

8 January 2021

Our Ref: MC/INT/5  
**By Email**

To: Chief Executives of all Authorized Insurers, Responsible Officers of all Licensed Insurance Broker Companies and Responsible Officers of all Licensed Insurance Agencies

Dear Sirs,

**Applications for new licences by deemed licensees**

We write to follow up on our circulars dated 25 August 2020, concerning the issue of deemed licensees.

A “deemed licensee” is any licensed individual insurance agent, licensed insurance broker company, licensed insurance agency, licensed technical representative (broker) or licensed technical representative (agent), who or which was automatically granted a licence under the new regulatory regime as at 23 September 2019, by reason of their being registered with one of the former self-regulatory organizations immediately prior to that date. Every 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 Insurance Authority (“IA”) if they wish to continue carrying on regulated activities after 22 September 2022.

As foreshadowed in our circular of 25 August 2020, during the 4<sup>th</sup> quarter of 2020, the IA has undertaken a full and detailed schedule of work in preparation for the full roll-out of the licence application process for deemed licensees. Numerous briefing sessions have been carried out to the industry, facilitated by the Hong Kong Federation of Insurers (“HKFI”), the Hong Kong Confederation of Insurance Brokers (“CIB”) and Professional Insurance Brokers Association (“PIBA”). In addition, the licensing staff from over 40 insurers, licensed insurance broker companies and licensed insurance agencies participated in the industry testing of Insurance Intermediaries Connect, the IA’s e-portal, which is to be used for the submission of applications by individual deemed licensees. Feedback has been obtained, considered and taken into account in designing/revamping the application forms and processes. Full pilot testing of the application process through the e-portal has also been conducted and several enhancements have been made on the basis of the input and insights provided. As of the date of this circular, we are pleased to report that as part of the pilot testing, approximately 500 applications submitted by deemed licensees have already been processed and approved through the e-portal.

### **Launch of the licence application process for deemed licensees**

By this circular, the IA hereby officially announces the launch of the licence application process for deemed licensees.

The new licence application process for deemed licensees was outlined in our circular of 25 August 2020, but by way of brief recap applications by deemed licensees should be submitted as follows:

- **Individual insurance agents:** Applications by deemed licensees who are individual insurance agents should be submitted via the IA's e-portal. These applications should be managed and coordinated by the main appointing insurers of the individual insurance agents. By now, insurers should have made requisite plans to ensure applications by their appointed individual insurance agents who are deemed licensees are submitted in a timely, staggered and reasonable manner (as part of its preparatory work, the IA has been liaising with key insurers in this respect). Insurers should now proceed with executing those plans and ensuring applications are submitted electronically.
- **Insurance broker companies and insurance agencies:** Applications by the broker company or agency itself will need to be submitted in paper form. To ensure appropriate staggering of these applications, over the coming months the IA will be sending out e-mails/letters to every broker company and agency inviting them to submit their applications within a specified timeframe. It is imperative, when a broker company or agency receives the invitation that it submits its application within the time frame specified in the IA's invitation.
- **Technical representatives (broker) and technical representatives (agent):** When a broker company or agency receives an invitation to submit the application for the broker company/agency licence, it should also make arrangements for its technical representatives who are deemed licensees to submit their individual licence applications via the e-portal. Broker companies or agencies may also encourage their appointed technical representatives to submit their individual applications via the e-portal in advance of receiving the formal invitation from the IA (as the sooner these applications are made, the better). Further, specifically for smaller-sized agencies, the IA has reached out to key insurers to seek to their assistance to provide their appointed agencies with support during the application process.

Note that when an application is approved and a new licence is granted, there is no change to the licence number. No licence fee is charged for licence applications made within the transitional period.

### **Cut-off date for licence applications submitted by deemed licensees**

As stated above, the transitional period for all deemed licensees ends on 22 September 2022. This means that a deemed licensee who or which has not obtained approval from the IA for his/her/its new licence by 22 September 2022, will not be able to conduct any regulated activities after that date, until the new licence is approved.

The IA expects significant progress to be made in processing licence applications from deemed licensees during the course of 2021. In early 2022, the IA will announce a cut-off date and if an application is not submitted by the cut-off date, the IA will not be able to guarantee the processing of such licence application before 22 September 2022. It is therefore imperative that insurers, broker companies and agencies respond expeditiously and execute their plans to ensure deemed licensees submit their applications in good time and the applications can be processed in advance of 22 September 2022.

### **Useful References and Information**

We have uploaded the application forms for deemed licensees, a set of Frequently Asked Questions, an e-portal user guide and a demonstration video to the IA website (<https://www.ia.org.hk/en/infocenter/forms/deemedlicensees.html>), so as to provide full information on the application process and answer any questions you may have. We would encourage you to refer your appointed agents or technical representatives to that section of the IA website if they have any queries.

We would like to thank the HKFI, CIB and PIBA for their valuable input and assistance in the preparatory work. We will monitor progress and provide further guidance as needed and we look forward, with the industry's engagement, to an effective and efficient execution of the entire process.

If you have any questions concerning this circular, please send an e-mail to [licensing@ia.org.hk](mailto:licensing@ia.org.hk).

Yours faithfully,

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

c.c. The Hong Kong Federation of Insurers  
The Hong Kong Confederation of Insurance Brokers  
Professional Insurance Brokers Association

檔案編號：MC/INT/5  
經電郵方式發送

致：所有獲授權保險人的行政總裁、持牌保險經紀公司及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申領新牌照的事宜**

本通函旨在跟進本局於 2020 年 8 月 25 日就有關「被視作已持牌人士」事宜所發布的通函。

「被視作已持牌人士」是指任何持牌個人保險代理、持牌保險經紀公司、持牌保險代理機構、持牌業務代表(經紀)或持牌業務代表(代理人)，於2019年9月23日實施的新規管制度下，因其於緊接在此日期前已於當時其中一個前自律規管機構持有效登記，而自動獲發牌照的人士。每位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」）。在此過渡期內，如被視作已持牌人士希望在2022年9月22日之後繼續進行受規管活動，他們需要向保險業監管局（「保監局」）申領新的牌照。

誠如本局在 2020 年 8 月 25 日發布的通函中所預述，保監局已於 2020 年第 4 季度期間著手制訂完整而詳細的工作時間表，為全面推行相關的申請程序作準備。在香港保險業聯會、香港保險顧問聯會和香港專業保險經紀協會的協助下，保監局已為業界舉辦了多場簡介會。此外，來自 40 多間保險公司、持牌保險經紀公司和持牌保險代理機構負責牌照申請的人員參與了「保險中介一站通」的系統測試，保監局日後將使用「保險中介一站通」電子服務站處理有關被視作已持牌人士個人牌照申請。保監局已考慮了所收集到的意見，並改良了申請表格的設計和申請流程。保監局亦為電子服務站的申請程序推行先導計劃，並就所收取的意見和建議，為該平台作出相應的改進。截至本通函發布的日期為止，本局欣然告知各位，在先導計劃下已經有大約 500 位被視作已持牌人士透過電子服務站提交牌照申請，並成功完成審批手續。

### **啟動被視作已持牌人士申領新牌照的程序**

透過本通函，保監局在此正式宣布啟動被視作已持牌人士申領新牌照的程序。

本局在 2020 年 8 月 25 日發布的通函中已列載了被視作已持牌人士申領新牌照的步驟。在此再次摘要說明有關被視作已持牌人士應通過以下方式提交牌照申請：

- **個人保險代理**：被視作已持牌人士的個人保險代理應透過保監局的電子服務站「保險中介一站通」提交其牌照申請。有關申請應由個人保險代理的主要委任主事人負責處理及統籌。本局相信保險公司現應已準備好所需的方案，以確保其委任的被視作已持牌人士的個人保險代理能適時、有序及以合適的方式提交其申請（作為籌備工作的一部分，保監局已就此事宜與各大保險公司協商）。保險公司現應執行有關方案及確保所有申請能以電子方式提交。
- **保險經紀公司及保險代理機構**：保險經紀公司及保險代理機構就其自身的新牌照申請須透過填寫紙張表格作出書面申請。為確保有關申請能有序地獲得處理，保監局將於其後的數個月內向每間保險經紀公司及保險代理機構發出電子郵件/信函，邀請其於指定時限內向保監局提交有關申請。當保險經紀公司或保險代理機構接獲邀請時，請其務必根據邀請函上所指定的時限內向保監局提交申請。
- **業務代表(經紀)及業務代表(代理人)**：當保險經紀公司及保險代理機構就其自身的新牌照申請接獲保監局邀請時，應同時安排其被視作已持牌人士的業務代表透過電子服務站「保險中介一站通」提交個人牌照申請。保險經紀公司或保險代理機構亦可在收到邀請前先行安排其業務代表透過電子服務站提交個人牌照申請（因為提前申請實為更理想的做法）。另外，保監局已聯絡主要的保險公司，期望他們可以在申請過程中為其委任而規模較小的保險代理機構提供支援。

請注意當有關申請獲批核及在保監局發出新的牌照時，相關持牌人士的牌照號碼將維持不變。而在過渡期期間所提交的牌照申請是並不須繳交任何牌照費用。

### **被視作已持牌人士的牌照申請的截止日期**

如以上所述，被視作已持牌人士牌照的過渡期將於 2022 年 9 月 22 日屆滿。換言之，如被視作已持牌人士未能於 2022 年 9 月 22 日前獲保監局發出新牌照，有關人士在過渡期後將不能進行任何受規管活動，直至獲發出新的牌照。

保監局預計處理被視作已持牌人士的牌照申請的工作將在 2021 年內取得顯著的進展。在 2022 年初，保監局會公布被視作已持牌人士提交申請的截止日期。若有關人士的申請未能於截止日期前提交，保監局將不能確保可於 2022 年 9 月 22 日限期前完成處理有關的牌照申請。因此，保險公司、保險經紀公司及保險代理機構務必迅速行動，並切實執行其牌照申請計劃，適時為其委任的被視作已持牌人士提交申請，以便有關申請能夠早於 2022 年 9 月 22 日前獲得處理。

## 具參考價值的連結及資訊

為了向業界就有關申請程序提供全面的資訊及解答有關疑問，本局已將有關被視作已持牌人士的牌照申請表格、整套的常見問題及答案、「保險中介一站通」電子服務站的用戶指南和示範短片等有關資訊上載至保監局的網站以供參考（<https://www.ia.org.hk/en/infocenter/forms/deemedlicensees.html>）。如閣下所委任的代理或業務代表有任何疑問，本局鼓勵閣下把相關的網站連結資訊告知他們以作參考。

本局在此感謝香港保險業聯會、香港保險顧問聯會和香港專業保險經紀協會為本局的籌備工作提供寶貴的意見和協助。本局將檢視相關的進度，並會按需要提供進一步的指引。本局期望在業界的積極參與下，能具成效和有效率地執行整個過程。

如對本通函的內容有任何疑問，請電郵至 [licensing@ia.org.hk](mailto:licensing@ia.org.hk)。

郭家華  
市場行為部主管（署任）及法律總監  
保險業監管局

副本抄送： 香港保險業聯會  
香港保險顧問聯會  
香港專業保險經紀協會

2021 年 1 月 8 日