



**NOTICE TO THE PROFESSION AND THE PUBLIC**  
**POTENTIAL OCCUPATIONS AT CONFLICT**  
**WITH DUTIES OF AN INSURANCE INTERMEDIARY**

In response to the increased number of applications to receive, renew, reinstate or retain certificates of authority (colloquially referred to as insurance “licenses”) the Life Insurance Council (LIC), the General Insurance Council (GIC) (collectively referred to herein as the “Councils”) and the Alberta Insurance Council (AIC) issue the following *Notice to the Profession and the Public*.

**BACKGROUND**

The current *Insurance Agents and Adjusters Regulation*<sup>1</sup> provides the following:

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|-------------------------|--|
| <b>Insurance agents</b> | the individual must not be in a position to use coercion or undue influence in order to control, direct or secure insurance business                                       |
|                         | the individual must not be engaged in another occupation or business that would place the individual in a conflict of interest position when acting as an insurance agent. |

**In the interest of fairness, transparency, and to expedite the application process, the Councils provide the following examples of other occupations which may present a conflict of interest while acting as an insurance agent, or may present an opportunity to exercise undue influence in order to secure or direct insurance business.**

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<sup>1</sup> *Insurance Agents and Adjusters Regulation* AR 122/01; at ss. 5(1)&(2)

## NOTICE TO THE PROFESSION AND THE PUBLIC

1. The Councils may exercise the powers, duties and functions delegated to them by the Minister of Treasury Board and Finance, pursuant to Ministerial Directives [01/01](#) and [02/01](#)
2. The Councils rely on the following definition of “conflict of interest” as provided by the current Insurance Agents and Adjusters Regulation;

*“conflict of interest position” means a situation where an insurance agent or an adjuster has an incentive to act other than in the best interest of the client<sup>2</sup>*

3. The Councils rely on the common use of the term “undue influence” as meaning an individual’s ability to influence the will of another through the real or implied authority held by that individual.
4. The following occupations **may** prevent an applicant from receiving, renewing, reinstating or retaining a certificate of authority due to a potential conflict of interest, or due to the potential of undue influence, coercion or control in order to secure or direct insurance business:
  - a. Government Employees (federal, provincial, and local municipalities);
  - b. Politicians and Legislators;
  - c. Religious and Spiritual Leaders;
  - d. Members of the Judiciary, lawyers and members of the Law Society of Alberta (or other legal societies within Canada);
  - e. Law Enforcement Employees; RCMP, municipal police, penitentiary staff, probation officers, behavioral correctional staff (remand centers etc.), youth justice workers, and investigators;
  - f. Members of an arbitral administrative law panel (on matters of appeals or eligibility);
  - g. Physicians, psychiatrists, psychologists, counsellors, mediators, social workers, therapists, mental health clinicians and the staff who support them;
  - h. Medical examiners, crisis intervention workers, registered nurses (“RNs”), front-line nurses, residential care workers, out-patient support, rehabilitative and palliative care workers;
  - i. Employees of outreach, public access or charitable programs (both private and public) who assist a vulnerable sector of the public;
  - j. Maintenance enforcement workers, bailiffs, collections staff, or pawnbrokers;
  - k. Corporate franchise tax preparers;
  - l. Immigrant and new-comer support workers (private or public); and
  - m. Volunteer workers in any of the above fields.

5. These professions are provided as a guideline, only. The Councils reserve their authority to decide all matters of eligibility on the basis of the facts before them in relation to any request to retain, renew, reinstate or to receive a new certificate of authority.

6. The Councils provide the above to expedite the application process.

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<sup>2</sup> Insurance Agents and Adjusters Regulation AR 122/01; at ss. 1(1)(d)

7. The Councils maintain their delegated authority to consider the nature of any other occupation, beyond those outlined above, which may present a conflict of interest or may give rise to the potential of undue influence.
8. Any questions regarding this *Notice to the Profession and the Public* may be directed to the Director of Legal and Regulatory Affairs at the Alberta Insurance Council.
9. This *Notice to the Profession and the Public* may be amended, rescinded or replaced at any time. The Councils will endeavor to provide due notice to the Profession and the Public of any such changes, should they arise.

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The [Alberta Insurance Council \(“AIC”\)](#) is an industry regulator responsible for the oversight and market conduct of insurance agents, brokers and independent adjusters in the Province of Alberta. The AIC derives its authority through [delegations](#) granted by the Minister of Treasury Board and Finance (“ATBF”), and in accordance with the [Insurance Act](#), RSA 2000 c. I-3 (the “Act”) and its [Regulations](#). The AIC provides investigative, governance and administrative services to the Alberta insurance councils including the *Insurance Adjusters Council*, the *General Insurance Council*, and the *Life Insurance Council*, and the *Alberta Insurance Council*.

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