



Central Bank of Trinidad and Tobago

Eric Williams Plaza, Independence Square, Port-of-Spain, Trinidad, Trinidad and Tobago
Postal Address: P.O. Box 1250
Telephone: (868) 621-CBTT (2288), 235-CBTT (2288); Fax: (868) 612-6396
E-Mail Address: info@central-bank.org.tt
Website: www.central-bank.org.tt

23 December, 2020

CIRCULAR LETTER TO:

ALL INSURERS, BROKERS, AGENTS, SALESPERSONS AND ADJUSTERS
ASSOCIATION OF TRINIDAD AND TOBAGO INSURANCE COMPANIES (ATTIC)
TRINIDAD AND TOBAGO INSURANCE INSTITUTE (TTII)
TRINIDAD AND TOBAGO ASSOCIATION OF INSURANCE FINANCIAL ADVISORS (TTAIFA)
INSURANCE BROKERS ASSOCIATION OF TRINIDAD AND TOBAGO (IBATT)

REF: CB-OIFI-2624/2020

THE IMPLEMENTATION OF THE INSURANCE ACT, 2018 (AS AMENDED) PART IV – REGISTRATION OF INTERMEDIARIES

The Central Bank of Trinidad and Tobago (the “Central Bank”) refers to the Insurance Act, 2018 (the “Act”) which was proclaimed effective **January 1, 2021**.

All intermediaries (adjusters, agents, salesmen and brokers) which are registered under the Insurance Act Chap 84:01 (the “former Act”) are hereby reminded of the following sections 110 (1), (2), (4) and (5) of the Act, which guide the registration status of intermediaries under the Act:

- (1) *“No person shall in respect of any class and type of insurance business, carry on business as an agency or brokerage unless that person is registered under this part and no person other than a company may be registered as an agency or brokerage.”*
- (2) *“No individual shall, in respect of any class and type of insurance business, carry on business as a broker, agent, sales representative, or adjuster unless he is registered under this Part.”*
- ...
- (4) *“A company which at the commencement of this Act, is registered as an agent or broker under the former Act, shall be deemed to have been registered as an agency or brokerage as applicable under this Part and such registration shall be up to the end of the period stated in the certificate of registration issued under the former Act.”*
- (5) *“An individual who at the commencement of this Act is registered as an agent or broker under this part shall be incorporated within one year of commencement of the Act”.*

- (6) *An individual who, at the commencement of this Act is registered as a salesman, agent, broker or adjuster under the former Act, shall be deemed to have been registered as a sales representative, agent, broker or adjuster under this Part.*

Therefore, the Central Bank advises as follows:

- a) Salespersons will be registered and renewed as sales representatives as stipulated under Sections 111, 112 and 114 of the Act;
- b) Adjusters will continue to be registered and renewed on both an individual and corporate basis;
- c) A company which at the commencement of the Act is registered as an agent or broker under the former Act, shall be deemed registered as an agency or brokerage, as applicable and such registration shall be valid up to the end of the period stated in the certificate of registration issued under the former Act; and
- d) All individual agents and brokers, which are not employed with an agency/brokerage, will be required to incorporate **within one (1) year of proclamation of the Act, regardless of their anniversary date of renewal.**

In addition, all intermediaries are required to familiarise themselves with the following matters:

- a) the applicable Fit & Proper criteria under Schedule 5 of the Act, the Insurance (Intermediaries) (Registration) Regulations, 2020 and, in the case of brokerages, the Insurance (Approved Securities) Regulations, 2020 for their stated capital requirements under section 116(2) of the Act;
- b) the revised annual application fees under Part B of Schedule 2 of the Act;
- c) the periods for remittance to insurers and consumers in sections 134 and 135 of the Act;
- d) the monthly reporting requirements for agencies and brokerages in sections 137 and 138 of the Act; and
- e) the maximum fines and penalties for offences under the Act, as well as the administrative fines prescribed in Parts B and C of Schedule 6 of the Act.

Insurers are reminded that –

- (i) they must not transact business with any unregistered intermediary, pursuant to sections 30(1) and 123(4) of the Act;
- (ii) a company cannot be registered as an insurer and an intermediary, pursuant to section 30(9) of the Act; and

Circular Letter To:

All Insurers, Brokers, Agents, Salespersons and Adjusters

Association of Trinidad and Tobago Insurance Companies (ATTIC)

Trinidad and Tobago Insurance Institute (TTII)

Trinidad and Tobago Association of Insurance and Financial Advisors (TTAIFA)

Insurance Brokers Association of Trinidad and Tobago (IBATT)

23 December, 2020

- (iii) pursuant to sections 30(10) and (11) of the Act, any company, which was registered as an insurer and an agent under the former Act, shall be allowed to carry on both its insurance business and its business as an insurance agency for a period of five years after the commencement of this Act, within which time it must separate its insurance business from its business of an insurance agency by incorporating a separate entity to carry on its business of an insurance agency.

We anticipate your usual co-operation.

Yours sincerely



Patrick Solomon

INSPECTOR OF FINANCIAL INSTITUTIONS