

Guidelines on the Effective Date of Registration of Insurance Agents, Responsible Officers and Technical Representatives

The Code of Practice for the Administration of Insurance Agents (the Code) specifies that the Insurance Agents Registration Board (IARB) may issue Guidance Notes from time to time as to how it intends to exercise its powers and fulfil its responsibilities under the *Code*. This Guidance Note is intended to help both insurers and insurance agents comply with the *Code* and in particular Part C of the *Code* which stipulates that the appointment of insurance agents, Responsible Officers and Technical Representatives shall be confirmed in accordance with the *Code*.

No prospective or current insurance agents, their Responsible Officers or Technical Representatives shall hold themselves out as engaging in the insurance agency business relating to a Principal before the IARB confirms their relevant registrations in writing by way of a *Notice of Confirmation of Registration*.

A prospective or current insurance agent must take note that it may be an offence under section 77 of the *Insurance Companies Ordinance* to hold himself out as an insurance agent of a Principal before he is registered by the IARB. Therefore, no person shall act or hold himself out as an insurance agent for and on behalf of any prospective appointing Principal before the date specified by the IARB in the *Notice of Confirmation of Registration*. Any breach may render the person liable to criminal prosecution for an offence under section 77 of the *Insurance Companies Ordinance*.

A prospective or current Responsible Officer or Technical Representative of an insurance agent should also take note that it may be a breach of the *Code* to hold himself out as the Responsible Officer or Technical Representative of such insurance agent before he is registered by the IARB. Therefore, no person shall be a Responsible Officer or Technical Representative of any prospective appointing insurance agent before the date specified by the IARB in the *Notice of Confirmation of Registration*. Any breach may affect the fitness and properness of the Responsible Officer, Technical Representative or insurance agent concerned.