

Proposed Registration Requirements for Insurance Agents, other than for individuals

1. Such person, other than individuals (hereinafter referred to as "Such person" or "such person") shall be eligible to apply for registration if such person is-
 - (a) a company registered under the Companies Act, No. 07 of 2007;
 - (b) a licensed commercial bank issued with a licence to act as a commercial bank under the Banking Act, No. 30 of 1988;
 - (c) a licensed specialised bank issued with a licence to act as a specialised bank under the Banking Act, No. 30 of 1988;
 - (d) a licensed finance company registered as a finance company under the Finance Companies Act, No. 78 of 1988;
 - (e) a licensed finance leasing company registered as a finance leasing company under the Finance Leasing Act, No. 56 of 2000;
 - (f) a non-governmental organization registered under the Companies Act, No. 07 of 2007 and Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980;
 - (g) a co-operative society registered under the Co-operative Societies Law, No. 05 of 1972 or a co-operative society registered under a statute of a Provincial Council;
 - (h) a society registered under the Societies Ordinance (Chapter 123); or
 - (i) a registered partnership or a registered proprietor.
2. Such person shall be established/incorporated/formed in Sri Lanka to operate solely or otherwise as an insurance agent;
3. Such person is required to obtain prior written approval from an authority to operate as an insurance agent in the event the core business activity of such person is governed or regulated by an authority;
4. Such person shall register and operate as an insurance agent only with one insurer or one insurance broker at any given time;
5. Such person shall not have any form of bancassurance agreement or any other agreement with an insurer or an insurance broker whereby such person receives any consideration by way of money or otherwise from an insurer or an insurance broker;
6. Such person shall not register and operate as an insurance agent to receive commissions or fees for such person's own business and in any event such person shall not receive commissions/fees for such person's own business;
7. A partner or director of such person shall -

- (a) not have been convicted by any competent court in Sri Lanka or of any other country, for a crime committed in connection with financial management or of any offence involving moral turpitude;
 - (b) not have been declared an undischarged insolvent or a bankrupt, under any law in Sri Lanka or of any other country;
 - (c) not have been declared by a competent court in Sri Lanka or of any other country, to be of unsound mind;
 - (d) not have failed to satisfy any judgment or order given by any competent court in Sri Lanka or of any other country, pertaining to the repayment of a debt, if any;
 - (e) not have been removed or suspended by an order of a regulatory or supervisory authority from serving as a director, Chief Executive Officer or any other position of authority in any insurance company, insurance broker, bank, financial institution or corporate body, within or outside Sri Lanka; or
 - (f) not have been a director, Chief Executive Officer, Principal Officer, Specified Officer or held any other position of authority in any insurance company, insurance broker, bank, financial institution or corporate body-
 - i) whose license or other authority granted for operating as an insurance company or insurance broker or bank or financial institution, has been suspended or cancelled or refused; or
 - ii) which has been wound up or is being wound up or which is being compulsorily liquidated,
within or outside Sri Lanka
8. Such person shall clearly identify the staff members of such person who will be engaged in soliciting or procuring insurance business and all such staff members shall:-
- (a) be above eighteen years of age;
 - (b) be citizens of Sri Lanka;
 - (c) have obtained or possessed the following minimum qualifications:-
 - (i) passed the General Certificate of Education (Ordinary Level) Examination with an ordinary pass in either Mathematics or Arithmetic and Sinhala or Tamil or English languages; or
 - (ii) qualified in any other relevant discipline at an equal or higher level than that specified in (i) above:
Provided that the approval of the Insurance Board of Sri Lanka is obtained on a case by case basis; or
 - (iii) not less than five (5) years experience as an insurance agent as at the date on which the Insurance Agent Qualification Rules, 2002 came into operation;

- (d) have passed the pre-recruitment test conducted by the Sri Lanka Insurance Institute (SLII) or any other body approved by the Insurance Board of Sri Lanka;
- (e) not have been convicted by any competent court in Sri Lanka or of any other country, for a crime committed in connection with financial management or of any offence involving moral turpitude;
- (f) not have been declared an undischarged insolvent or a bankrupt, under any law in Sri Lanka or of any other country;
- (g) not have been declared by a competent court in Sri Lanka or of any other country, to be of unsound mind;
- (h) not have failed to satisfy any judgment or order given by any competent court in Sri Lanka or of any other country, pertaining to the repayment of a debt, if any;
- (i) not have been removed or suspended by an order of a regulatory or supervisory authority from serving as a director, Chief Executive Officer or any other position of authority in any insurance company, insurance broker, bank, financial institution or corporate body, within or outside Sri Lanka;
- (j) not have been a director, Chief Executive Officer, Principal Officer, Specified Officer or held any other position of authority in any insurance company, insurance broker, bank, financial institution or corporate body-
 - a. whose license or other authority granted for operating as an insurance company or insurance broker or bank or financial institution, has been suspended or cancelled or refused; or
 - b. which has been wound up or is being wound up or which is being compulsorily liquidated,
within or outside Sri Lanka
- (k) have not been introduced by an Insurance Company or an Insurance Broker;
- (l) not be salaried employees of a registered Insurer or a Broker; and
- (m) not be individuals whose services have been previously terminated as insurance agents on the ground of financial misappropriation or fraud.