

WHICH ACTS ARE RESERVED FOR AGENTS AND BROKERS?

Below are the details regarding your obligations and the limits on acts that may be delegated to non-certified persons within the context of offering insurance products. **You nevertheless remain liable for actions carried out by non-certified individuals.**

In the final analysis, it is your responsibility to “describe the proposed product to the client in relation to the needs identified and specify the nature of the coverage offered.”^[1] Furthermore, you must “indicate clearly to the client any particular exclusion of coverage, if any, having regard to the needs identified and provide the client with the required explanations regarding such exclusions.”^[2]

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This memory-aid includes references in particular to the [Notice regarding information collection and insurance advice](#) from the Autorité des marchés financiers.



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ACTS	YOUR RESPONSIBILITY (AGENT AND BROKER)	LIMITS ON ACTS THAT MAY BE DELEGATED TO A NON-CERTIFIED PERSON
Collecting personal information	<p>Analyze the information submitted to you and ensure that it is complete, accurate and up to date in order to validate the insured's needs.</p> <p>You are responsible for the information collected, even if you do not collect it yourself.</p>	<p>Collect factual information on a client.</p> <p>For example: address, consent to obtain a credit score, information on the vehicle to be insured, characteristics of the building to be insured, age of the water heater.</p>
Filling in an Insurance application form	<p>Analyze the information submitted to you and make sure that it is complete, accurate and up to date in order to validate the insured's needs.</p> <p>Appropriately advise clients and, if possible, offer a product that meets their needs.</p>	<p>Complete the sections of the insurance application form requiring factual information.</p> <p>For example: address, consent to obtain a credit score, information on the vehicle to be insured, characteristics of the building to be insured, age of the water heater.</p>
Changing an address or modifying a contract	<p>Analyze whether the changes to your client's situation will change his needs. If it is necessary to modify any coverage in the contract, you must advise your client appropriately and explain to him that if there is an aggravation of risk, you will have to disclose it to the insurer.</p>	<p>Non-certified persons are prohibited from carrying out this act: only agents and brokers may make changes to a contract.</p>
Answering a client's technical or administrative questions	<p>Perform actions related to the administration of the client's file, in accordance with your code of ethics.</p>	<p>Perform actions related to the administration of the client's file.</p> <p>For example: send a copy of a contract to the insured, confirm the amount of their monthly direct debit payment, re-set their password to access their on-line account.</p>
Describing an insurance product	<p>Before concluding a contract, describe the proposed product in relation to the needs identified and explain the coverage offered.</p> <p>Indicate and explain any exclusions of coverage in the contract.</p>	<p>Non-certified persons are prohibited from performing this act, except when making cold calls. In such situations, a non-certified person may describe the main features of the insurance product and then transfer the client to an agent or broker who does the needs analysis and offers the product.</p>
Verifying the insurance contract before sending it to the insured	<p>Verify that the insurance contract issued is error-free and that it reflects your discussions with the insured and the insured's wishes.</p> <p>If you are responsible for entering the information directly into the insurer's system, make sure to review all the information before issuing the contract.</p>	<p>Non-certified persons are prohibited from carrying out this act: Only agents and brokers may verify whether the insurance contract is suitable.</p>

To learn more, read
[Which Acts Are Reserved for Agents and Brokers?](#)

[1] Section 28 of the Act respecting the distribution of financial products and services.

[2] Idem.



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