Guidance Note issued on 30 November 2004

GUIDANCE NOTE ON COMPLIANCE WITH THE REQUIREMENTS OF THE CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROGRAMME

1. Background

The Code of Practice for the Administration of Insurance Agents (the Code) specifies that the Insurance Agents Registration Board (IARB) may issue Guidar ce Notes from time to time as to how it intends to exercise its powers and fulfill its responsibilities under the Code. This Guidance Note aims to assist insurance agent to comply with the annual CPD requirements. For the purpose of this Guidance Note any reference to "insurance agent" shall include responsible officer and technical representative.

Part E of the *Code* under "Minimum Qualific uons for Persons Acting as Insurance Agents" stipulates:

(a) The minimum qualifications a rindividual must fulfill before he may be considered by the IARB to be fit and proper to act as an insurance agent.

(b) That an insurance agent shall comply with the CPD requirements in such manner and form as specified by the Insurance Authority (IA)

2. CPD Requirements

The IA has specified that:

(a) Insurance agents are required to earn 5 ore and 10 non-core credits every year since the launch of the CPD Programme on 1 January 2002 up to 31 July 2005; and

(b) Form 1 August 2005, insurance agents are required to earn 10 CPD hours every year. Any excess CPD hours accumulated within a particular year cannot be carried forward to any other years.

The IARB shall deem an insurance agent naving complied with the CPD requirements under the "Minimum Qualifications for Persons Acting as Insurance Agents" as qualified for maintaining his registration status for another 12 months if:

- (i) The insurance agent completes all 5 core and 10 non-ore credits for each assessment year within a 12-month period for the entire transitional period up to 31 July 2005; and
- (ii) From 1 August 2005, the insurance agent to impletes all 10 CPD hours for the assessment year within a 12-month period ending on 31 July every year thereafter.

All <u>newly</u> registered insurance agents (meaning those who were not registered as insurance agents or brokers within the two years or more immediately prior to their registration), whose registration has been confirmed after 31 July 2004, shall refer to section 4 below.

3. CPD Assessment

In the spirit of encouraging compliance with the CPD requirements, the following shall apply:

(a) For easy administration, calendar month shall be used as the basis for calculating CPD requirements irrespective of the day of the month on which registration of an insurance agent takes place (i.e. regardless of whether an insurance agent is registered on, say, 1 January or 31 January, January shall be used for calculation of his CPD credits/hours.)

(b) If the registration of an insurance agent has been cancelled for less than 6 consecutive calendar months, such insurance agent shall be required to fulfill the CPD requirements for the entire 12-month assessment period, including the period of cancellation, which

shall be reported as follows:

 on the next succeeding assessment date (if both the cancellation date and the re-registration date fall within the same 12-month assessment period) (see example 1 in Annex 1 attached); or

at the time of re-registration (if the re-registration date falls in the next 12-month

assessment period) (see example 2 in A nex 1 at ached).

(c) If the registration of an insurance agent has been cancelled for a period of 6 consecutive calendar months or more, such insurance agent shall not be required to earn any CPD hours before re-registration, provided that such insurance agent shall not be registered as an insurance broker during such period. In this case, the insurance agent is required to report his CPD hours from the date of re-registration on a pro rata basis by the next succeeding assessment date. Please see the attached Annex 2 for the pro rata CPD hours required.

(For ease of calculation, all CFD hours shall be rounded-down to the lower integer.)

4. Assessment for Yewly Registered Insurance Agen

(a) A newly registered in urance agent, whose registration has been confirmed after 31 July 2004 up to 3. July 2005, may choose **either** to report:

in September 2004, he would report 4 core and 9 non-core credits on 31 July 2005.

Please see the attached Annex 3 for the pro rata credits required; or

(ii) On a pro rata basis on 31 July 2006 (e.g., by using the same example above, he should report 4 core and 9 non-core credits (for the 11-month period on to 31 July 2005) plus 10 CPD hours (for the 12-month period from 1 August 2005 to 31 July 2006)).

However, to allow insurance agents the flexibility in choosing the activities to comply with the CPD requirements, they may report 19 CPD hours for the entire 23-month registration period.

Please see the attached Annex 3 for the pro rata cledits, equired for the period up to 31 July 2005, if used, or attached Annex 4 for the pro rata CPD hours required for the whole period.

- (b) A newly registered insurance agent, whose registration has been confirmed after 31 July 2005, may choose **either** to report:
 - (i) On a pro rata basis on 31 July Imn ediately after his registration (e.g. if an insurance agent was first registered in September 2005, he would report 9 CPD hours on 31 July 2006). Please see the attached Annex 2 for the pro rata CPD hours required; or
 - (ii) In the next assessment year also on a pro rata basis (e.g., by using the same example above, he may report his CPD hours on 31 July 2007, i.e. 19 CPD hours for this 23-month registration period). Please see the attached Annex 4 for the pro rata CPD hours required.

5. Assessment for Professionally Qualified Insurance Agents

For insurance agents who are qualified pursuant to "List of specified qualifications" of the CPD Information Sheet published by the IA, which specifies that, inter alia, they are considered to have satisfied the non-core credits requirements if they have satisfied the CPD requirements specified by the institutes granting their qualifications. Nonetheless, they are still required to comply with the core credits requirements to earn 5 core credits every year up to 31 July 2005. (Please refer to sections 3 and 4 above for assessment details.)

From 1 August 2005, holders of such qualifications are considered to have satisfied the 10 CPD hours requirement if (a) the institutes granting such qualifications have a specific CPD programme for holders of such qualifications; and (b) they have satisfied the CPD requirements specified by the institutes granting such qualifications. Evidence of holding such qualifications/ titles should be submitted by the insurance agents to the IARB upon request. They should also be able to produce documentary proof that compliance with the respective institute's CPD programmes is essential for the holding of such qualifications/titles.

6. Maintaining CPD records and Monitoring of CPD Compliance

(a) Responsibilities of insurance agents

- decide on the appointing insurer responsible for reporting their CPD credits/ hours and notify such appointing insurer accordingly (if applicable);
- (ii) inform all appointing insurers if they should change the appointing insurer responsible for appointing their CPD credits/l ours (if a plicable);
- (iii) complete and file a Declaration Form to be promulgated by the IARB within 2 weeks (e. by 14 August) from the assessment date as rollows:

By individual insurance agents to:

- the appointing insurer responsible for reporting their CPD credits/hours;
 and
- all other appointing insurer(s) by providing each of them with a signed copy of the Declaration Form;

By responsible officers to:

- the appointing insurer responsible for reporting their CPD credits/hours;
 and
- an other appointing insurer(s) by providing each of them with a signed copy of the Declaration Form;

By technical representatives (TRs) to their appointing insurance agent.

- (iv) retain their proof of compliance with CPD requirements (including Declaration Forms and evidence/record of attendance) for a least a period of 3 years after the assessment date. The original proof of compliance with CPD requirements should be produced as and when required by the TARB.
- (b) Responsibilities of insurance agents who have appointed TRs:
 - (i) dispatch copies of Declaration Form to all of their TRs;

(ii) arrange sufficient CPL training for their TRs, if necessary;

- (iii) issue evidence/record of attendance to prove a TR who has attained a course sponsored by the insurance agent with the number of CPD credits/ hours and type of credits printed on evidence/record of attendance;
- (iv) monitor the compliance of their TRs with the CPD requirements;

(v) collect Declarations Forms from their TRs by 14 August;

- (vi) file the Annual Return to the IARB and report on those who fail to achieve the CPD credits/hours by 15 September; and
- (vii) offer help to their TRs in maintaining proof of compliance with CPD requirements.

(c) Responsibilities of all insurers:

 dispatch copies of Declaration Form to all of their insurance agents and responsible officers of insurance agencies;

 obtain confirmation from all their insurance agents and responsible officers of insurance agencies as to who would be responsible for reporting their CPD credits/hours by 14 August;

(iii) arrange sufficient CPD training for their insurance agents and responsible officers of insurance agencies, if necessary;

 (iv) issue evidence/record of attendance to prove an insurance agent or a responsible officer of insurance agency who has attained a course sponsored by the insurer with the number of CPD credits/hours and type of credits printed on the evidence/record of attendance;

 (v) monitor the compliance of their incurance agents and responsible officers of insurance agencies with the CPD requirements;

(vi) collect Declarations Form from their insurance agents and responsible officers of insurance agencies by 14 August follows:

 originally signed Declaration Form for those insurers responsible for reporting CPD credits/hours; or

 signed copy of Leclaration Form for those insurers NOT responsible for reporting CPD creatis/hours;

(vii) file the Annual Return to the IARB by 15 September for those insurers responsible for reporting CPD credits/hours, report on those viho fail to achieve the CPD credits/hours as well); and

(viii) offer help their insurance agents and responsible officers of insurance agencies in maintaining proof of compliance with CPD requirements.

7. Consequence of Non-Compliance

In the ircumstances that an insurance again fails to meet the CPD requirements, his confirmation of registration shall be revoked by the IARB. Under such circumstances, the IARB shall not consider his application for re-registration for 3 months as a starting point from the date his confirmation of registration is revoked. Such insurance agent shall be required to complete all outstanding CPD hours at the time of re-registration.

In the circumstances that an insurance agent makes a false declar uon in reporting his CPD hours, his confirmation of registration shall be revoked for 1 months as a starting point by the IARB. Such insurance agent shall be required to complete a loutstanding CPD hours at the time of re-registration.

8. Transitional Period

Please refer to revised Guidance Note o for details applicable to the Transitional Period.

EXAMPLES OF CALCULATION OF CPD HOURS

Example 1

Registration date: 1 January 2004

(assuming insurance agent has complied with the CPD requirements on 31 July 2005)

De-registration date: 1 April 2006

Re-registration date: 1 June 2006 (less than 6 months from the de-registration date)

Time to report CPD hours: 31 July 2006

Total number of months for report of CPD hours: 12 (from 1 August 2005 to 31 July 2006)

CPD hours to be reported: 10

Example 2

Registration date: 1 January 2004

(assuming insurance agent has compled with the CPD requirements on 31 July 2005)

De-registration date: 1 June 2006

Re-registration date: 1 October 2006 (less than 6 months from the de-registration date)

Time to report CPD hours: 1 October 2006

Total number of months for report of CPD hours: 12 (from 1 August 2005 to 31 July 2006)

CPD hours to be reported at the time of re-registration: 10

Effective 1 August 2005: Number of CPD hours to be reported by insurance agents, whose registrations have been cancelled for 6 consecutive calendar months or more, by the assessment date (i.e. 31 July) immediately following re-registration

Re-registration Month	Total No. of Months for reporting	CPD Hours	
August	12	10	
September	(4) A	9	
October	10	8	
November	9	7	
December	8	6	
January	7	5	
February	6	1	
March	5 .	4	
April	4	3	
May	3 .4) 2	
June	2	1	
July		0	. (
		-	. 4

This table would also apply to newly registered insurance agents who choose to report their CPD hours for less than a 12-month period from 1 August 2005.

Annex 3

Number of CPD credits to be reported by insurance agents newly registered between August 2004 to July 2005, by the assessment date on 31 July 2005

Registration Month	Total No. of Months for reporting	Core <u>Credits</u>	Non-Core <u>Credits</u>	L
August 2004	12	5	10	
September 2004	11/	4	9	
October 2004	10	4	8	
November 2004	9	3	7	
December 2004	8	3	6	
January 2005	7	2	5	
February 2005	6	2	5	
March 2005	5	72	4	
April 2005	4	1	3	
May 2005	3	lí	2	1
June 2005	2	0	1	- 1
July 2005	1	0		
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Annex 4

Number of CPD hours to be reported by insurance agents newly registered from August 2005 by the second 31 July immediately following registration

Registration Month	Total No. of Months for reporting	CPD <u>Hours</u>
August	24	20
September	23	19
October	22	18
November	21	17
December	20	16
January	. 19	15
February	18	15
March	17	14
April	16	13
May	15	12
June	14	il
July	13	10

*This table would also apply to newly registered insurance agents, confirmed after 31 July 2004, and who choose to report CPD hours on 31 July 2006

於 2005 年 6 月 13 日修訂

本指引於 2004 年 11 月 30 日發出

符合持續專業培訓計劃要求指引

1. 背景

《保險代理管理守則》(《守則》)訂明保險代理登記委員會(委員會)可以不時發出「指引」,說明其意欲如何行使《守則》賦予委員會的權力及履行《守則》授予委員會的職責。此持續專業培訓(培訓)計劃「指引」旨在協助保險代理符合每年的培訓計劃要求。就此「指引」而言 凡提及「保險代理」均包括負責人及業務代表。

《守則》戊部「適當人選準則」。] 四:

- (a) 任何人士必須先具備的最低資格要求,委員會方會考慮他是否符合適當人選 準則出任爲保險代理。
- (b) 保險代理必須遵守由保險 業監督(保監)指定的方式及形式的培訓計劃要求。

2. 培訓計劃要求

保監訂明:

- (a) 自培訓計劃於 2002 年 1 月 1 日實施之後至 2003 年 7 月 31 日止,所有保險 代理必須每年取得 5 個核心學分和 10 個非 之心學分;及
- (b) 自 2005年8月1日開始,所有保險代理任年必須取得10個培訓時 改, 足越 「定數日之培訓時數不可轉入任可其他年度。

加里

- (i) 保險代理於整個過渡則內,在爲期 12 個月並以 2005年 7月 31 日爲止的 每個評估年於內,取得 5 個核心學分和 10 個計 核心學分;及
- (ii) 自 2005 年 8 月 1 日開始,保險代理於爲期 12 個 月並每年以 7 月 31 日 爲止的評估年度內,取得 10 個培訓。數,

委員會將視該保險代理爲已符合「適當人選達則」內訂明的培訓計劃要求, 有資格在未來 12 個月內維持其登記身份

至於在 2004 年 7 月 31 日乙後被偏認量記的新登記保險代理(即指在登記之前兩年或以上並沒有登记為 床廠 心理或經紀之人士),而其登記期未滿 12 個月者,請參看以下第(4)。

3. 培訓計劃的評估方法

基於鼓勵符合培訓計劃要求,特此制訂以下條款:

(a) 爲方便委員會管理,計算培訓計劃要求時,將以曆月作爲基準,而不論保險 代理在某月任何一日登記,其所取得的培訓學分或時數均由該月起計(即無

委員會指引7(於2005年6月13日修訂)

論保險代理在1月1日或1月31日登記,其培訓學分或時數均由1月起計算)。

- (b) 假如保險代理之登記被取消<u>少於</u>連續 6 個曆月,該保險代理必須符合整段為期 12 個月的評估期所需之培訓計劃要求,其中包括被取消登記之時段。有關申報方法如下:
 - (i) 在接連之下一個評估日申報(適用於取消登記日期及重新登記日期均於同一個爲期 12 個月之評估期內的保險代理)(請參看附件 1 之例 1);或
 - (ii) 在重新登記時申報(適用於重新登記日期於下一個爲期 12 個月之評估期 內的保險代理)(請參看附件 1 之例 2)
- (c) 假如保險代理之登記被取消連續 6 個層 月或 人上, 只要該保險代理在被取消登記期間並沒有登記爲保險經紀, 心重新登記時, 便<u>毋須</u>取得任何培訓時數。在此情況下,保險代理 心》在接連下一個評估日按比例計算申報其由重新登記日起所取得的培訓時數。有關按比例計算所需之培訓時數, 請參看附件 2。

(為方便計算, 所有培训時 效將調低爲整數。)

4. 新登記代 个代理的 估方法

- (a) 在 2004 年 7 月 31 日以後至 2005 年 7 月 31 日上波確認登記之新登記保險代理,可選擇以下其中一種申報方法:
 - (i) 按比例計算在 2005 年 7 月 31 日申報 (例如: 某保險代理於 2014年) 月 百人登記,他可在 2005 年 7 月 31 日申報 4 個核心學分及。 閉非人心學 分)。有關按比例計算所需之學分,請參看附件 3;

爲了讓保險代理可彈性地選擇符合培訓。 個月的整個登記期爲基準計算,申報 19個培訓時數。

- (b) 在 2005 年 7 月 31 日以後被確認登記之新登記保險代理,可選擇以下其中一種申報方法:
 - (i) 在被確認登記隨後的 7月 31 日,按比例計算申報所取得的培訓時數(例如:某保險代理於 2005 年 9月首次登記,他可在 2006 年 7月 31 日申報 9 個培訓時數)。有關按比例計算所需之培訓時數,請參看附件 2;或

委員會指引7(於2005年6月13日修訂)

(ii) 在被確認登記隨後的下個評估年度,按比例計算申報所得的培訓時數 (例如:沿用上述例子,該保險代理可於 2007 年 7 月 31 日申報其培訓時 數,即在該 23 個月的登記期內,申報 19 個培訓時數)。有關按比例計算 所需之培訓時數,請參看附件 4。

5. 具認可保險專業資格的保險代理的評估方法

自 2005 年 8 月 1 日開始,持有上址指定資品的人士,如果(a)頒發該些資格的機構有爲該些資格持有人訂定一個持續工業培訓計劃;及(b)他們同時必須符合頒發該些資格的機構所訂明的、 事業培訓計劃的要求,便可因此而符合 10 個培訓時數的規定。他們必須能夠 安委員會的要求,提交持有該資格/頭銜的證明文件,並能夠提供文件資料 證 月他們必須符合該專業資格頒發機構之持續專業培訓計劃的要求才能持有該資格/頭銜。

6. 保存培訓紀錄 等察符合培訓計劃要求

- (a) 保險代望的責任:

 - (ii) 假如更改負責申報其培訓《分/時數的委任保險公司,必須通知所有委任保險公司(如過月),
 - (iii) 由評估日起計兩星期內〈以8月14日或之前)填妥及技下列方式提交由委員會發出的。四書:
 - 由個人代理提奏:
 - 予負責申報其培訓學分/時。中 安 千保險公司;及
 - 已簽名的聲明書副本予其 1 所有委任保險公司;
 - 由負責人提交:
 - 予負責申報其培訓學分/片數的委任保險公司;及
 - 已簽名的聲明畫副本 其 也所有委任保險公司;
 - 由業務代表提交予具工工厂條代理。
 - (iv) 由評估日起計,保存(「合培訓"計劃要求的憑證正本(包括聲明書及出席證明/ 紀錄)最少3年;當被委員會要求時,必須出示有關憑證的正本。
- (b) 有委任業務代表的保險代理的責任:
 - (i) 向其所有業務代表發送聲明書;
 - (ii) 如有需要,爲其業務代表安排足夠的培訓課程;
- (iii) 爲已經完成由保險代理提供的培訓課程的業務代表發出出席證明/紀錄,並 委員會指引7(於2005年6月13日修訂)

於出席證明/紀錄上註明其已取得的培訓學分/時數及學分類別;

- (iv) 監察其業務代表是否符合培訓計劃要求;
- (v) 於 8 月 14 日或之前向其業務代表收取聲明書;
- (vi) 於9月15日或之前向委員會提交年度報告,並申報未能符合培訓計劃要求的業務代表;及
- (vii) 協助其業務代表保存符合培訓計劃要求的憑證。
- (c) 所有保險公司的責任:
 - (i) 向其所有保險代理及保險代理商之負責人發达 等明書;
 - (ii) 於 8 月 14 日或之前獲得其保險代理及保 冷代理 商之負責人確認,將會由哪一間委任保險公司負責申報該等人士的培訓。另一時數;
 - (iii) 如有需要,爲其保險代理及保險代理商之負責人安排足夠的培訓課程;
 - (iv) 爲已經完成由保險公司提供內培訓課星的保險代理及保險代理商之負責人發 出出席證明/紀錄,並於出席。明/紀錄上註明其已取得的培訓學分/時數 及學分類別;
 - (v) 監察其保險代理及保險代理商之負責人是否符合培訓計劃要求;
 - (vi) 於 8 月 14 日或之前 句 是除代理及保險代理商之負責人收取聲明書如下:
 - 負責申『培訓學分/時數的保險公司須收 7已 資名的聲明書正本;
 - ,負責申報 培訓學分/時數的保險 公司須収取已簽名的聲明書副本;
 - (vii) 於 9 月 15 日或之前向委員會提定年度報 (負責申報培訓學分/時 收的 保險公司,須申報未能符合培訓計劃要求的保險代理及保險代理 百之負責人,,及
 - (vi))協助其保險代理及保險代理。之負責人保存符合培訓計。"要求的憑證。

7. 未能符合培訓計劃及求的。具

如保險代理未能符合 空訓計劃要求,委員會將會撤銷確之其圣記,以3個月爲紀律行動起點。該保險代理必須在重新登記時取得所有尚欠 日培訓時數。

如保險代理在申報其培訓時數時作虛假聲明,委員會將會撤銷確認其登記,以 12 個月爲紀律行動起點。該保險代理必須在圖新登記時取得所有尚欠的培訓時 數。

8. 過渡期

適用於過渡期之詳細安排, 請參看您訂《指引8》。

計算培訓時數之例子

例 1

登記日期: 2004年1月1日

(假設保險代理在 2005 年 7 月 31 日已符合培訓計劃要求)

被取消登記日期: 2006年4月1日

重新登記日期:2006年6月1日(由被取消登記日期起計少於6個月)

申報培訓時數日期:2006年7月31日

申報培訓時數的總月數:12個月(由2005年2月1日至2006年7月31日)

所需申報的培訓時數:10個

例 2

登記日期: 2004年1月1日

(假設保險代理在 2005 年 7月 31 日已符合培訓計劃要求)

被取消登記日期:2006年6月1日

重新登記日期: 20% 年 10 月 日 (由被取消登記日期起計少於 6 個月)

申報培訓時數日期 2006年10月1日

申報培訓時數 7總月數 12個月(由 2005年8月1日至 2006年7月31日)

重新登記等所需,報之培訓時數:10個

附件 2 自 2005 年 8 月 1 日開始,被取消登記連續 6 個曆月及以上的保險代理,在重新 登記隨後的評估日(即 7 月 31 日)所需申報之培訓時數

	新登記月份	所需申報之總月數	培訓時數
	2005 年 8 月	12	10
	2005年9月	Î	9
	2005年10月	10	8
	2005年11月	9	7
	2006年12月	8	6
	2006年1月	7	5
	2006年2月	6	5
	2006年3月	5	4
	006年 月	4	3
(006年5月	3	2
-	2006年6月	2	l)
	2006年7月	Y 1 🐼	0

*自 2005 年 8 月 1 日開始,以上列表亦適用於過,申報少於 12 個月的培 訓 時數之新登記保險代理。

附件 3

由 2004 年 8 月至 2005 年 7 月的新登記保險代理,在評估日(即 2005 年 7 月 31 日)所需申報之培訓學分

	新登記月份	所需申報之總月數	核心學分	<u>非核心學分</u>	
	2004年8月	12	5	10	
	2004年9月	II.	4	9	
	2004年10月	10	4	8	
	2004年11月	9	3	7	
	2004年12月	8	3	6	
	2005年1月	7	2	5	
	2005年2月	6	2	5	>
	2005年3月	22	2		
	2005年4月	4	1		
-	2005年5月	3	1_	2	
	2005年6月	2	0	1	
	2005年7月	1	0	0	
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自 2005 年 8 月新登記的保險代理,在被確認登記隨後的第二個 7 月 31 日所需申報之培訓時數

登記月份	所需申報之總月數	培訓時數
8月	24	20
9月	A 24 A	19
10 月	22	18
11月	21	17
12月	20	16
1月	19	15
2月	18	15
3月	17	16
4)1	16	. 13
5月	15	2
6月	14	11
7月	13	10

^{*} 以上列表亦適用於在 2004 年 7 月 31 日之後。確記登記,而選擇在 2006 年 7 月 31 日申報培訓時數的新登記保險代理。