



General Insurance Council Bylaws Effective January 1, 2020

These Bylaws encompass
Crop Hail Insurance including Crop Hail Adjusters;
Property and Casualty Adjusters;
Property and Casualty Insurance Agents;
Restricted Insurance Agents;
Restricted Travel Agents; and
Third Party Administrators

Amended 03/2021 Bylaw 7-3, Table 7-3-1, Level 1 P&C, item (c)

General Insurance Council of Saskatchewan Bylaws

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PART I
General Insurance Council of Saskatchewan

1-1 Interpretation

In these bylaws:

- (a) **“the Act”** means *The Insurance Act*;
- (b) **“adjusting firm licence”** means an adjuster licence for a business;
- (c) **“agency licence”** means an insurance agent licence for a business;
- (d) **“designated representative”** means the individual identified by the business as being responsible for the management and supervision of the business;
- (e) **“GICS”** means the General Insurance Council of Saskatchewan;
- (f) **“ICS”** means the Insurance Council of Saskatchewan;
- (g) **“licensee”** means a holder of a subsisting licence issued by GICS;
- (h) **“LICS”** means the Life Insurance Council of Saskatchewan;
- (i) **“management”** includes direction or control or both of the operations of a licenced business;
- (j) **“MGA”** means a Managing General Agent;
- (k) **“property and casualty insurance”** means any class of insurance other than life insurance;
- (l) **“public adjuster”** means a Level 3 Adjuster who is employed by a policyholder to represent the policyholder in claim negotiations with an insurance company;
- (m) **“the regulations”** means *The Insurance Regulations*;
- (n) **“resident”** means a person who, under the laws of Saskatchewan, is subject to Saskatchewan Income Tax because of his, her or its domicile, residence, or citizenship;
- (o) **“supervision”** means:
 - (i) for a Designated Representative, reasonable and prudent oversight of a licensed business; and
 - (ii) for all other licensees, any supervision responsibilities delegated to the licensee by their Designated Representative;
- (p) **“transaction”** includes any act, advertisement, or other conduct that pertains to the offering of or the sale of insurance;
- (q) **“TPA”** means a third party administrator; and
- (r) **“vulnerable person”** means an individual who cannot make sound or independent decisions, or is easily influenced due to factors which include, but are not limited to:
 - age; health; physical or cognitive impairment; language or literary issues;
 - financial resources or knowledge limitations;

1-2 Powers and functions

- (1) GICS shall:
 - (a) exercise the powers and carry out the functions and duties authorized, pursuant to the Act and the regulations;
 - (b) accept and exercise the powers and carry out the functions and duties delegated to it by the Superintendent; and
 - (c) carry out the functions and duties outlined in these bylaws.
- (2) GICS shall establish a process to regularly evaluate the effectiveness of GICS.
- (3) GICS shall appoint three members to ICS, pursuant to clause 5-26(1)(a) of the regulations.
- (4) GICS shall ensure that ICS obtains and maintains Directors and Officers liability insurance that protects the officers and members of GICS in the performance of their duties, pursuant to clause 5-85(1)(e) of the Act, and clause 5-32(1)(h) of the regulations.

1-3 Composition

GICS shall be composed of nine members, pursuant to section 5-29 of the regulations, which shall include a chairperson and a vice-chairperson elected by the members.

1-4 Eligibility

To be appointed to GICS as a member a person must:

- (a) be committed to the public interest regarding the insurance industry; and
- (b) not be an employee of ICS.

1-5 Term of office

The term of office is as prescribed in section 5-29 of the regulations.

1-6 Council meetings

Meetings of GICS shall be called by the chairperson or as arranged by previous meetings of GICS with not less than four meetings in each calendar year.

1-7 Quorum

A quorum of GICS shall be the majority of its members.

1-8 Chairperson

- (1) The chairperson shall be a member elected annually by a majority of the members.
- (2) The chairperson shall:
 - (a) preside over meetings of GICS;
 - (b) perform all acts pertaining to this office;
 - (c) subject to subsection 1-8(3), be an ex-officio non-voting member of all GICS committees, and may attend any committee meeting; and
 - (d) automatically be one of the three members appointed to ICS, pursuant to subsection 1-2(3).
- (3) GICS may appoint the chairperson as a voting member of any GICS committee.

1-9 Vice-Chairperson

- (1) The vice-chairperson shall be a member elected annually by a majority of the members.
- (2) The vice-chairperson shall:
 - (a) perform the duties, pursuant to subsection 5-29(8) of the regulations; and
 - (b) perform such duties as may be assigned by GICS or the chairperson.

1-10 Administrator

The administrator appointed, pursuant to section 1-1 (2)(a) of the ICS bylaws, shall be responsible to GICS, and shall:

- (a) carry out the policies established by GICS pertaining to the management and administration of the affairs of GICS;
- (b) act as secretary to GICS to:
 - (i) keep all records of GICS, including a record of all meetings of GICS;
 - (ii) notify all members of GICS and members of committees of all meetings and send out to members appropriate information and documentation prior to any meeting; and
 - (iii) issue all notices required by the Act, the regulations, these bylaws or by resolution of GICS;
- (c) act as an advisor to GICS; and
- (d) attend, or delegate a staff member to attend, all meetings of GICS.

1-11 Voting and parliamentary authority

- (1) All motions voted on at a meeting of GICS shall be decided by a majority of votes of the members present.
- (2) Each member shall be entitled to one vote.

1-12 Remuneration

Travel, honoraria and other expenses of members who are attending meetings or travelling on GICS business shall be paid from general funds, in accordance with policies established by ICS.

PART II

Committees and Subdelegation of Functions, Powers and Duties

2-1 GICS committees

- (1) A committee is any committee created by GICS.
- (2) Each committee shall:
 - (a) perform its duties subject to the direction of GICS;
 - (b) meet as frequently as required to fulfill its terms of reference; and
 - (c) make timely reports to GICS on the business of the committee.
- (3) GICS shall make all committee appointments, including the Chair. GICS may specify an alternate who may be called upon to complete the term of any committee member who resigns during his or her term of office or cannot meet his or her obligations as a committee member.
- (4) Subject to subsection 2-1 (6), each member of the committee shall have voting privileges.
- (5) A quorum for a committee shall be the majority of its voting members, or no fewer than two voting members, whichever is greater.
- (6) No staff member shall have voting privileges on a committee.

2-2 Required committees

GICS hereby establishes the following standing committees:

- (a) Market Practices Committee;
- (b) Education Committee;
- (c) Restricted Insurance Agent Advisory Committee; and
- (d) Hail Insurance Advisory Committee.

2-3 Market Practices Committee

- (1) The Market Practices Committee (hereinafter "MPC") is composed of:
 - (a) three or more persons who are members of GICS, provided that:
 - (i) at least one of whom is an industry representative; and
 - (ii) at least one of whom is a superintendent appointee; and
 - (b) the administrator referred to in section 1-10, or his or her delegate.
- (2) The functions and powers delegated by GICS to the MPC, pursuant to clause 5-32(1)(a) of the regulations are:
 - (a) to hear and determine whether to grant or refuse a licence, pursuant to sections 5-14, 5-51 or 5-71 of the Act;
 - (b) to make decisions regarding the placement of terms or conditions on licences:
 - (i) on any new or subsisting licence pursuant to sections 5-17, 5-54, and 5-71 of the Act; or
 - (ii) as a penalty pursuant to sections 5-39, 5-64 and 5-82 of the Act;

- (c) to hear and determine applications for an extension of time to meet a licensing requirement, pursuant to section 3-2;
 - (d) to hear and determine applications for an exemption from meeting certain licence requirements, pursuant to section 3-3;
 - (e) to investigate complaints and adjudicate or mediate disputes respecting alleged non-compliance with the Act, the regulations or these bylaws by applicants, licensees or persons who are required to be licensees, pursuant to clause 5-31(3)(i) of the regulations;
 - (f) to dismiss a complaint if there is insufficient evidence to substantiate the complaint;
 - (g) to make decisions respecting penalties and other charges, pursuant to clause 5-31(3)(k) of the regulations; and
 - (h) to carry out examinations, inspections and investigations of licensees, pursuant to clause 5-31(3)(j) of the regulations.
- (3) When exercising the powers in subsection 2-3(2), the MPC is subject to the procedures outlined in section 10-11 of the Act.

2-4 Education Committee

- (1) The Education Committee is composed of:
 - (a) two or more persons who are members of GICS; and
 - (b) the administrator referred to in section 1-10, or his or her delegate.
- (2) The functions and powers delegated by GICS to the Education Committee, pursuant to clause 5-32(1)(a) of the regulations are to:
 - (a) review and approve requests for ethics courses, pursuant to section 9-3;
 - (b) approve Accredited Course Providers, pursuant to section 9-4; and
 - (c) review and approve requests for continuing education credits, pursuant to section 9-5.

2-5 Restricted Insurance Agent Advisory Committee

- (1) The Restricted Insurance Agent Advisory Committee (hereinafter "RIAAC") is established by agreement of GICS and LICS.
- (2) The RIAAC is composed of:
 - (a) at least two restricted insurance agent representatives with distribution expertise in restricted insurance agent products;
 - (b) at least two insurance company representatives with expertise in relevant products; and
 - (c) the administrator referred to in section 1-10, or his or her delegate.
- (3) As required, GICS and LICS shall call on the required industry associations to nominate a list of representative candidates, as outlined in the terms of reference.
- (4) The RIAAC shall:
 - (a) provide subject matter expertise to GICS and LICS regarding Restricted Insurance Agents;

- (b) advise GICS and LICS on issues relating to the Restricted Insurance Agent licence;
- (c) meet as frequently as required to fulfill its terms of reference; and
- (d) make timely reports to GICS and LICS on the business of the committee.

2-6 Hail Insurance Advisory Committee

- (1) The Hail Insurance Advisory Committee (hereinafter "HIAC") is composed of:
 - (a) four or more persons provided that:
 - (i) at least two of whom are recommended by the Canadian Crop Hail Association; and
 - (ii) at least two of whom are recommended by the Superintendent of Insurance; and
 - (b) the administrator referred to in section 1-10, or his or her delegate.
- (2) The HIAC shall advise GICS on issues related to Crop Hail Insurance.

PART III Licences

3-1 Licences and obligations

- (1) GICS may approve applications for licences in any of the property and casualty classes of insurance set out in the Act or the regulations.
- (2) Subject to sections 3-2 and 3-3, GICS shall only issue a licence when:
 - (a) the person meets the requirements outlined in section 7-1; and
 - (b) GICS is satisfied that the person is suitable to be licensed and the proposed licensing is not for any reason objectionable.
- (3) Pursuant to sections 5-17, 5-39, 5-54, 5-64 and 5-71 of the Act, GICS may, at any time, impose terms and conditions on a licence, and amend, vary or repeal those terms and conditions.
- (4) A licence imposes on the licensee, and if a business, the designated representative, obligations including but not limited to, the following:
 - (a) to adhere to the Act, regulations and these bylaws;
 - (b) to follow established standards of competence, conduct and practice in the business of insurance;
 - (c) to immediately notify GICS of:
 - (i) the failure to maintain the prescribed financial security requirements (errors and omissions insurance or the bond), pursuant to sections 5-10 and 5-23 of the regulations;
 - (ii) any name change, personal or business;
 - (iii) any corporate change, such as:
 - (A) amalgamation of the business;
 - (B) sale of the business; or

- (C) dissolution of the business;
- (iv) for a partnership, any change in the membership of the partnership or of the general partners of a limited partnership;
- (v) any withdrawal of a licence recommendation;
- (vi) any change in designated representative;
- (vii) any change in other employment;
- (viii) any change in address or contact information; and
- (ix) any proceeding in bankruptcy, including a Consumer Proposal;
- (d) to notify GICS within 30 days of:
 - (i) the commencement of any criminal proceedings against the licensee or the licensee's directors or officers;
 - (ii) the commencement of any professional, occupational or regulatory body proceedings against the licensee or the licensee's directors or officers anywhere in the world, including, but not limited to:
 - (A) actions by any organization in which the licensee holds a designation;
 - (B) any written notification regarding a suspension or cancellation of a contract from an insurer, MGA or any insurance business; or
 - (C) actions by any regulatory body in which the licensee holds a registration or a licence; and
 - (iii) the commencement of any other type of legal action, including but not limited to class action lawsuits or civil actions respecting the business of insurance;
- (e) to be supervised in accordance with these bylaws;
- (f) to abide by any limitations and conditions that may be attached to the licence;
- (g) to file with their annual reporting form the continuing education and ethics courses they have attended; and
- (h) to retain continuing education certificates issued by course provider(s) for a minimum of four years, for inspection by GICS in the event of an audit of licensee records.

3-2 Extension of time to meet licensing requirements

- (1) An individual who cannot meet a requirement of the Act, regulations or these bylaws may, pursuant to section 10-12 of the Act, apply for an extension of time to meet that requirement.
- (2) GICS may authorize an extension of time to meet a requirement, on an application pursuant to subsection 3-2(1), provided that the extension is not contrary to the public interest.
- (3) GICS may, pursuant to sections 5-17, 5-39, 5-54, 5-64 and 5-71 of the Act, impose limitations or conditions on a licence to ensure compliance with the requirement within the extension of time granted.

3-3 Exemption from meeting certain licence requirements

- (1) An individual may apply for an exemption from education, experience or supervisory requirements in these bylaws.
- (2) GICS may grant an exemption from educational or experience requirements on an application pursuant to subsection 3-(1) where GICS is satisfied that:
 - (a) the individual seeking the exemption has a combination of education, professional qualifications, training and work experience that are at least equivalent to the requirements contained in the bylaws;
 - (b) the individual seeking the exemption has complied with all other requirements of these bylaws; and
 - (c) the exemption is not contrary to the public interest.
- (3) GICS may grant an exemption from supervisory requirements on an application pursuant to subsection 3-(1) where GICS is satisfied that:
 - (a) the individual seeking the exemption is subject to supervision procedures that are equivalent to the supervision requirements set out in these bylaws;
 - (b) the individual seeking the exemption has complied with all other requirements of these bylaws; and
 - (c) the exemption is not contrary to the public interest.

3-4 Effect of licence cancellation

A person whose licence has been cancelled in accordance with the Act, regulations or these bylaws shall cease to be a licensee effective the date of cancellation.

PART IV Professional Misconduct

4-1 Professional misconduct

- (1) For the purposes of the Act, the regulations and these bylaws, professional misconduct is a question of fact but includes any matter, conduct or thing, whether or not disgraceful or dishonorable that:
 - (a) is contrary to the best interest of the public;
 - (b) may harm the standing of persons licensed under the Act; or
 - (c) is a breach of the Act, the regulations or these bylaws.
- (2) Without limiting the generality of subsection 4-1 (1), a licensee may be guilty of misconduct if the licensee:
 - (a) fails to place the interests of the consumer before those of the licensee or others;
 - (b) takes advantage of a vulnerable person;
 - (c) fails to disclose to a consumer or insurer any conflict of interest that may exist;
 - (d) fails to ensure that a consumer or insurer is fully informed of all relevant information that will allow the consumer or the insurer to make an informed decision;

- (e) fails to reasonably ascertain through prudent fact gathering a consumer's insurance needs;
- (f) fails to reasonably carry out a consumer's lawful instructions;
- (g) fails to protect a consumer's personal information;
- (h) divulges a consumer's personal information unless authorized to do so by the consumer or as required by law;
- (i) engages in any practice that is coercive or has the intended effect of inducing a consumer into making a decision that is not in the best interests of the consumer, pursuant to section 7-12 of the Act;
- (j) in the course of promoting, selling or servicing insurance business, provides in any advertising or other communications information that is false or misleading, pursuant to section 7-12 of the Act;
- (k) makes a material misstatement in an application for licence or report to continue a licence, pursuant to clauses 5-39(1)(a) and 5-64(1)(a) of the Act;
- (l) rebates or offers to rebate all or any portion of an insurance premium;
- (m) indicates that the premium to be paid for a policy is an amount that is different from the amount of the premium set out in the policy, pursuant to subsection 7-5(1) of the Act;
- (n) gives or offers to give anything of value in excess of twenty-five dollars per year for the purposes of inducing a consumer to make an insurance decision, pursuant to section 7-4 of the regulations;
- (o) when charging a consumer a fee, fails to have the consumer agree in writing before the service is provided to the amount of the fee and the reason for the fee, pursuant to subsection 7-9(2) of the Act;
- (p) demonstrates an unsuitability or an untrustworthiness to act as a licensee, pursuant to clauses 5-39(1)(b) and 5-64(1)(b) of the Act;
- (q) fails to deal with consumer complaints or disputes in a timely forthright manner or to refer the consumer to the appropriate person or authority;
- (r) fails to follow sound business practices or maintain proper records;
- (s) is a Designated Representative and fails to carry out his or her responsibilities as outlined in the Act, the regulations, or these bylaws, including Schedule B – Operating Principles for the Designated Representative;
- (t) fails to exercise reasonable and prudent oversight and review when acting in a supervisory capacity;
- (u) fails to reasonably respond to inquiries from GICS or ICS; or
- (v) when acting as a crop hail adjuster or a crop hail adjuster's representative, fails to adjust crop hail insurance claims using established crop adjusting procedures set out in a current version of the council-approved crop hail adjuster manual.

PART V Professional Incompetence

5-1 Professional incompetence

For the purposes of the Act, the regulations and these bylaws, professional incompetence is a question of fact, but includes the display by a licensee of a lack of knowledge, skill or judgement of a nature or to an extent that the licensee is unfit:

- (a) to continue in the business of insurance; or
- (b) to provide one or more services ordinarily provided as part of the business of insurance.

PART VI Appeals

6-1 Appeals

A person affected by a decision or order of GICS may appeal that decision or order to the appeal panel, pursuant to section 10-34 of the Act.

PART VII Licence Application Requirements

7-1 Application for licence

Persons applying for a licence in one of the property and casualty categories set out in Schedule A, Table 1-1 shall provide to GICS:

- (a) proof of having met the licence requirements as set out in sections 7-3, 7-4, 7-5, 7-6 or 7-7;
- (b) proof of having met the financial security requirement (errors and omissions insurance and/or bond), pursuant to sections 5-10 or 5-23 of the regulations;
- (c) a completed application form as required by GICS for the category of licence applied for;
- (d) payment of the required fee for the category of licence as set out in Schedule A;
- (e) if the person is an MGA or TPA, copies of all currently in force or draft agency contracts, pursuant to clauses 5-11(g) and 5-11(h) of the Act; and
- (f) if the person is a restricted insurance agent, copies of all currently in force or draft agency contracts, pursuant to clause 5-70(2)(b) of the Act.

7-2 Limitation on examination attempts

An individual is allowed to attempt each examination identified in these bylaws a maximum of three times in any six-month period. Examination attempts made in any jurisdiction shall be counted in the same way as if the attempt had occurred in Saskatchewan.

7-3 Licensing requirements and licence restrictions – Agent and Insurer Representative

- (1) Subject to subsections (2) and (3), GICS hereby establishes in Table 7-3-1 the educational requirements and licence restrictions related to the licensing of individuals as agents for each category of licence.

Table 7-3-1 Licensing Requirements and Licence Restrictions – Agent and Insurer Representative

| LICENCE LEVEL /CATEGORY | LICENSING REQUIREMENTS | LICENCE RESTRICTIONS |
|--|--|---|
| <p>Restricted Auto Insurance</p> | <p>An individual applying for a Restricted Auto licence must successfully complete the General Insurance Council Bylaw examination plus ONE of:</p> <ul style="list-style-type: none"> (a) the Auto Part 1 Basic Course and examination and the Auto Part 2 Extension Course and examination offered by the Insurance Brokers Association of Saskatchewan; (b) the Auto Part 2 Extension Course and examination offered by the Insurance Brokers Association of Saskatchewan, and the SGI Auto Fund New Issuer Training course and examination; (c) the Saskatchewan Automobile Licensing: Restricted Agent course and examination offered by the Insurance Institute of Canada; or (d) the Extended Auto Insurance Licensing Course and examination offered by the Insurance Institute of Canada, and the SGI Auto Fund New Issuer Training course and examination. | <p>A Restricted Auto Insurance licensee shall:</p> <ul style="list-style-type: none"> (a) be limited to the sale of automobile insurance, excluding any insurance for vehicles that are used commercially. For the purposes of this clause, “used commercially” is defined as any vehicle whose primary purpose is for conduct of business, including conveyance of passengers for hire and conveyance of goods for hire but not including farm use; (b) not act as a supervisor; and (c) not act as a designated representative of an agency. |
| <p>Level 1 Property and Casualty Insurance and Insurer Representative</p> | <p>An individual applying for a Level 1 licence must meet the licensing qualifications for a Restricted Auto licence and successfully complete ONE of:</p> <ul style="list-style-type: none"> (a) the Fundamentals of Insurance course and examination offered by the Insurance Brokers Association of Saskatchewan; (b) the Canadian Accredited Insurance Broker (CAIB 1) course and examination offered by the Insurance Brokers Association of Saskatchewan; (c) the C81, C82 and the Saskatchewan Licensing Supplement course and examination offered by the Insurance Institute of Canada; (REV 03/2021) (d) the C11, C130 and the Saskatchewan Accident & Sickness and Travel Health Insurance Supplement courses and examinations offered by the Insurance Institute of Canada; or (e) the Introduction of General Insurance Program and examination offered by the ILS Learning Corporation. | <p>A Level 1 licensee shall not:</p> <ul style="list-style-type: none"> (a) act in the transaction of farm/commercial lines of insurance unless supervised by a Level 2 or Level 3 licensee; (b) act as a supervisor; or (c) act as a designated representative of an agency. |

Table 7-3-1 Licensing Requirements/Licence Restrictions – Agent/Insurer Representative (cont'd)

| LICENCE LEVEL /CATEGORY | LICENSING REQUIREMENTS | LICENCE RESTRICTIONS |
|---|--|--|
| <p>Level 2 Property and Casualty Insurance</p> | <p>An individual applying for a Level 2 licence must meet the licensing qualifications for a Level 1 licence and successfully complete ONE of:</p> <p>a) the Canadian Accredited Insurance Broker (CAIB 2 and CAIB 3) courses and examinations offered by the Insurance Brokers' Association of Saskatchewan; or</p> <p>b) the C130 and C131 courses and examinations offered by the Insurance Institute of Canada.</p> | <p>A Level 2 licensee shall not:</p> <p>a) act as a designated representative of an agency.</p> |
| <p>Level 3 Property and Casualty Insurance</p> | <p>An individual applying for a Level 3 licence must meet the licensing qualifications for a Level 2 licence and successfully complete ONE of:</p> <p>a) the Canadian Accredited Insurance Broker (CAIB4) course and examination offered by the Insurance Brokers' Association of Saskatchewan;</p> <p>b) the course of study leading to a Chartered Insurance Professional (CIP) or an Associate (AIIIC) designation through the Insurance Institute of Canada; or</p> <p>c) the C132 course and examination offered by the Insurance Institute of Canada.</p> | <p>A Level 3 licensee shall not:</p> <p>a) act as a designated representative of an agency unless he or she has at least two years experience as a property and casualty insurance licensee within the past five years.</p> |
| <p>Crop Hail Insurance</p> | <p>An individual applying for a Hail only licence must:</p> <p>a) if a resident of Saskatchewan, successfully complete the Hail Agent Qualification examination.</p> | <p>A Crop Hail Insurance Agent shall not:</p> <p>a) transact in any type of insurance product other than Crop Hail Insurance.</p> |
| <p>Restricted Travel</p> | <p>An individual applying for a Restricted Travel licence must successfully complete the General Insurance Council Bylaw examination plus:</p> <p>a) the Saskatchewan Travel Insurance Qualifying course and examination; or</p> <p>b) the Life Licence Qualification Program (LLQP) Accident & Sickness course and examination.</p> | <p>A Restricted Travel Insurance Agent shall not:</p> <p>a) transact in any type of insurance product other than Travel Insurance.</p> |
| <p>Third Party Administrator Designated Representative</p> | <p>An individual applying for a Third Party Administrator Designated Representative licence must have knowledge of the administrative service being provided.</p> | <p>A Third Party Administrator Designated Representative shall not:</p> <p>a) act as an agent for any type of insurance product.</p> |

- (2) An individual applying for a licence, who has not held a property and casualty agent licence in any jurisdiction in Canada during the past two consecutive years, will be considered a new applicant.
- (3) For a new applicant applying for a property and casualty agent licence, only courses completed in the year prior to their application for licence are considered valid.

7-4 Licensing requirements – Agency or Restricted Insurance Agent

- (1) GICS hereby establishes in Table 7-4-1 the licensing requirements for the licensing of an agency or Restricted Insurance Agent.

Table 7-4-1 Licensing Requirements – Agency or Restricted Insurance Agent

| LICENCE CATEGORY | LICENCING REQUIREMENTS – AGENCY OR RESTRICTED INSURANCE AGENT |
|---|--|
| All Agencies and Restricted Insurance Agents | <ul style="list-style-type: none"> 1) An agency must: <ul style="list-style-type: none"> a) provide evidence that the agency is registered with the Corporate Registry of the Information Services Corporation; and b) maintain that registration for as long as they hold an active licence. 2) Unless exempt from the requirement to register with the Corporate Registry of the Information Services Corporation, a Restricted Insurance Agent must: <ul style="list-style-type: none"> a) provide evidence that the Restricted Insurance Agent is registered with the Corporate Registry of the Information Services Corporation; and b) maintain that registration for as long as they hold an active licence. 3) An agency or Restricted Insurance Agent must appoint an individual to be the designated representative, subject to subsection 7-4(2). 4) Failure to appoint and maintain a designated representative shall result in the suspension of the licence of the business. |

- (2) For the purposes of subsection 7-4(1), a designated representative must be:
 - (a) for Restricted Insurance Agents, an individual who is responsible for receiving notices and other documents, pursuant to the Act, on behalf of the Restricted Insurance Agent;
 - (b) for Crop Hail agencies and Restricted Travel agencies, an individual who holds an active licence; and
 - (c) for all other Property and Casualty agencies, an active Level 3 licensee with at least two years experience as a property and casualty licensee within the past five years.

7-5 Licensing requirements and licence restrictions – Adjuster

- (1) Subject to subsections (2) and (3), GICS hereby establishes in Table 7-5-1 the educational requirements, licensing qualifications and licence restrictions related to the licensing of individuals as adjusters for each category of licence.

Table 7-5-1 Licensing Requirements and Licence Restrictions - Adjuster

| LICENCE LEVEL /CATEGORY | LICENSING REQUIREMENTS – ADJUSTER | LICENCE RESTRICTIONS |
|-----------------------------|--|---|
| Level 1 Adjuster | <p>An individual applying for a Level 1 licence must successfully complete the General Insurance Council Bylaw examination plus ONE of:</p> <ul style="list-style-type: none"> a) the C11 course and examination offered by the Insurance Institute of Canada; b) the C81 and C82 courses and examinations offered by the Insurance Institute of Canada; c) the GICS Adjuster Qualifying examination; d) the ILScorp Level 1 Adjuster Licensing Program; e) experience as a property and casualty insurance agent for no less than two years within the past five years; or f) experience as a general claims adjuster in an insurance company, general agent or adjusting company for no less than one year within the past three years. | <p>A Level 1 licensee shall not:</p> <ul style="list-style-type: none"> a) sign any reports or correspondence unless co-signed by a Level 2 or Level 3 licensee; b) act as a supervisor; c) act as a designated representative of an adjusting firm; or d) act as a public adjuster. |
| Level 2 Adjuster | <p>An individual applying for a Level 2 licence must meet the licensing requirements for a Level 1 and successfully complete ONE of:</p> <ul style="list-style-type: none"> a) experience as a Level 1 licensee for a minimum of two years plus the C32, C110, C111 and C112 courses and examinations offered by the Insurance Institute of Canada; or b) experience as a general claims adjuster in an insurance company, general agency or adjusting firm for no less than five years within the past seven years. | <p>A level 2 licensee shall not:</p> <ul style="list-style-type: none"> a) act as a designated representative of an adjusting firm; or b) act as a public adjuster. |

Table 7-5-1 Licensing Requirements and Licence Restrictions – Adjuster (continued)

| LICENCE LEVEL /CATEGORY | LICENSING REQUIREMENTS - ADJUSTER | LICENCE RESTRICTIONS |
|---------------------------|---|---|
| Level 3 Adjuster | <p>An individual applying for a Level 3 licence must meet the licensing qualifications for a Level 2 licence and successfully complete:</p> <p>a) the course of study leading to a Chartered Insurance Professional (CIP) or an Associate (AIC) designation through the Insurance Institute of Canada including Claims Professional Series courses and examinations for C110, C111 and C112.</p> | <p>A Level 3 licensee shall not:</p> <p>a) act as a designated representative of an adjusting firm unless he or she has at least two years experience as a licensed adjuster/adjuster representative within the past five years.</p> |
| Crop Hail Adjuster | <p>An individual applying for a Hail Adjuster licence must successfully complete:</p> <p>a) The GICS Hail Adjuster Examination.</p> | <p>A Crop Hail Adjuster shall not:</p> <p>a) adjust any type of loss other than Crop Hail losses.</p> |

- (2) An individual applying for a licence, who has not held a property and casualty adjuster licence in any jurisdiction in Canada during the past two consecutive years, will be considered a new applicant.
- (3) For a new applicant applying for a property and casualty adjuster licence, only courses completed in the year prior to their application for licence are considered valid.

7-6 Licensing requirements - Adjusting Firms

GICS hereby establishes in Table 7-6-1 the licensing requirements for the licensing of Adjusting Firms.

Table 7-6-1 Licensing Requirements – Adjusting Firms

| LICENCE CATEGORY | LICENSING REQUIREMENTS - Adjusting Firms |
|------------------------|---|
| Adjusting Firms | <ul style="list-style-type: none"> 1) An adjusting firm must: <ul style="list-style-type: none"> a) provide evidence that the firm is registered with the Corporate Registry of the Information Services Corporation; and b) maintain that registration for as long as they hold an active licence. 2) An adjusting firm must appoint an individual to be the designated representative, subject to subsection 7-6(2). 3) Failure to appoint and maintain a designated representative shall result in the suspension of the adjusting firm's licence. |

- (2) For the purposes of subsection 7-6(1), a designated representative must be:
 - (a) for Crop Hail adjusting firms, an individual who holds an active crop hail adjusting licence; and

- (b) for all other Property and Casualty adjusting firms, an active Level 3 licensee with at least two years experience as a property and casualty adjuster licensee within the past five years.

7-7 Licensing requirements – Third Party Administrator

- (1) GICS hereby establishes in Table 7-7-1 the licensing requirements for the licensing of a TPA.

Table 7-7-1 Licensing Requirements - Third Party Administrator

| LICENCE CATEGORY | LICENCING REQUIREMENTS - Third Party Administrator |
|----------------------------------|---|
| Third Party Administrator | <ul style="list-style-type: none"> 1) A TPA must: <ul style="list-style-type: none"> a) provide evidence that the TPA is registered with the Corporate Registry of the Information Services Corporation; and b) maintain that registration for as long as they hold an active licence. 2) A TPA must appoint an individual to act as a designated representative, subject to subsection 7-7(2). 3) Failure to appoint and maintain a designated representative shall result in the suspension of the TPA licence. 4) A TPA must have a written agreement with an insurer acceptable to GICS, setting out the specific responsibilities of the TPA, pursuant to clause 7-1 (e). 5) A TPA must establish reasonable procedures to ensure the TPA's employees or its agents are properly trained and knowledgeable about the insurance being administered on behalf of the insurer and ensure the procedures established are being used. |

- (2) For the purposes of subsection 7-7(1), the designated representative must be licensed.

**PART VIII
Annual Reporting Requirements**

8-1 Annual requirements for maintaining eligibility for a licence

- (1) A licensee shall provide to GICS, on or before the annual reporting date shown on the licence:
 - (a) a completed annual reporting form as required by GICS;
 - (b) payment of the required non-refundable annual licensing fee established by ICS as set out in Schedule A;
 - (c) proof of having met the financial security requirements (errors and omissions insurance and/or bond) of the Act as set out in sections 5-10 or 5-23 of the regulations;
 - (d) proof of having met the continuing education and ethics requirements as set out in section 9-2;

- (e) payment of all outstanding fees, fines, costs or penalties owing to any insurance council;
 - (f) if the licensee is an MGA or TPA, copies of all agency agreements entered into with insurers since the licensee's last annual report, pursuant to clauses 5-11(1)(g) and 5-11(1)(h) of the Act; and
 - (g) if the licensee is a Restricted Insurance Agent, copies of all agency contracts entered into since the licensee's last annual report, pursuant to clause 5-70(2)(b) of the Act.
- (2) A licensee who has not met all the requirements of section 8-1 within 30 days of the annual reporting date shall have his, her or its licence cancelled.

Part IX Continuing Education

9-1 Rules for qualifying for continuing education

- (1) Courses, programs or meetings related to sales production, promotion or motivation do not qualify for credit hours.
- (2) Courses related to computer training do not qualify for credit hours with the following exception:
 - (a) courses relating to brokerage/client management systems may qualify for a combined maximum of 25% of the licensee's annual continuing education requirement where:
 - (i) the brokerage/client management system is being used by the licensee's agency; and
 - (ii) the licensee is learning a new brokerage/client management system, or one that has significantly changed since the licensee originally learned the system.
- (3) One hour of instruction is equal to one hour of continuing education credit.
- (4) Courses less than one hour in duration do not qualify for credit.
- (5) A maximum of eight credit hours will be allowed in any calendar day.
- (6) Only credit hours earned in a reporting period are eligible unless written consent is provided by GICS.
- (7) Courses must be taken through course providers outlined in sections 9-4 and 9-5.
- (8) Failure to comply with the continuing education requirements shall result in a suspension of licence until the licensee has earned the required continuing education credit hours.

9-2 Continuing education requirements

GICS hereby establishes in Table 9-2-1 the continuing education requirements for each category of individual licence.

Table 9-2-1 Continuing Education Requirements

| LICENCE CATEGORY | CONTINUING EDUCATION REQUIREMENTS |
|---|--|
| Restricted Auto Licensee | <ol style="list-style-type: none"> 1) Continuing education for a Restricted Auto licensee must be directly related to automobile insurance products. 2) Each annual reporting period licensees are required to earn a minimum of three credit hours of continuing education. |
| Level 1 to Level 3 Property and Casualty Licensees and Insurer Representatives | <ol style="list-style-type: none"> 1) Continuing education for a property and casualty licensee must be directly related to property and casualty insurance products or services, or the management of a property and casualty insurance agency. 2) Licensees who do not qualify under (3) or (4) below are required to earn a minimum of twelve credit hours of continuing education each annual reporting period. 3) Licensees with at least twenty-five years of continuous experience in the property and casualty insurance industry are required to earn a minimum of eight credit hours of education each annual reporting period. 4) Licensees who hold one of the following recognised insurance designations are required to earn a minimum of eight credit hours of education each annual reporting period: <ol style="list-style-type: none"> a) A.I.I.C. (Associate of the Insurance Institute of Canada); b) C.A.I.B. (Canadian Accredited Insurance Broker); c) C.C.I.B. (Canadian Certified Insurance Broker); d) CIP (Chartered Insurance Professional); e) C.P.C.U. (Chartered Property and Casualty Underwriter); f) CRM (Certificate in Risk Management); g) FCIP (Fellow Chartered Insurance Professional); h) F.I.I.C. (Fellow of the Insurance Institute of Canada); or i) FRM (Fellow in Risk Management). |
| Restricted Travel Licensee | <ol style="list-style-type: none"> 1) Continuing education for a Restricted Travel licensee must be directly related to travel insurance products or services, or the management of a travel insurance agency. 2) Each annual reporting period, licensees are required to earn a minimum of three credit hours of continuing education. |

Table 9-2-1 Continuing Education Requirements (continued)

| LICENCE CATEGORY | CONTINUING EDUCATION REQUIREMENTS |
|------------------------------------|--|
| Adjuster Licensee | 1) Continuing education for an adjuster licensee must be directly related to claims handling of property and casualty insurance products or services, or the management of an adjusting firm. 2) Each annual reporting period licensees are required to earn a minimum of eight credit hours of continuing education. |
| Crop Hail Adjuster Licensee | 1) Continuing education for a Crop Hail Adjuster licensee must be directly related to adjusting crop hail insurance or other crop hazards. 2) Every two years, commencing upon licensing, licensees are required to earn a minimum of six credit hours of continuing education. |

9-3 Mandatory ethics training

- (1) All resident Restricted Auto, Level 1 to Level 3 property and casualty and Level 1 to Level 3 adjuster licensees must, within the cycles set out below, complete one or more GICS approved ethics courses totalling at least three hours in duration.
- (2) Resident licensees who hold a licence issued prior to January 1, 2010 must complete ethics training:
 - (a) by their annual reporting date in 2013; and
 - (b) within each subsequent five-year cycle.
- (3) Resident licensees who hold a licence issued on or after January 1, 2010 must complete ethics training within:
 - (a) three years of becoming licensed; and
 - (b) each subsequent five-year cycle.
- (4) The five-year cycles referred to in clauses 9-3(2)(b) and 9-3(3)(b) begin when the previous cycle ended.
- (5) Credit hours earned for an ethics course can be applied towards a licensee's continuing education requirements.
- (6) For the purpose of this section each individual ethics course must be at least one hour in duration.

9-4 Accredited course providers

- (1) GICS may grant, at its sole discretion, accredited course provider status to providers of insurance training.
- (2) GICS shall set guidelines to be used for obtaining accredited course provider status.
- (3) GICS may at any time withdraw accredited course provider status by providing notice of and reasons for withdrawal to the course provider.

9-5 Non-accredited course providers or licensees

- (1) Non-accredited course providers must apply for approval of course credits.

- (2) Licensees may apply for approval of course credits offered by non-accredited course providers.
- (3) GICS may, at its sole discretion, after receiving an application for approval of course credits, grant or refuse credit hours with respect to a course provided by a non-accredited course provider.

9-6 Conditions of course credit

- (1) GICS reserves the right to audit any course for which credit has been approved and to withdraw approval of credit hours awarded.
- (2) Where GICS directs that approval of a course be withdrawn, GICS shall provide reasons for the withdrawal of accreditation noting the deficiencies to the person or firm having made the original application for accreditation.

9-7 Non-resident licensees

Non-resident licensees are required to comply with the continuing education requirements in this part unless they can provide evidence they are complying with a continuing education requirement in their resident jurisdiction.

Schedule A Fees Charged by ICS

Pursuant to Part V of the ICS bylaws, the following are the fees established by ICS.

1 Annual licence fees

Table 1-1 Annual Licence Fee Per Category

| ANNUAL LICENCE FEE | LICENCE CATEGORY |
|--------------------|--|
| \$100 | <p>The following licence categories:</p> <ul style="list-style-type: none"> a) a business or individual licence: <ul style="list-style-type: none"> i) for an all classes of property and casualty insurance licence; ii) for a property and casualty other than crop hail insurance adjuster; and iii) for a property and casualty other than crop hail insurance public adjuster; b) an individual licence: <ul style="list-style-type: none"> i) for an insurer's representative; and ii) for a designated representative of a third party administrator; c) a business licence: <ul style="list-style-type: none"> i) restricted to travel insurance; ii) for a managing general agent; and iii) for a third party administrator. |
| \$75 | <p>The following licence categories:</p> <ul style="list-style-type: none"> a) a business licence: <ul style="list-style-type: none"> i) for crop hail insurance; and ii) for a crop hail insurance adjuster; and b) an individual licence: <ul style="list-style-type: none"> i) for a crop hail adjuster. |
| \$50 | <p>The following licence categories:</p> <ul style="list-style-type: none"> a) an individual licence: <ul style="list-style-type: none"> i) restricted to auto insurance; ii) restricted to travel insurance; iii) for crop hail insurance; and iv) for a crop hail adjuster representative. |

Table 1-2 Annual Licence Fees for Restricted Insurance Agents

| Number of employees of restricted insurance agent | Fee |
|---|---------|
| 1 to 4 | \$150 |
| 5 to 10 | \$225 |
| 11 to 15 | \$375 |
| 16 to 20 | \$500 |
| 21 to 99 | \$700 |
| 100 to 249 | \$1,500 |
| 250 to 499 | \$3,000 |
| 500 or more | \$5,500 |

2 Late filing fees

A licensee who fails to comply with the requirements outlined in section 8-1 on or before the annual reporting date shall be assessed, in addition to the annual fee, a late filing fee equal to 50% of the annual fee.

3 Licence fees non-refundable

A refund of an annual fee shall not be made once a licence has been issued.

4 Denial of licence

A fee of \$50 shall be retained when an application for a licence has been denied.

5 Administration fees

- (1) An administration fee of \$50 shall be charged for:
 - (a) a reinstatement of a licence; and
 - (b) discontinuation of a licence application after processing by ICS has begun.
- (2) Subject to subsection 5-5(3), an administration fee of \$25 shall be charged for:
 - (a) a certificate of licence status;
 - (b) a non-resident endorsement used to apply for licensing in another jurisdiction;
 - (c) a duplicate receipt;
 - (d) a duplicate licence;
 - (e) cheques returned to ICS;
 - (f) deletion or addition of licence class to an existing licence;
 - (g) a change of licence recommendation; and
 - (h) changes to a licence that may be required to ensure compliance with the requirements of the Act, regulations and or an insurance council's bylaw.
- (3) In cases where the administration fee in clauses 5(2)(g) or 5(2)(h) involves all licensees in an agency or adjusting firm, council may, at its sole discretion, set a flat rate for completion of the transactions. The total flat rate fee cannot exceed the per transaction fee amount generated by applying clauses 5(2)(g) or 5(2)(h).

6 Examination fees

Refer to Insurance Council of Saskatchewan website at www.skCouncil.sk.ca.

7 Electronic Copies of Insurance Register

An administration fee of \$250 will be charged for electronic copies of the Insurance Register.

Schedule B

Operating Principles for the Designated Representative

Council has established the following principles to outline the standard of conduct a Designated Representative is expected to meet. To fulfill his or her obligations, the Designated Representative must be familiar with *The Insurance Act*, *The Insurance Regulations*, and these Bylaws. In this Schedule, these documents are referred to collectively as the "Insurance Legislation".

The Designated Representative must ensure that:

- The Agency or Firm and all of its licensees adhere to the CCIR/CISRO Fair Treatment of Customers Guidance Document, dated September 2018.

The Canadian Council of Insurance Regulators ("CCIR") and the Canadian Insurance Services Regulatory Organizations ("CISRO") have jointly published a document entitled "**Guidance: Conduct of Insurance Business and Fair Treatment of Customers**". This guidance is based on Insurance Core Principles of the International Association of Insurance Supervisors. It was created to support insurers and licensees in achieving fair treatment of customers while complying with existing laws and regulations. It also aims at strengthening public trust and consumer confidence and minimizing reputational risks.

The Insurance Councils of Saskatchewan have fully endorsed the principles outlined in the CCIR/CISRO guidance document. The Fair Treatment of Customers guidance is an overarching principle for the Designated Representative to follow, while ensuring that all licensees within their agency also follow the guidance. The full guidance document can be accessed at:

<https://www.cisro-ocra.com/Documents/View/5>

- Only licensed persons act as an insurance agent, broker or adjuster for the business;
- Licence applications, annual reporting and transfer of recommendation forms are filed, and prescribed fees and fines are paid in accordance with the Insurance Legislation;
- All licensees of the business comply with the Insurance Legislation and any other legislation governing their business practices;
- Licensees are provided with, and use, all information respecting insurance that is necessary to properly conduct insurance business;
- All books, records and accounts are maintained by the business in accordance with the Insurance Legislation;
- Errors and Omissions insurance is maintained by licensees of the business in accordance with the Insurance Legislation; and
- Appropriate procedures are established by the business and are followed such that the requirements of the above principles are met.