



IN THE MATTER OF THE

INSURANCE ACT, R.S.N.B. 1973, c. I-12

AND

IN THE MATTER OF

EXEMPTION OF ADJUSTERS OF PET HEALTH CLAIMS IN PART XV OF THE INSURANCE ACT

Blanket Order INS-2024-01

Section 3.1 of the *Insurance Act*

Interpretation

Terms defined in the *Insurance Act* (the “*Act*”) and Rule INS-001 *Insurance Intermediaries Licensing and Obligations* (Rule INS-001) have the same meaning in this order.

Background

1. Pet health insurance is a form of property insurance, and includes medical and dental care coverage for domestic animals, including when they are injured in an accident.
2. Section 351 of the *Act* provides that no person shall carry on business, act or offer or undertake to act or represent themselves in New Brunswick as an adjuster unless the person holds an adjuster licence issued under the *Act*, or is exempted under the *Act* or the regulations from the requirement to hold the licence.
3. Section 351.02 of the *Act* provides that no insurer and no officer, agent or employee of the insurer and no adjusting firm, agency or managing general agent shall allow an adjuster to act on their behalf, unless the adjuster holds an adjuster licence issued under the *Act*, or is exempted under the *Act* or the regulations from the requirement to hold the licence.
4. Subsection 58(1) of Rule INS-001 provides that an adjuster licence is not required for a person who adjusts claims for certain types of insurance contracts, but pet health insurance is not currently one of the contracts listed.

5. Subsection 58(2) of Rule INS-001 provides that an insurance company or an adjusting firm that uses the services of a person that is exempt from the requirement to be licensed under subsection 58(1) shall ensure that the person has the appropriate qualifications and competency to deal with any insurance claim that the person is involved in on behalf of the insurance company or adjusting firm, and shall oversee the activities of the person with respect to any insurance claim.
6. Subsection 3.1(1) of the *Act* provides that if the Superintendent considers it appropriate to do so, the Superintendent may exempt, by order and subject to any terms and conditions the Superintendent considers appropriate, any person or class of persons from the application of the *Act*, the regulations or any provision of the *Act* or the regulations.

IT IS ORDERED pursuant to subsection 3.1(1) of the *Act* that:

7. Adjusters of pet health insurance claims are exempted from the licensing requirements under sections 351 and 351.02 of the *Act*.
8. This exemption is subject to the following terms and conditions:
 - a. An insurance company or an adjusting firm that uses the services of a person that is exempt from the requirement to be licensed under this Blanket Order shall ensure that the person has the appropriate qualifications and competency to deal with any insurance claim that the person is involved in on behalf of the insurance company or adjusting firm, and shall oversee the activities of the person with respect to any insurance claim.

Effective date and term

9. This order is effective 1 February 2023.
10. This order remains in effect until further order of the Superintendent of Insurance.

Angela Mazerolle
Superintendent of Insurance