J.2 – Licensing and Examination Policies

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The *Financial Institutions Act* (the Act) and the Council Rules empower the Insurance Council to establish the applications for licensing, prescribe the classes of licences issued by the Insurance Council and the individual and business qualifications for each licence, as well as any other requirements to obtain and maintain a licence.

The Licensing and Examination Policies are intended to clarify the Insurance Council's approaches with respect to licensing. The policies are not designed to address licensing procedures which continually evolve.

1. Completed Applications

Pursuant to section 174 of the Act and Council Rules, an applicant for a licence must deliver to the Insurance Council an application in the form, including supporting documentation, required by the Insurance Council.

An application received from a person without the required fee will not be reviewed by the Insurance Council. The application will be closed after two outstanding requirement letters have been sent to the applicant. These requirement letters are also sent to those who have not met the licensing requirements. Applicants have up to 90 days from the date of their incomplete application to pay the outstanding fee or submit outstanding requirements or their application would be closed.

If an application is received from a person with the required fee, the Insurance Council will process the application if it is complete. A complete application is one that includes all of the information requested in the application, including any attachments that fully address the application requirements.

If an application is received from a person with the required fee but the application is not complete, the Insurance Council staff will make two attempts to obtain the outstanding information from the applicant. If the applicant does not provide all of the required information, the application is deemed incomplete and only the government fee is returned to the applicant. The Insurance Council's application fee is not refundable.

The Insurance Council does not make any determinations on issuing a licence to a person without a completed application.

An application, whether paper or online, must be certified by the applicant and if applicable, verified by any other applicable party within 90 days of being processed by the Insurance Council. Otherwise, the application is considered stale-dated and cannot be processed.

2 Delay of Processing Applications

Pursuant to section 174 of the Act, the Insurance Council may conduct an investigation of a licence application and require the applicant to provide the Insurance Council with additional information, documents, or verification that the Insurance Council considers necessary for the evaluation of the applicant. As this can delay the processing of an application, where a completed application has not been processed within 90 days and the application has not been scheduled for review by the Licensing Committee or Council, Staff will communicate to the applicant why their application has not been processed and the available remedies.

3. Licence Renewals

Licences issued by the Insurance Council are continuous and subject to a renewal date. All licences are required to be renewed each year.

Licensees must submit to the Insurance Council the required declarations, the annual licence renewal fee, and the supporting documentation, in the form required by the Insurance Council each year, by the annual licence renewal deadline as established by the Insurance Council. A licence renewal fee received after the annual licence renewal date is considered a late licence renewal and is subject to an additional fee (a late annual licence renewal fee).

Licensees who do not submit a licence renewal declaration and the required fee(s) along with supporting documentation, in the form required by the Insurance Council, to the Insurance Council within 60 calendar days of the annual licence renewal deadline will have their licences automatically cancelled for non-renewal. Licensees who do not provide confirmation of having completed the continuing education program and having Errors and Omission (E&O) insurance will not be able to complete the annual renewal and will have their licences automatically cancelled for non-renewal after 60 calendar days of the annual licence renewal deadline. Inactive and suspended licences are not required to have E&O insurance to maintain their licence. Suspended licences are required to meet the continuing education requirements during their suspension and prior to applying for an active licence.

It is a licensee’s obligation to submit the required declaration and renewal fee to the Insurance Council on an annual basis. All annual licence renewal declarations are submitted, and fees are paid through the online portal. If an agency or firm is paying the annual licence renewal fee on the licensee’s behalf, the licensee must submit their declaration through their online portal before the agency or firm can pay their fee on their behalf. It is the licensee’s responsibility to ensure that the fee is paid on time, even if it is paid by their agency or firm.

4. Corporation, Partnership, and Sole-Proprietor Names

The Council Rules require the Insurance Council to be satisfied that a partnership, proprietorship, or corporate applicant for a licence has a name that is neither misleading, nor likely to cause confusion to the public.

Where a partnership, proprietorship, or corporation that is applying for a licence, or that is already licensed, proposes to use a business name, including any "doing business as" name which is not their own personal name, the partnership, proprietorship, or corporation must provide registration information from the British Columbia Corporate Registry showing that the proposed name has been accepted and is actively registered. This ensures that the applicant or licensee has met the threshold name acceptance criteria; namely, the provisions of the Business Corporations Act, the Partnership Act, or any other requirements to be met under the government registry.

If the Insurance Council is aware or believes that a proposed name of a partnership, proprietorship, or corporation is not or may not be acceptable to the Superintendent of Financial Institutions pursuant to section 12.1 of the Act, a licence will not be issued under the proposed name and the partnership, proprietorship, or corporation will be advised to contact the Superintendent's office for further information. The Superintendent is defined as someone appointed under section 207 of the Act.

Otherwise, provided a public interest concern does not exist, the Insurance Council will not take issue with a proposed name of an applicant or a licensee once it is approved by the British Columbia Corporate Registry under section 12.1 of the Act.

5. Cancelled Licences and Registrations

The Insurance Council may cancel licences in the following circumstances:

i. when a licensee requests for the cancellation;

ii. when a licensee has died;

iii. when there is a failure to maintain E&O insurance;

iv. when the licensee is no longer an authorized representative of a general Insurance agency or adjusting firm;

v. when there is a failure to maintain a contract with an insurer;

vi. when there is a failure to maintain Consumer Protection BC licensing;

vii. when there is a failure to maintain BC Corporation Registration;

viii. when there is a failure to complete the annual licence renewal;

ix. when a Council order requires a licence cancellation; or

x. when a trainee requests the cancellation of their registration.

6. Temporary Nominees

In exceptional circumstances, where an insurance agency or adjusting firm ceases or will cease to have a nominee, the insurance agency or adjusting firm may apply to Council to nominate a person on a temporary basis, which is to be approved by Council.

Staff may approve a temporary nominee application for a maximum period of one month with an option to extend for a future month when it is reviewed by the Licensing Committee, the Licensing Committee may direct Staff to approve a temporary nominee application for a maximum period of three months including the one month approved by Staff, and Council may direct Staff to approve a temporary nominee for a period determined by it.

If an agency or firm does not believe that the temporary nominee period approved by Staff would remedy their situation, they can have this decision reviewed by the Licensing Committee, and Council may review the period determined by the Licensing Committee.

All agencies or adjusting firms must provide evidence to satisfy the Insurance Council that exceptional circumstances apply.

7. Life Licence Qualification Program (LLQP) Examinations

7.1 Registration

Prior to registering for the Life Licence Qualification Program (LLQP) examination with the Insurance Council, examinees must have successfully completed the LLQP prerequisite course through an Insurance Council-approved LLQP course provider.

To register for the LLQP examination, an examinee must submit an exam registration on the online portal. All registrations must be approved by the Insurance Council before the examinee can register for an exam date. Examinees have the option to write the LLQP exam in person within Metro Vancouver, or in person with the Insurance Council’s external exam providers in other BC regions outside of Metro Vancouver.

7.2 Waiting Periods

There is no waiting period between an examinee’s first, second, third and fourth attempts at the LLQP exam. Once an examinee has been unsuccessful at the same exam module on four occasions, they will be required to wait for a period of one year as of the date of the failed fourth attempt to register for the initial exam. They also have to retake and pass the LLQP course prerequisites to reregister for the LLQP examination.

Regardless of where the examinee has previously written the LLQP exam in Canada, if they are unsuccessful in any exam module and register to write that exam module in BC, they will be subjected to the aforementioned waiting periods implemented in BC. It is the examinee's responsibility to disclose that they have previously written in another jurisdiction when they register to write the LLQP examination with the Insurance Council.

7.3 Exam Accommodations

If an examinee is not able to write an exam in the standard exam setting due to a disability or medical condition, the Insurance Council will make every reasonable attempt to provide alternate arrangements.

Special accommodation requests for the in-person LLQP exam must be submitted along with the exam registration. Requests must be accompanied by an accommodation request form and written documentation from a qualified professional supporting the required accommodation for the Insurance Council's review. The documentation must include a diagnosis of the examinee's disability or functional limitations and a specific recommendation for the exam accommodation that has been requested.

Special accommodation requests for the online LLQP exam are reviewed by the Insurance Council's external online exam provider directly.

7.4 Exam Fees

Examinees will forfeit their examination fee if they are unable to attend a scheduled exam sitting for any reason and have not rescheduled their scheduled exam sitting before its rescheduling deadline via the online portal.

Examination fees are non-refundable, non-transferable, and expire one year after the payment is received by the Insurance Council.