remitted to the ICM.

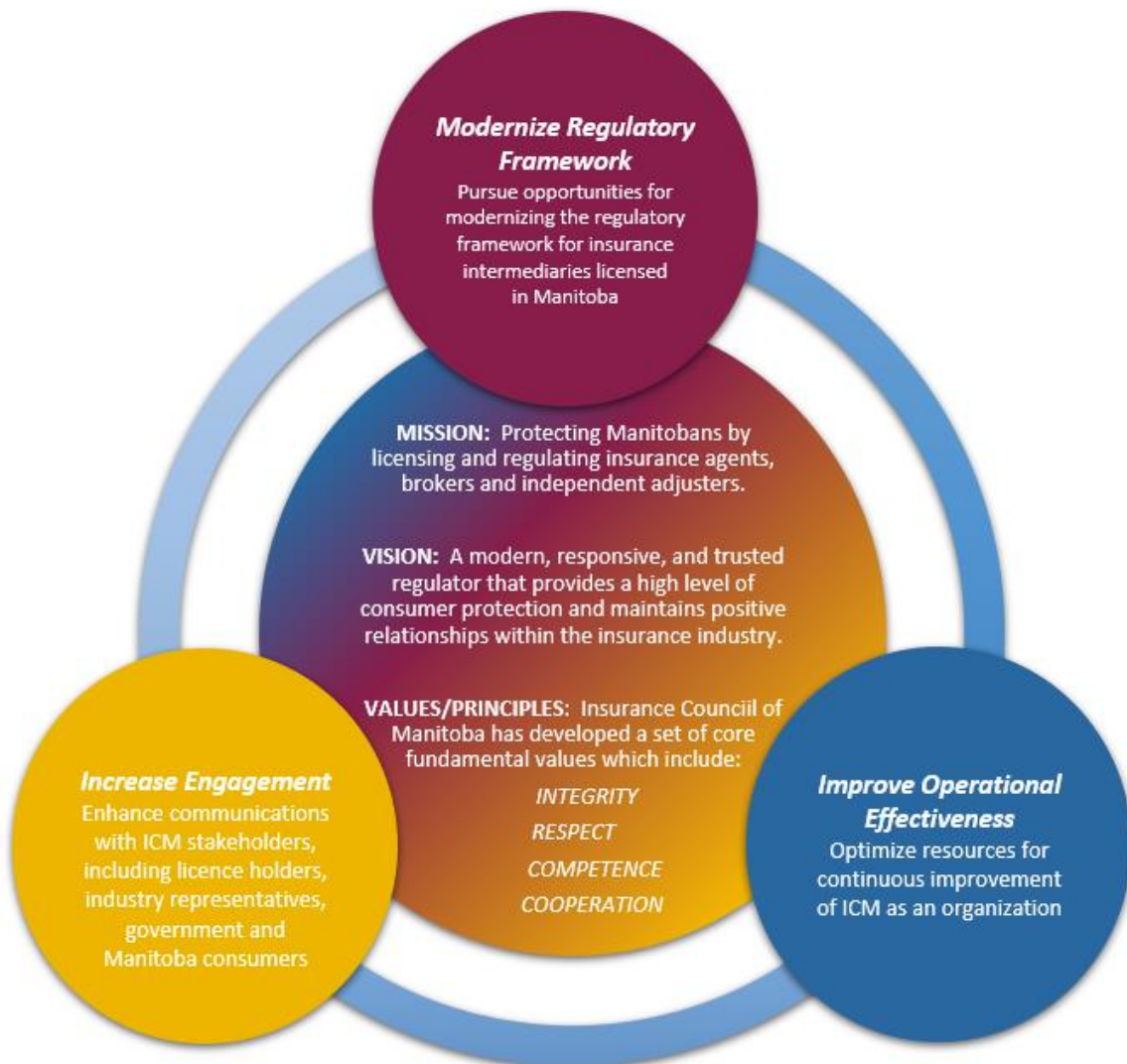
For additional information about the LLP examinations, please review the information posted on the ICM website [here](#)



INSURANCE COUNCIL OF MANITOBA - STRATEGIC GOALS 2020 – 2023

As part of its 2020-2023 strategic plan, Council revised its Mission, Vision and Values and adopted 3 strategic goals that will move ICM forward as an effective regulator.

The mandate of the Insurance Council of Manitoba is to act in the public interest to protect Manitoba consumers of insurance products, and to regulate all licensees, agents, brokers, sellers of incidental insurance (ISI) and adjusters to ensure standards are maintained for public protection.



Redevelopment of the Life and Accident & Sickness Continuing Education (CE) Definition

The ICM has expanded the Life and Accident & Sickness CE Definition. The changes to the definition include recognizing the importance of obtaining a broad spectrum of overall financial services knowledge when holding a Life or A&S insurance agent licence. Council feels that this will assist agents in being able to service their clients.

When will the new definition be active?

The new definition is now active and available for review on the ICM website [here](#).

What are the notable changes?

We have outlined the notable changes in the chart below, comparing the prior definition with the new changes. The allowable content has been expanded, and we encourage anyone wishing to apply for individual CE accreditation, or for those organizations applying as a new Accredited Course Provider (ACP), to review the changes prior to submission of the [application\(s\) for course approval](#), to ensure that the content meets the CE definition.

Prior Definition that is no longer in place includes the following criteria	New Definition that is now in place and available on the ICM website here includes the following notable updates
<p><i>Content must be directly related to life and accident and sickness insurance products or services, or the operation of an insurance business.</i></p> <p><i>Allowable content would include ethics, errors and omissions coverage and compliance with insurance related legislation and regulatory requirements both Provincial (Manitoba) and Federal (e.g. Code of Conduct, the Insurance Act, Rules and Regulations, Privacy legislation, anti-terrorism or money laundering legislation, and replacement requirements).</i></p>	<p>The definition has been expanded to include content related to group insurance products or services, or a related discipline in the financial services industry, <u>provided the course includes an insurance component.</u></p> <p>Allowable content would include courses which address Financial Planning, Estate Planning, Tax Planning, Retirement Planning, and/or Investment Planning.</p> <p>Courses for the following designations if the individual course is accredited or offered through an Accredited Course Provider (ACP) with the ICM are acceptable: Certified Financial Planner (CFP), Chartered Life Underwriter (CLU), Certified Health Insurance Specialist (CHS), Chartered Professional Accountant (CPA), Certified Agricultural Farm Advisor (CAFA), and/or Elder Planning Counselor Designation (EPC).</p> <p>For instructors, CE credits can be claimed annually for teaching / presenting time for insurance coursework. A letter from your employer, or the organization for which you presented, attesting to your teaching / presenting activity is required. The course must be completed through an Accredited Course Provider (ACP) as approved by the ICM, or individually approved by the ICM, and must be listed on the ICM website.</p> <p>Compliance with insurance related legislation and regulatory requirements both Provincial (Manitoba) and Federal (e.g. Code of Conduct, the Insurance Act, Rules and Regulations, Privacy legislation, anti-terrorism or money laundering legislation, and replacement requirements) is acceptable and applicable towards the annual CE requirement.</p>
<p><i>A maximum of 5 CE credits of the required 15 may be related to segregated funds.</i></p>	<p>This has been removed to allow those that wish to specialize in a certain area, such as segregated funds, the ability to focus on education in this area. All 15 credit hours are able to be completed now in any specialized area, as long as it falls within the new CE definition.</p>
<p><i>Content excluded from allowable CE credits are programs based on sales production, promotion, motivation, computer training, and any education not related to products or activity for which the licence is held.</i></p>	<p>Content excluded from allowable CE credits are programs based on promotion, motivation, computer training, selling skills, how to maintain a client list, setting and meeting sales targets, prospecting including cold calls, recruiting clients, closing sales, motivational techniques and speeches, maintaining a positive self-image, personal needs fulfilment, personal goal setting for the organization, personal achievement and balanced living, and/or personal betterment.</p> <p>Partial credits may be applicable to seminars that include the above noted subjects, provided that there is substantial content which relates directly to the CE Definition for Life and Accident & Sickness.</p>

Holding Out – How can licensees describe themselves to the public?

On occasion, the ICM receives inquiries about Council's interpretation of section 391 of *The Insurance Act* (the "Act"), which deals with how licensed agents or adjusters may hold themselves out to the public. Section 391 of *The Insurance Act* says:

Holding out

391

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.

Essentially, there are three broad aspects to holding out obligations under section 391:

- 1) Any unlicensed person must not present themselves (hold out) as an agent/adjuster to members of the public.

For example, a former licensee must not hold out as an agent/adjuster if their licence has lapsed, expired, been suspended, or has been cancelled; this includes all aspects of carrying on the activities of an agent/adjuster, including giving advice.

- 2) Advertising is also captured by section 391. If a person is no longer licensed, they must not hold out as an agent/adjuster through advertising to members of the public. Social media ought to be amended to reflect their status as a former agent/adjuster to eliminate confusion with members of the public as to their licensing status.
- 3) If duly licensed, any agent/adjuster who presents themselves as representing an agency or adjusting firm for which they are not licensed is guilty of an offence.

Therefore, in all advertisements, cards, letterheads, signs, or other methods, an agent/adjuster must clearly identify the agency's or adjusting firm's legal and/or trade name(s) as specified on their licence(s) as issued by the ICM. Use of an agency or adjusting firm name for which the agent/adjuster is not licensed would be a violation of section 391.

If agents/adjusters wish to begin using a new name different than that listed on their current licence(s), they may then need to either amend their current licence(s) to include the new name, or apply for a supplementary licence under that new name. This could allow the agent/adjuster to hold themselves out under all of the desired names.

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