FINANCIAL AND CONSUMER SERVICES COMMISSION OF NEW BRUNSWICK

COMMISSION DES SERVICES FINANCIERS ET DES SERVICES AUX CONSOMMATEURS DU NOUVEAU-BRUNSWICK

Agency, Managing General Agent and Adjusting Firm Insurance Licence

Application Guide

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Introduction

This guide explains the Financial and Consumer Service Commission of New Brunswick's (Commission) portal licence application process for Agency, Managing General Agent (MGA) and Adjusting Firm licence applicants. This guide can be used new licence applications and for renewals.

Before beginning the application process, please familiarize yourself with Rule INS-001 *Insurance Intermediaries Licensing and Obligations* (Rule) and the requirements for each licence type. **The application fee will not be refunded if you apply for the wrong licence type or if the insurer does not approve sponsorship.**

To begin this process, you must have already created a portal account. If you require assistance creating a portal account, please refer to the Portal Basics User Guide.

Introduction and selection of licence type

Select the type of licence you wish to apply for**.**

1. If an error has been made, a new application must be started by going back to the *My Licensed Firm and Restricted Insurance* page and selecting **Add**. If you have a draft application with an incorrect licence type selection and would like to have it deleted, please send an email request to insurance.licensing@fcnb.ca.
2. Once you select **Next,** you will be unable to make changes to this selection, and the application fee will not be refunded if you apply for the wrong licence type or if the insurer does not approve sponsorship.

Before you begin

Before you start the application, please note the following information:

Please ensure to add @fcnb.ca to your safe senders list to ensure you receive all notices from the Commission.

Internet Browser Requirements	For the online system to function properly, it is important that your browser is compatible with the portal. Ensure that you are using the most recent version of your browser and that it is properly updated. Our portal works with browsers Microsoft Edge, Google Chrome, Firefox, or Safari.
Username	The username is an email address that you provide. Ensure the email address you submit is used only by you and is checked regularly, as all notices from the system will be sent to that email address.
Sponsoring Insurer	If you are applying for an Agency or MGA licence, you will need the name of the insurance company that is sponsoring the application.
Disclosure Forms/ Criminal Record Checks	For all new licence applications, ALL Directors, Partners and Officers of the company will be required to provide a completed Disclosure Form as well as a Criminal Record Check that has been completed within six months at the time of submission. For information on the required criteria, visit FCNB.ca.
Suitability Disclosures	If you disclose a potential suitability issue, you may be required to provide further documentation. Examples of potential suitability issues are, but not limited to, bankruptcies, disciplinary decisions, court judgments and criminal records. Additional information may be requested during the review of the application.

Trust Account	If you receive payments directly from clients, you are required to have a Trust Account(s) and will be required to provide the name and address of the financial institution(s) on the application.
Designated Representative (DR)	Before completing the application, please review Part 10 of the Rule.
Regulatory & Licensing Details	You will be asked to provide details of current and expired insurance licenses held in other jurisdictions. This is specific to the Agency/MGA/Adjusting Firm and NOT the listed Designated Representative. Ensure you have details of the licence type, month and year of first issued, and month and year of current expiry.
Errors and Omissions Policy	Proof that the Agency/MGA/ Adjusting Firm is covered by Errors and Omissions Insurance that meets the requirements outlined in Part 13 of Rule must be uploaded with the application.
Documents	**NOTE**: Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.

Licence application in the portal

Applicants must ensure that they have selected **Agency / MGA / Adjusting Firm / Restricted Insurance Rep** for the account type on their profile. To do this please complete the following directions:

1. Select **Profile** in the top right corner of their account.
2. Scroll down to the Account Type section and select **Agency / MGA / Adjusting Firm / Restricted Insurance Rep.**
3. Select **Update** at the bottom of the screen.

You should now be able to select the *My Licensed Firm and Restricted Insurance Representative* option at the top menu.

New Application:	**Renewal Application:**
• Login to your Portal account. • Select the *My Licensed Firm and Restricted Insurance Representative* link in the top menu and the page will be displayed. • To start an application, select **Add**. This will start the application process.	• Login to your Portal account. • Select the *My Licensed Firm and Restricted Insurance Representative* link in the top menu and the page will be displayed. • To start an application, select **Renew**. This will start the application process.

- After completing each page, select **Next** to continue.
- At the end of the application, you will be required to validate the application. Read the instructions and check the three boxes to complete this step.
- Payment options:
  - You may pay online using Visa, Mastercard, Amex or Interac debit - You will be redirected to a Moneris page after which you will be returned to a Fees and Payment summary.
  - Send or deliver payment to the Commission separately - You can send payment to the address on the Fee Summary or call our toll-free number 1-866-933-2222 and pay by credit card.
  - **NOTE:** you can download a fee summary for your records from this page. Please do so if you are paying separately as this document is required to process (and must accompany) your payment. You can also access this summary later, by selecting **Manage** on the submitted application.
- Select **Done** to proceed, this will return you to the *My Licensed Firm and Restricted Insurance Representative* page.

What will be asked during the application process?

<table>
<tr><td>Applicant Details</td><td colspan="3">Provide the legal name, any registered business names (i.e. tradenames or “doing business as”), business address, address for service, mailing address and the address where the business records will be maintained (if applicable).
NOTE: If applicable, proof of registration with New Brunswick Corporate Registry is required.</td></tr>
<tr><td>Branch Locations</td><td colspan="3">If applicable, you will be required to provide the address of any branch location. This does NOT include the primary business location.</td></tr>
<tr><td>Partners, Directors and Officers</td><td colspan="3">Provide the names of the partners, directors and key officers of the firm. After adding them to the table on this page, select **Download Disclosure Form(s)** to obtain the form which must be signed by all listed.
NOTE: The Commission is not currently requesting this form for any applicants who are regulated by the federal Office of the Superintendent of Financial Institutions (OSFI) or already licenced or registered with the Commission. However, we reserve the right to request this information.</td></tr>
<tr><td>Sponsoring Insurer</td><td colspan="3">Select or confirm the sponsoring insurer from the drop down. If the sponsoring insurer is not in the dropdown list, contact the Commission at: Insurance.Licensing@FCNB.ca.</td></tr>
<tr><td>Trust Account Details</td><td colspan="3">You must maintain a trust account if the Agency, MGA or Adjusting Firm intends to receive or hold money in trust for an insurer or an insured.</td></tr>
<tr><td>Other Business Activity</td><td colspan="3">Provide details of any business, other than insurance, conducted by the firm.</td></tr>
<tr><td rowspan="3">Designated Representative (DR)</td><td colspan="3">Provide name and contact information for the DR.</td></tr>
<tr><td>General Insurance
- Agency
- A Level 3 General
- Insurance Agent licence</td><td rowspan="2">Managing General Agent
- A Level 3 General Insurance Agent licence
- Life Insurance Agent licence for a minimum of two years
- Accident & Sickness Agent licence for a minimum of two years</td><td>Life Insurance Agency
- Life Insurance Agent licence for a minimum of two years</td></tr>
<tr><td>Adjusting Firm
- Level 3 Senior Adjuster licence</td><td>Accident & Sickness Agency
- Accident & Sickness Agent licence for a minimum of two years</td></tr>
<tr><td>Regulatory and Licensing Details</td><td colspan="3">Provide details of any insurance licence(s) that the firm currently holds or has held in any jurisdiction, including New Brunswick, starting with the INITIAL issue year with CURRENT expiry date. If the firm does not hold a licence in another jurisdiction, select that option on this page.</td></tr>
<tr><td>Proceedings and Judgments</td><td colspan="3">Provide details of any criminal conviction(s), past or current legal proceedings against the firm, outstanding judgements or whether a court has ever found the firm liable for misrepresentation or fraud.
NOTE: You may upload supporting documentation at the end of the application.</td></tr>
</table>

Bankruptcy	Provide details if the firm has ever been subject to a proceeding in bankruptcy, consumer proposal or an arrangement with the *Companies' Creditors Arrangement Act.*
Errors and Omissions Insurance	All Agencies/MGAs/Adjusting Firms must be covered by Errors and Omission Insurance of no less than $1,000,000 for any one occurrence, and overall policy aggregate of at least $2,000,000.
Additional Information	Provide any additional information related to the application that has not been addressed in the previous pages.
Documents	You are required to upload disclosure form(s) and criminal record check(s) for any partners, directors or officers of the firm. You are also required to upload proof of the required Errors and Omissions Insurance and proof that the firm is registered with New Brunswick's Corporate Registry. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.

What happens after I submit my application?

You may view the status of the application on the *My Licensed Firm and Restricted Insurance Representative* page (refer to the **status** column).

At anytime you may login to the Portal to monitor the status of your application. Once the application has reached the **Submitted to FCNB-PAID** status, the targeted turnaround time is 10 business days. Due to increased volume during the renewal periods, you may experience delays. Applications cannot be expedited.

Possible reason(s) for delay:

- Missing information, the application is returned to the applicant to complete and resubmit. This will send the application back to the Insurer for review before returning to the Commission for final review.
- Suitability reviews may also delay processing
- Occasionally, applications may become delayed during the approval at the Insurer approval level, at which time we ask the applicant to contact their Sponsoring Insurer directly.

Before contacting our office, refer to the *My Licensed Firm and Restricted Insurance Representative* page of the Portal to verify the application's status.

For questions about this process, please email insurance.licensing@fcnb.ca.

What if my application requires more information?

Once a new or renewal application has been submitted, the sponsoring insurer or Commission licensing staff may determine that certain information in the application or renewal is incorrect, incomplete or requires clarification (for example an additional document upload has been requested, the company information is not up to date, or you have selected the incorrect sponsoring insurer). In such a case, you will receive a system generated email advising more information is required.

To access the application and complete the Missing Information Request, please follow the steps below:

1. Log in to the Portal.
2. On the *My Licensed Firm and Restricted Insurance Representative*, select **Manage** next to the licence.
3. Select **Edit** located at the bottom of the screen.
4. Select **Next** at the bottom of each screen to proceed to the end of the application and resubmit.

Duty to Report submission

Before beginning the process, please familiarize yourself with the Duty to Report requirements under Part 12 of the Rule. It is the responsibility of the Designated Representative to ensure that information is properly disclosed to our office.

To access the Duty to Report function, please follow the steps below:

1. Log in to the Portal
2. On the *My Licensed Firm and Restricted Insurance Representative*, select **Manage** next to the licence
3. Select **Duty to Report** located at the bottom of the screen

Types of changes to report

Change in Legal Name or Address	Provide details of any change to the legal name, registered business name, or business, service or mailing address of the licensed firm.
Change in Branch Location	Provide the details of any licensed firm branch locations to be added or removed.
Change in Partner, Director or Officer	Provide the details of a change in partner, director, officer, manager or ownership* of the licensed firm. If the new individual is not currently licensed with the Commission or regulated by OSFI, select Download Disclosure Form(s). Completed Disclosure Forms as well as a Criminal Record Check(s) completed within six months at the time of submission must be uploaded in the *Documents* page ***NOTE:** If the change in ownership creates a new corporate entity, a new licence is required.
Employee Departure	Provide the details of a licensed individual departing from the licensed firm for any reason, including termination, dismissal or retirement. Include the name and contact information of the employee and a description of the reason for departure. **NOTE**: The sponsoring insurer must be notified so they can terminate the sponsorship of the departing employee's licence.
Misconduct of any Individual Related to the Business	Provide the details of any misconduct by any individual related to the business of the licensed firm. Include a description of the behaviour, what jurisdiction it took place in, and the name of the regulatory or professional body that is conducting the investigation or issued the decision.
Any Investigation, Disciplinary Action or Decision by a Regulatory or Professional Body	Provide the details of any investigation, disciplinary action or decision, by a regulatory or professional body, regarding the licensed firm or its directors, partners or officers. Include a description of the case, what jurisdiction it took place in, and the name of the regulatory or professional body that is conducting the investigation or issued the decision. Include the outcome of the investigation and upload any supporting documents on the *Documents* page. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.
Errors and Omissions – Claim related to the business	Provide the details of any Errors and Omissions claim related to the insurance business of a licensed firm or any of its employees. Include the outcome of the investigation and upload any supporting documents on the *Documents* page. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.

Errors and Omissions – Change in provider	Provide the details of a change in Errors and Omissions Insurance provider, including the previous provider, the new provider and the reason for change. Upload a copy of the new Errors and Omissions Insurance policy on the *Documents* page. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.
Errors and Omissions – Lapse	Provide the details of a lapse in Errors and Omissions Insurance coverage including the expiration date and an explanation as to why it was not renewed on time. Upload a copy of the new Errors and Omissions Insurance policy on the *Documents* page. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.
Change in Designated Representative (DR)	Provide the information requested on this page. Prior to completing, ensure that the DR meets the criteria as outlined in Part 10 of the Rule.
Change in Trust Account	Provide details of a change in trust account, including the previous account details, the new account details and the reason for change.
Change in Proceedings and Judgements	Provide details regarding any criminal conviction(s), whether a court has ever found the firm liable for misrepresentation or fraud, if any legal proceedings are pending against the firm or if you have been advised that a legal proceeding will be commenced against you, and if you have any outstanding judgment(s). Upload any supporting documents on the *Documents* page. **NOTE:** Be sure to remove any special characters from the file name, for example "&". Our system will not accept it.
Other	Provide the details of any change in circumstance relating to the business of the licensed firm.

What happens after I submit a Duty to Report?

Once your Duty to Report is submitted, it will be reviewed by Commission staff. This review will result in one of the following outcomes:

- If your submission was properly completed and raises no issues, you will receive an email advising that your submission is reviewed.
- If your submission requires additional information, you will be contacted by a Licensing Officer.

To monitor the status of the submission(s), select the *My Licensed Firm and Restricted Insurance Representative* link in the top menu.

Find the licence for which you're making a submission from the list below and select **Manage**.

On the *My Licensed Firm and Restricted Insurance Representative Actions* page, scroll down to the Duty to Report section.

To edit a draft submission, select the down arrow to the right of a submission.

Before contacting our office, refer to the *Insurance Licence Application Actions* page of the Portal to verify the submission's status.

For questions about this process, please email insurance.licensing@fcnb.ca