

J.28 – Reinstatement Application Policy

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1. Purpose

The purpose of this policy is to establish a Reinstatement pathway for applicants who were former licensees of the Insurance Council of BC (“Insurance Council”).

2. Scope

This policy applies to former licensees who wish to reinstate a cancelled licence and reapply for licensure with the Insurance Council.

3. Definitions

Applicant	A former licensee applying for a licence.
Application	An Application form submission that: <ol style="list-style-type: none">Contains all requested information;Is signed by the applicant; andIs accompanied by the fees published in the Insurance Council’s Fee Schedule, including all documentation required by the Insurance Council; andSubmitted more than two years from the date of licence cancellation.
Cancelled Licence	A licence that was rescinded by either the licensee or the Insurance Council.
Former Licensee	A person who was previously licensed by the Insurance Council.
Licensee	A person licensed by the Insurance Council.
Reinstatement	A Reinstatement form submission that: <ol style="list-style-type: none">Contains all requested information;Is for the same licence class as the applicant’s cancelled licence;Is signed by the applicant;Is accompanied by the fees as published in the Insurance Council’s Fee Schedule, including all documentation required by the Insurance Council; and

- e. Submitted less than two years from the date of licence cancellation.

Suitability Review An Application or Reinstatement for licensure that is forwarded to the Licensing Committee when the Insurance Council identifies that the Application or Reinstatement should be reviewed for suitability to hold a licence based on the criteria in Council Rule 3(2).

4. Policy

Requirements

- Applicants may apply for Reinstatement or submit an Application if they: complete the Reinstatement or Application form;
- have evidence of education or equivalent education;
- have appropriate experience or qualification;
- pay any fee, penalty or other amount owed to the Insurance Council;
- are authorized to represent at least one insurance company;
- attest or submit evidence to meeting the Continuing Education (“CE”) program;
- provide evidence of errors and omission insurance;
- provide the Insurance Council with any other outstanding requested information; and
- satisfy the Insurance Council that they possess the current knowledge, skill and judgment relating to the practice of insurance that would be expected of a licensee holding an active licence.

Applicants relying on alternate education or work experience may be referred to the Licensing Committee.

An Applicants’ CE compliance is required to qualify for licensure.

Upon Reinstatement, an Applicant must attest that they completed CE credits for the year the Applicant’s licence was cancelled. If an Applicant cannot attest or incorrectly attests to having a number of CE hours, the Applicant must submit evidence that they met their CE requirements prior to licensure.

Applicants are required to produce evidence of CE credit completion upon request by the Insurance Council. Any material misstatement can result in discipline, including licence cancellation.

Former licensees who reinstate their licence have until the end of the two-year Reinstatement eligibility period to make up their CE credits. Former licensees who do not make up their CE credits within the allotted timeframe before Reinstatement do not qualify for exemption. Former licensees who do not qualify for exemption are required to submit evidence of education or equivalent education before an Application is considered.

Former licensees who submit a Reinstatement or an Application and have a history of CE non-compliance must submit evidence of completing their CE credits. Their Application or Reinstatement would be forwarded to the Licensing Committee for review.

Review

Upon licence cancellation, former licensees are advised of future licensing procedures, including the different requirements for those applying within two years of their licence cancellation, or more.

Applicants who cancelled their licence for less than two years as of the date of Reinstatement will be deemed by the Insurance Council to have satisfied the educational requirements for Reinstatement. These applicants are still to meet other licensing requirements as applicable. In these cases, a Reinstatement is submitted.

Applicants who had their licence cancelled for more than two years as of the date of their Application would be required to meet the licensing requirements, including the educational requirements and submit a criminal record check. In such cases, an Application is submitted.

If upon reviewing the Reinstatement or Application, staff deemed the Reinstatement or Application as requiring a suitability review, Applicants will receive notice within 5 business days that the Reinstatement or Application has been referred to the Licensing Committee. The notification will include the Licensing Committee meeting date where the Application or Reinstatement will be reviewed, and whether any additional information is required by the stated deadline. This notification provides the Applicant with a chance to submit any other information the Applicant would like the Licensing Committee to consider as a part of their evaluation. The Insurance Council, upon review, may ask the Applicant for additional information before processing the Application or Reinstatement.

Licensing Committee's Suitability Review

Applicants who do not meet the licensing requirements will be referred to the Licensing Committee for the following reasons:

- Conflict of interest or reasonable possibility of undue influence as a result of other business interests or activities;
- Trustworthy, competent, and financially reliable;

- Equivalent education, experience, or qualification;
- Other suitability to practice concerns;
- Material misstatements;
- Unlicensed activity;
- Licensing history concerns; or
- Any other matter that may impact the approval of an Application or Reinstatement.

The Licensing Committee may consider the following in its assessment:

- time elapsed since active practice of insurance;
- nature and intensity of last practice in British Columbia and other jurisdictions;
- nature of intended practice;
- evidence of non-compliance;
- information collected or submitted as part of the Application or Reinstatement; and
- quality and quantity of efforts to maintain knowledge, skill and judgment while not practicing in British Columbia.

The Licensing Committee, upon review, may ask the Applicant for additional information before considering a direction or recommendation of the Application or Reinstatement.

The Licensing Committee may direct Staff to approve the Application or Reinstatement and issue a licence without conditions.

The following are possible recommendations from the Licensing Committee to Council:

- Approve the Application or Reinstatement and issue a licence with conditions; or
- Decline the Application or Reinstatement.

Once the review has been concluded, the Licensing Committee will prepare a report for Council setting out its recommendations and the reasons for the recommendations. The Applicant may request a hearing to dispute the decision laid out in the intended decision from Council. Please see section E.2 - Licensing Committee Terms of Reference for Licensing Committee duties and responsibilities.

Applicants are not authorized to resume practicing until their Reinstatement or Application has been approved, by the Insurance Council.

5. Resources

For additional resources, please see Council Rules, section J.3 - Suitability Policy and Suitability Review Process for Licensing Applicants.