

***Agenda Item 7.2,  
April 7, 2015 Board Meeting***

**Concern With Respect To Clause Found In Manitoba's Insurance Act  
Re Restricted Insurance Agent Licensing Regime**

The following clause – which includes an apparent residency requirement that is not favourable to CAFII members' call centre operations -- is found in *Part XV; Agents, Brokers and Adjusters; Insurance Agents* of Manitoba's amended *Insurance Act*, which has been in effect since March 1, 2015:

*Effect of licence*

*380.1(3)* Subject to the regulations, a restricted insurance agent licence authorizes the holder, ***through its employees in Manitoba***, to act or offer to act as an agent in respect of the class or type of insurance specified in the licence.

In contrast, the following clauses, without a similar residency requirement, are found in Manitoba's new Insurance Agents and Adjusters Regulation, which has been in effect since January 1, 2015:

*Persons and entities eligible for restricted licence*

*24 For the purpose of section 380.1 of the Act, the following persons and entities may apply for and hold a restricted insurance agent licence*

- (a) a deposit-taking institution;*
- (b) a sales finance company;*
- (c) a person or entity that provides transportation service for people or goods;*
- (d) a person or entity that carries on the business of a travel agency;*
- (e) a person or entity that carries on the business of an automobile dealership, watercraft dealership, recreational vehicle dealership, farm implement dealership or construction equipment dealership;*
- (f) a mortgage broker that carries on business in Manitoba in accordance with The Mortgage Brokers Act;*
- (g) a person or entity that carries on the business of a customs brokerage;*
- (h) a person or entity that carries on the business of freight forwarding;*
- (i) a person or entity that carries on the business of renting vehicles to the public;*
- (j) a funeral director who holds a licence under The Prearranged Funeral Services Act;*
- (k) a portable electronics vendor.*

*Employees of other entities*

*27(1) Without limiting the application of subsection 380.1(3) of the Act, a restricted insurance agent licence authorizes the holder, through the employees of another entity that qualifies under subsection (2) (referred to in this regulation as a "qualified entity"), to act or offer to act as an agent in respect of the class or type of insurance specified in the licence.*