

25 August 2020

Our Ref: MC/INT/5

To: Responsible Officers of all Licensed Insurance Agencies

Dear Sirs,

Applications for new licences by licensed insurance agencies and their technical representatives (agents) who are deemed licensees

When the Insurance Authority (“IA”) took over the direct supervision and regulation of insurance intermediaries on 23 September 2019, all insurance agencies, their responsible officers (“ROs”) and their technical representatives (“TRs”) registered with Insurance Agents Registration Board immediately prior to that date, were automatically granted a licence under the new regime for 3-years. In this circular, these agencies, ROs and their TRs are referred to as “**deemed licensees**”.

Each deemed licensee has a licence which runs from 23 September 2019 to 22 September 2022 (“**transitional period**”). During this transitional period, every deemed licensee needs to apply for a new licence from the IA if they wish to continue to be a licensed insurance agent. Given the large number of deemed licensees, these applications need to be staggered throughout the transitional period to enable all applications to be processed prior to 22 September 2022. This circular outlines the intended application process and the IA’s proposed next steps for commencing the project.

Outline of the deemed licensee application process

A licensed insurance agency which is a deemed licensee will need to make an application for the agency’s new licence and for approval of its RO. In addition, each of the TRs of the agency who are deemed licensees will need to apply for new licences. We intend to coordinate the applications for an agency, its RO and its TRs who are deemed licensees through the agency. In outline, the process will be as follows:

- 1) The IA will, by letter, invite the licensed insurance agency to commence the application process for the agency, its RO and its appointed TRs who are deemed licensees.
- 2) The agency should prepare and submit to the IA the paper-form application for the agency and its RO, using the application forms provided by the IA in the invitation letter.

- 3) The TRs' applications will need to be submitted through Insurance Intermediaries Connect, the IA's e-portal. The IA will guide the agency to open a supervisor account in the e-portal for this purpose. The agency's RO (or its authorised personnel) should download the current licensing information and contact details of its TRs from the e-portal, verify this information, update it as necessary, and then upload the updated information to the e-portal.
- 4) The IA will then send e-mails to each of the TRs, inviting them to activate their individual accounts in the e-portal in order to submit their licence applications.
- 5) Once activated, the TR can access his/her e-portal account and will find his/her application pre-populated with the information verified by the agency. The TR should complete the application by answering the "fit and proper" questions and upload the requested information (e.g. copy of Hong Kong Identity Card).
- 6) The TR will send his/her application through the e-portal to the agency for final verification and confirmation of appointment. The agency will then submit the TR's application to the IA.
- 7) The IA will notify the agency, RO and TRs by e-mail once their applications are approved.

The functionality of the e-portal (which is currently being finalized) will enable insurance agencies to carry out their verification steps, track the progress of their TRs' applications (so that the agencies can follow up with their TRs as appropriate) and help the agencies manage the entire process. The process is, therefore, aligned with an agency's responsibility to have in place requisite controls and procedures in respect of its TRs.

For smaller sized insurance agencies (e.g. agencies with fewer than 5 TRs), where possible, the IA will aim to liaise with the main appointing insurer of the agency to provide further guidance and support in processing the applications.

Please rest assured that detailed instructions of the application process applicable to your agency will be set out in the invitation letter from the IA (per step 1 above).

Next steps

We have engaged with The Hong Kong Federation of Insurers ("HKFI") and other key stakeholders to elicit feedback on the application process from the "user perspective" (and we take this opportunity to thank the HKFI for their helpful feedback thus far). We aim to start the process in the 3rd and 4th quarter of 2020 with selected pilot schemes. Based on these pilot schemes and the feedback obtained, we will refine the process as needed, and aim to roll it out more broadly in 2021.

In terms of time-tabling of applications, where possible we will take into account a licensed insurance agency's preferences, but only if this is in line with the prevailing objective of processing all applications by the deadline of 22 September 2022.

We will update you on further details of the process in the coming months so that you can make necessary preparations. In the meantime, if you have any queries on the proposed process, please contact our enquiry hotline at 3899 9983 or e-mail us at licensing@ia.org.hk.

Yours faithfully,

Peter Gregoire
Head of Market Conduct Division (Acting)
General Counsel
Insurance Authority

c.c. The Hong Kong Federation of Insurers

檔號：MC/INT/5

致：所有持牌保險代理機構的負責人

敬啟者：

有關被視作已持牌人士的保險代理機構及其業務代表(代理人)申領新牌照事宜

保險業監管局（「保監局」）由 2019 年 9 月 23 日起接手負責對保險中介人的直接監管及規管工作，而所有緊接在此日期前已於保險代理登記委員會登記的保險代理機構、其負責人及業務代表，在新制度下自動獲發為期三年的牌照。在本通函中，該等保險代理機構、負責人及其業務代表稱為「被視作已持牌人士」。

每名被視作已持牌人士的牌照有效期為 2019 年 9 月 23 日至 2022 年 9 月 22 日（「過渡期」）。所有被視作已持牌人士如欲續任持牌保險代理人，須於過渡期內向保監局申領新牌照。鑒於被視作已持牌人士為數眾多，該等申請須於過渡期內分階段處理，以便在 2022 年 9 月 22 日或之前完成處理所有申請。本通函概述擬採用的申請程序及保監局就開展項目所建議的後續步驟。

被視作已持牌人士申請程序概述

被視作已持牌人士的持牌保險代理機構須為保險代理機構新的牌照及其負責人的認可作出申請。此外，保險代理機構的每名被視作已持牌人士的業務代表亦均須申領新牌照。保監局將透過持牌保險代理機構協調有關被視作已持牌人士的保險代理機構、其負責人及其業務代表的申請。該申請程序概述如下：

- 1) 保監局會發信邀請持牌保險代理機構為其被視作已持牌人士的保險代理機構、其負責人及業務代表展開申請程序。
- 2) 保險代理機構應填寫於保監局邀請信函中所提供的申請表格，及向保監局提交保險代理機構及其負責人的書面格式申請表。
- 3) 業務代表的申請須經保監局的電子服務站「保險中介一站通」提交。保監局會就開設電子服務站的監督人帳戶為保險代理機構提供指引。保險代理機構的負責人(或其獲授權人士)須從該電子服務站下載其業務代表現時的牌照資料及聯絡資料，加以核實並於適時更新，然後把已更新的資料上載到電子服務站。
- 4) 保監局會根據保險代理機構所上載的聯絡資料發送電子郵件，邀請每名業務代表啟動電子服務站個人帳戶，以提交其牌照申請。

- 5) 業務代表在啟動其電子服務站帳戶後，可登入帳戶閱覽由其保險代理機構已預先填妥及核實的資料，業務代表須回答「適當人選」相關問題，並上載所需資料（例如香港身份證副本等）以完成申請程序。
- 6) 業務代表的申請會經電子服務站提交予保險代理機構作最終核實並確認委任。然後，保險代理機構會將業務代表的申請提交予保監局。
- 7) 當牌照申請審批成功，保險代理機構、其負責人及業務代表會即時收到由保監局發出的電郵通知。

保險中介一站通的系統功能目前正於最後階段設定當中，目標是可讓保險代理機構辦理核實程序、監察其業務代表的申請進度，以便保險代理機構適時與其業務代表跟進，並協助保險代理機構管理整個申請程序。保險代理機構有責任制定必要的管控及程序，以確保其業務代表順利完成相關申請程序。

就規模較小的保險代理機構 (例如:少於五人的保險代理機構)，在可能的情況下，保監局冀與保險代理機構的主要委任保險人協商，為申請程序提供進一步的指引及協助。保監局會就有關保險代理機構適用的申請程序，於邀請信函中列載詳細指示。

後續步驟

保監會已聯繫香港保險業聯會（「保聯」）及其他主要持份者，就申請程序提供意見（保監局藉此機會感謝保聯迄今所給予的意見）。保監局旨在 2020 年第三及第四季度開展試驗計劃程序，並根據試驗計劃收到的意見及經驗，在需要時改善程序，目標是在 2021 年廣泛推行。

有關編排遞交申請時間方面，保監局會盡可能考慮保險代理機構的意向，並在符合在 2022 年 9 月 22 日限期前處理所有申請為主要目標前提下，作出合適的安排。

保監會將於數月內為閣下提供更多有關申請程序的詳情，以便閣下就牌照申請事宜作所需準備。如閣下對於所建議的程序有任何疑問，請致電 3899 9983 或電郵至 licensing@ia.org.hk 查詢。

郭家華
市場行為部主管（署任）及法律總監
保險業監管局

副本送：香港保險業聯會

2020 年 8 月 25 日