

SPRING UPDATE



INSURANCE COUNCIL
OF MANITOBA

ICM REPORT

In this issue:

[Licence Renewal 2021...](#)

ICM's Online Licence Renewal System will be opening soon. What do I need to know?

[2021 Continuing Education Credit Hours - what are the requirements after 2020's COVID-19 Deferral ...](#)

Critical information for licensees about ensuring you complete the annual CE credit hour requirements for **both** 2020 + 2021 licensing years.

[Tools for Licence Holders...](#)

ICM's Code of Conduct Quiz – complete one for a **free** CE credit.

[Avoiding Licensing Application Delays...](#)

Information and tips for how to submit and track your licensing application for smooth processing.

[Responsibilities of an RIA Licence Holder...](#)

Understanding your responsibilities as a Restricted Insurance Agent Designated Official is critical to avoid an investigation or disciplinary action.

Licence Renewal 2021

Licence Renewal is fast approaching. Renewal of all *agent* licences is required by **May 31, 2021**. Renewal of all *adjuster* licences is required by **June 30, 2021**. If you fail to renew your licence(s) by your required date, your licence(s) will expire and you will not be licensed to do business in Manitoba.

While the ICM's online portal is generally open for renewal on May 1 of each year, this year the system will be opening in mid-April to provide more time for licence holders to complete their renewals. Once the renewal system is open, licence holders will receive an email notification advising they can proceed with their renewal application through the ICM's online portal.

The ICM office communicates all renewal information via email, and uses the primary email address listed on file for each licence holder. Licence holders must ensure this email address is kept current at all times. Communications from our office are sent from one of the below email addresses:

- licensing@icm.mb.ca
- InsuranceCouncilofManitoba@icm.mb.ca

Ensure these addresses are whitelisted in your system so ICM emails are not blocked or directed to your junk email.

All renewal communication is also posted to the ICM website at the [Licence Renewal](#) page. This page is updated regularly to ensure any licence holder or other person providing assistance to the licence holder during the renewal process can access the information quickly and easily.

Currently, the ICM regulates approximately 18,600 licences, and this number continues to grow. During the first week the system is open for renewal you may find the system slow due to the volume of people accessing it at once. If this occurs, please attempt to renew your licence 24-48 hours later.

The majority of common renewal questions are answered in the User Guides and FAQ's available [here](#) on the [Licence Renewal](#) page on the ICM website. Please check these resources for answers to your questions before contacting the ICM office. Due to the volume of emails and telephone calls received during renewal, inquiries with answers found in these resources may not be returned.

The ICM office continues to be closed to the public for in-person visits or information, however, the ICM continues to service the industry via email. Questions can be directed to our main email address at contactus@icm.mb.ca.

Licence Renewal Information is available on the Licence Renewal Page of the ICM Website - <https://icm.mb.ca/licence-renewal>

Industry Councils

Life Council

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

General Council

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

Manitoba Council

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



Continuing Education (CE) Reporting

**2020 + 2021 CE Credits to be
completed and reported prior to
Licence Renewal**

In March 2020, the Superintendent of Financial Institutions approved a one-year *deferral* of the requirement for mandatory

Continuing Education (CE) reporting for the 2020 licence renewal year. This meant that all Manitoba licence holders who were required to report CE credits were able to renew their licences in May 2020 (June 2020 for adjusters) without having to complete or report their mandatory CE for the 2020 licensing year. The deferral meant that the 2020 required CE credits would have to be completed and reported prior to licence renewal in 2021, in addition to the CE credits required for 2021.

The ICM received much positive feedback from licence holders and industry during what was the beginning of a very uncertain time due to COVID-19.

Licence holders must ensure that the CE credits required from the 2020 year are completed and logged in their online portal **in addition to** the CE credits required for the 2021 year, prior to their May 2021 (June 2021 for adjusters) renewal. Over the past year, the ICM has reminded licence holders of their obligation to ensure both years' requirements are met before renewing their licence(s). All CE reminder notices emailed to licence holders may be found on the ICM website [here](#).

The chart on the following page will help you determine if you are required to complete and enter CE credits into your [on-line portal](#) before renewal 2021.

(continued on page 3)

Learn Your Code of Conduct

*As a Provincial Regulator, and to help licence holders understand their obligations, Council has developed Code of Conduct quizzes available on the ICM website at <https://icm.mb.ca/compliance-and-enforcement>. Licensees may take a **free** online quiz, and once completed, they will qualify for a full **1-hour of CE credit** that may be applied to their annual requirement as long as they have not taken and reported this CE course within the last two years.*



Mandate

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.

Mission

Protecting Manitobans by licensing and regulating insurance agents, brokers and independent adjusters.

Vision

A modern, responsive, and trusted regulator that provides a high level of consumer protection and maintains positive relationships within the insurance industry.

Values

Integrity, Respect, Competence, Cooperation

ICM Contact

466-167 Lombard Avenue
Winnipeg, MB
R3B 0T6
P: 204 988 6800
F: 204 988 6801
Email: contactus@icm.mb.ca
Website: www.icm.mb.ca

(continued from page 2)

For Licence Holders that are required to complete and report CE in Manitoba

The following number of CE credits will be required **to be completed and entered** into your online portal before being able to renew your licence(s):

- **General** insurance agents: **16** CE credits completed and reported prior to May 31, 2021;
- **Auto Only** insurance agents: **8** CE credits completed and reported prior to May 31, 2021;
- **Adjusters** (*N/A to Hail Adjusters*): **16** CE credits completed and reported prior to June 30, 2021;
- **Life and/or A&S** agents: **30** CE credits completed and reported prior to May 31, 2021.

**New Licensees as of June 1, 2020 (July 1, 2020 for adjusters) MUST ensure that their CE is accumulated in the 2020/2021 licence year. Refer to [this page](#) on the ICM website for additional information.*

For Non-Residents residing in Canadian jurisdictions

Agents/Brokers residing in a jurisdiction where CE is mandatory: you will be deemed to have met the requirement in Manitoba, and are not required to enter them in the Manitoba portal.

Agents/Brokers residing in a jurisdiction where CE is NOT mandatory: you are required to comply with Manitoba's CE requirements, (see box to the left) and you must report them within the on-line portal prior to renewing your licence.

**New Licensees as of June 1, 2020 (July 1, 2020 for adjusters) MUST ensure that their CE is accumulated in the 2020/2021 licence year. Refer to [this page](#) on the ICM website for additional information.*

For Residents of the United States of America

Residents of the United States of America are required to comply with Manitoba CE requirements, (see box to the far left) and must report them within the on-line portal prior to renewing their licence.

**New Licensees as of June 1, 2020 (July 1, 2020 for adjusters) MUST ensure that their CE is accumulated in the 2020/2021 licence year. Refer to [this page](#) on the ICM website for additional information.*

Licensees that are required to meet Manitoba's annual CE requirement will be unable to renew their licences in May 2021 (June 2021 for adjusters) if they do not complete and report the 2020 CE credit requirements **in addition to** the 2021 CE credit requirements as outlined above.



Avoiding Licensing Application Delays - HOW?

The ICM currently regulates approximately 18,600 existing Manitoba licences, and these numbers continue to grow. The volume of applications our office receives each day and each week play a significant role in the timeframe within which the ICM staff is able to review and process these applications. Applications are typically processed within *7-business days* (in many cases 5-business days) once a complete application is at the stage of being ready to be reviewed by ICM staff. Current processing times for applications are updated daily and can be found on the home page of the ICM website at www.icm.mb.ca.

The ICM's mandate is to protect Manitoba consumers through regulation of insurance agents and adjusters, and critical to that is ensuring that all applicants are suitable and qualified to receive a licence according to our regulatory framework. This is why it is extremely important that applications include all information as requested and outlined by the ICM, and why each application is reviewed on its individual merits.

The following information provides applicants and licence holders with information and tips on how to track the progress of applications and how to help make sure an application is ready to process when it reaches the ICM office through our online portal.

AFTER I SUBMIT MY APPLICATION, WHAT HAPPENS?

After an application is submitted in the online portal by the applicant, it goes directly to the applicant's *Authorizer*. The *Authorizer* is the sponsor of the application and must approve it before the ICM staff may review it. An *Authorizer* is either the insurance company sponsor or a general insurance agency or adjusting firm sponsor; their role is to ensure the application is complete, approve it for submission to the ICM, and advise the ICM that they will sponsor the individual. Only after it is approved by the *Authorizer* is it available to the ICM staff to review. The *Authorizer* should do their due diligence to ensure that the application has included all documentation verifying the applicant's qualifications and suitability.

Once an application has been approved by an *Authorizer*, it is then reviewed by ICM staff to ensure all required documentation is present and that the applicant has answered all of the suitability questions completely. If the application submitted is "complete", it will be processed within the 7-business day timeline, unless there is a need for further information or for the application to be referred to industry council for review. If the application submitted is "incomplete" (i.e. missing required documentation or incomplete answers to questions), the application is returned to the applicant. Because the ICM does not know when the required information would be provided by the applicant, it is taken out of the ICM application "queue" at this time so that other complete applications may be reviewed.

Once a complete application has been reviewed and is satisfactory, it is approved and a confirmation of licensing will be issued via email to the applicant. Only once the confirmation of licensing email is issued is the applicant licensed and eligible to do business in Manitoba.

(continued on page 5)

Disclosure of Material Changes – within 15 days

Council considers a material change to include any material fact which may influence Council to amend or review a licensee's licence(s). These could include items such as:

- Change in Operating Agent or Designated Representative
- Lapse of E&O insurance
- Change in Supervisor
- Being Under Investigation by a regulatory or licensing authority
- Sponsor Change
- Agency/Firm Change
- Criminal Charges or convictions
- Bankruptcy
- Dismissal for cause from an employer

** This is not an exhaustive list; when in doubt, please contact the ICM for clarification.*

Licensees must notify the ICM in writing of any material change not previously disclosed **within fifteen (15) days** of such change, and attest to this within their application form.

(continued from page 4)

HOW CAN I SEE WHAT STAGE MY APPLICATION IS AT IN THE PROCESS?

Applicants can view a *Progress Bar* when they login to their [online portal](#) – your “*My Applications*” page will indicate the status of the application. If it indicates “*Pending Authorizer’s Review*”, the application is with the sponsoring organization (insurance company, general agency or adjusting firm) waiting for their review and approval, and that it has not yet been submitted to the ICM for our staff to review. If the application is at this stage, you may wish to contact your *Authorizer* to see if there is a delay in their review of your application or if more information is needed. More information on the *Progress Bar* can be found [here](#) on the ICM website.

HOW DO I AVOID DELAYS IN MY APPLICATION PROCESSING?



Ensure a complete application is submitted to the ICM:

Approximately 33% of applications submitted to ICM are incomplete and must be returned to the applicant. A common reason for an incomplete application is that not all of the required information was provided by the applicant. This delays your application. Applicants and

Authorizers should review applications carefully before they are submitted to ensure that all documents and information are provided fully and completely, so that the application is complete and ready for review.

The ICM looks for the following in a complete application:

- Correct Agency Name – *all names must be active with the Manitoba Companies Office and viewable on ICM’s system before the applicant proceeds with the application*
- Additional Occupation(s) details – must include employer’s information, position/title and full job description
- Fully answered questions, including supporting documents when required (i.e. bankruptcy discharge, criminal record information, licence suspension, disciplinary action, open investigations from any regulator, etc.)
- Active Errors & Omissions (in cases where there was a prior E&O disqualification, a copy of the E&O certificate of insurance must be included as requested within the application)
- Fully attached documents in the **Documents** section of the application (i.e. criminal record checks issued through the Winnipeg Police Service ePIC (electronic Police Information Check) online system, are required to be attached to the application and “shared” with the ICM directly from within the Winnipeg Police Service ePIC system where the ICM is listed as an agency)

COVID-19 and the ICM Office

During COVID-19, the ICM has continued its work as a regulator, taking into account Manitoba Public Health guidelines and requirements. In-person examinations continue to run 4-days per week in the ICM office. Almost all licensing functions are electronic and can be submitted via the [on-line portal](#). Licensing applications continue to be reviewed within 5-7 business days. Both the Licensing and Compliance departments continue to function in a combination of remote and in-office work and are best available by email at contactus@icm.mb.ca. Deliveries to the office are accepted through the mail slot or by knocking for entry during office hours.

Use the tools the ICM has available on the website when completing an application:

The ICM has developed several *User Guides* with explanations and pictures for each stage of an application process. There are User Guides available for many different licensing-related transactions, so look for one to suit your needs. These User Guides are available in the online portal depending on your access (whether an Applicant or an Authorizer), and are also publicly available on our website at <https://icm.mb.ca/user-guides-and-faqs>. Looking in the User Guides and FAQs may answer your questions quickly and easily. If you are unable to find the answer to your questions in the User Guides, FAQs or elsewhere on the ICM website, you can contact the ICM directly for further information at contactus@icm.mb.ca.

Restricted Insurance Agents (RIA) – Information for Designated Officials



Restricted Insurance Agents (RIAs) are insurance agent licence holders and have obligations and responsibilities under the law. An entity that holds an RIA licence has a Designated Official who is responsible for ensuring that all of these legal responsibilities are met. The details of the RIA's responsibilities are set out in *The Insurance Act* of Manitoba, [Regulation 389/87 R](#). The ICM has developed an annual notice sent by email to all RIA licence holders setting out a summary of these responsibilities; this notice is also available on the ICM website [here](#).

A Restricted Insurance Agent (RIA) licence holder must:

- have reasonable and demonstrable policies and procedures to ensure that anyone who solicits, negotiates or transacts insurance is knowledgeable, competent and suitable for the class or type of insurance;
- ensure that anyone who solicits, negotiates or transacts insurance complies with the policies and procedures mentioned above;
- ensure that the person applying, when receiving an application for insurance, is:
 - informed that they are contracting with the insurer and not with the RIA;
 - provided with a summary of the terms of the insurance and circumstances under which it commences or terminates, and how to make a claim;
 - notified that on approval of the application, a copy of the insurance coverage will be sent to them;
- ensure that within 20 business days after a person's insurance coverage comes into force, the person is provided with documentation evidencing the insurance coverage;
- ensure that, if the RIA licence holder or a qualified entity acting for it receives direct or indirect compensation, or a direct or indirect inducement or benefit, from the insurer for soliciting, negotiating or transacting the insurance, that fact is disclosed to any person considering obtaining the insurance;
- ensure that they follow the provisions outlined in *The Insurance Act* of Manitoba and the Regulations; and
- ensure that a qualified entity that acts on behalf of an RIA follows the requirements of Section 31 of [Regulation 389/87 R](#).

In addition to the above, the RIA's Designated Official (DO) must:

- notify the ICM **without delay and in writing** of any change in DO or if the current DO is unable to discharge the responsibilities expected of a DO, and to provide the ICM with a replacement DO;
- supervise any individual offering (selling) insurance products under the RIA licence;
- ensure compliance with *The Insurance Act* of Manitoba and its Regulations;
- ensure that errors and omissions (E&O) insurance is maintained for the full duration of the licence in accordance with the Regulations, and that this information be maintained and updated in the [online portal](#);
- report any material change to the ICM within 15 days. Refer to the [Material Changes - When to Disclose them to the ICM](#) link on the ICM website for information; and
- ensure that the RIA licence holder, or any qualified entity acting for it, does not represent or hold themselves out to the public in any other name than is stated on the licence, or during any unlicensed period.

Section 30(2) of [Regulation 389/87 R](#) lists what an RIA must **NOT** do, including: an RIA must **not** make the provision/sale of the goods or services conditional on the consumer's purchase of insurance; must **not** allow anyone to sell on behalf of the RIA unless adequately trained; and must **not** permit an employee to tell a consumer that the consumer is required to purchase insurance, or is required to purchase insurance only through them.

Failure to follow any of the ICM's requirements may result in the cancellation of the RIA licence and/or disciplinary action of the RIA licence holder. Disciplinary actions may include fines or a review of the suitability of the RIA licence holder to continue to hold a licence.

Further details on RIA licensing can be accessed on the ICM website at the [RIA Information page](#).