

(Translation)

Notification of the Office of Insurance Commission

Re: Rules, Procedures and Conditions for the Registration of Agents and Brokers Selling Universal Life Insurance Policies, B.E. 2552 (2009)

By virtue of clause 13 of the Notification of the Insurance Commission Re: Specification of Rules, Procedures for the Issuance and Offering of Insurance Policies and Performance of Duties of Life Insurance Agents and Brokers and Banks, B.E. 2551 (2008) dated 30 December 2008, the Commissioner hereby issues the following notification.

Clause 1. The following definitions and notifications of the Commissioner shall be repealed.

1.1 The definition of the term "Agent Selling Universal Life Insurance Policies" in clause 1 and clause 3 and part three of clause 4 - Qualifications and Prohibited Characteristics of Agents Selling Universal Life Insurance Policies, clauses 11, 12, 13, 14, 17, 21, 24, 25, 26 and 27 of the Notification of the Commissioner Re: Rules, Procedures and Conditions for the Issuance and Offering of Universal Life Insurance Policies, dated 9 November 2004.

1.2 The Notification of the Commissioner Re: Rules, Procedures, and Conditions for Applying for Approval for Agents Selling Universal Life Insurance Policies dated 9 February 2005.

1.3 The Notification of the Commissioner Re: Rules, Procedures, and Condition for Issuing and Offering of Universal Life Insurance Policies (No. 2) dated 9 September 2005.

Clause 2. In this notification,

"universal life insurance policy" means a life insurance policy issued by a life insurance company to the insured as evidence that the insured and the life insurance company have entered into a life insurance contract with an agreement that the insured will pay a premium specified in the contract, including the insurance premium as top-up, and the company will deduct fees and coverage against death from the policy or other coverage and will credit interest periodically as specified in the offer's supporting documents, where minimum interest is guaranteed;

"life insurance agent or broker selling universal life insurance policies" means a life insurance agent or broker registered by the Commissioner to sell universal life insurance policies; and

"sell" means to persuade, indicate an opportunity or arrange for a person to enter into a life insurance contract with the company.

Clause 3. Universal life insurance policies may be sold by a life insurance agent or broker selling universal life insurance policies, provided that the company has a duty to ensure that the agent complies with the provisions of the Life Insurance Act, B.E. 2535 (1992), as amended, including notifications, orders and rules relevant thereto.

Part 1

Qualifications and Prohibited Characteristics of Life Insurance Agents or Brokers Selling Universal Life Insurance Policies

Clause 4. No person shall sell universal life insurance policies unless that person is registered as a life insurance agent or broker selling universal life insurance policies.

Clause 5. An applicant for approval to be a life insurance agent or broker selling universal life insurance policies shall possess the following qualifications.

5.1 Being granted a license as life insurance agent or broker for no less than six months.

5.2 Being a seller of new individual life insurance, either ordinary or industrial, with a minimum of 15 customers, or the minimum sum insured of no less than 2 million Baht, exclusive of group insurance and single-premium insurance.

5.3 Having passed training on basic knowledge about universal life insurance policies in accordance with the courses approved by the Commissioner no more than two years prior to the date of applying for registration.

Clause 6. Applicants for approval to be a life insurance agent or broker selling universal life insurance policies shall not possess the following prohibited characteristics.

6.1 Having no record of offenses of misrepresentation, fraud or dishonesty under the law on securities and exchange, the law on finance, securities and credit foncier business, the law on commercial banks, the law on life insurance, the law on non-life insurance, or other laws in relation to financial business, whether Thai or foreign laws, within three years before the date of application for approval.

6.2 Having no record of offenses under the law on anti-money laundering and counter-terrorism financing, whether Thai or foreign laws.

6.3 Not having any one of the following records within the period of three years before the date of filing an application for approval:

6.3.1 was convicted by a final judgment or subject to a fine for a dishonest act;

6.3.2 was dismissed, relieved of duty, or forced to leave work for a dishonest act; or

6.3.3 had a history of work that was of fraudulent or dishonest nature or indicated irresponsibility, failure to preserve customers' interests, or lack of due care, or reflected unfair or unreliable work.

Clause 7. An applicant for registration as a life insurance broker selling universal life insurance policies that is a juristic person, apart from having the required qualifications under the Life Insurance Act, B.E. 2535 (1992), as amended, shall have the following qualifications.

Having employees who are life insurance brokers registered by the Commissioner to sell universal life insurance policies as employees of the juristic person and only those employees may perform their duty to sell universal life insurance policies themselves or on behalf of the juristic person.

Part 2

Registration and Renewal of Registration as Life Insurance Agents and Brokers Selling Universal Life Insurance Policies

Clause 8. Any person wishing to be registered as a life insurance agent or broker selling universal life insurance policies shall file an application with the Commissioner in the form as attached hereto.

The validity of the registration under this notification shall expire on the same day as the expiry date of the life insurance agent license or life insurance broker license, as the case may be.

If any person registered as a life insurance agent or broker selling universal life insurance fails to renew a life insurance agent or broker license, that person shall no longer be a person registered as life insurance agent or broker selling universal life insurance policies under this notification.

Clause 9. If a life insurance agent or broker selling universal life insurance wishes to renew their registration, they shall file an application for renewal with the Commissioner within the specified two months before the expiry date of the registration. The life insurance agent or broker selling universal life insurance policies shall present a certificate to the Commissioner to show that they have successfully undergone training in relation to universal life insurance policies no more than two years before the date of application to renew the registration.

Part 3

Revocation of Registration as Life Insurance Agents or Brokers Selling Universal Life Insurance Policies

Clause 10. The Commissioner has the power to revoke the registration as a life insurance agent or broker selling universal life insurance policies if it appears to the Commissioner that:

10.1 incidents pursuant to section 81 of the Life Insurance Act, B.E. 2535 (1992), as amended, have occurred;

10.2 they violate or fail to comply with the duties in the sale or offering of universal life insurance policies; or

10.3 they lack qualifications under clause 5 or clause 7, as the case may be, or possess prohibited characteristics under clause 6.

Part 4

Provisional Clause

Clause 11. The person granted approval to be a life insurance agent or broker selling universal life insurance policies before the effective date of this notification and the approval has not expired shall be deemed as the person registered under this notification until the end of two years from the date the Commissioner grants approval to be a life insurance agent or broker selling universal life insurance policies. In the event that the life insurance agent or broker license is still valid on the expiry date of the two years, the end of the validity of the registration shall be extended to be the same day as the expiry date of the life insurance agent or broker license.

This notification shall come into force on 29 July 2009.

Notified on 29 July 2009.

-signature-

(Mrs. Chantra Purnariksha)

Secretary-General

Commissioner

Note: This notification is issued because the Notification of the Insurance Commission Re: Specification of Rules, Procedures for the Issuance and Offering of Insurance Policies and Performance of Duties of Life Insurance Agents and Brokers and Banks, B.E. 2551 (2008) requires that any person who will offer universal life insurance policies must be a life insurance agent or broker registered under the rules, procedures and conditions specified by the Commissioner. Therefore, it is necessary to issue this notification.

Reviewed by -signature-

Drafted/typed by Ayusri

- (2) Having no record of offenses under the law on anti-money laundering and counter-terrorism financing, whether Thai or foreign laws.
- (3) Having neither one of the following records within the period of three years before the date of filing for approval:
 - (a) was convicted by a final judgment or subject to a fine for a dishonest act;
 - (b) was dismissed, relieved of duty, or forced to leave work for a dishonest act; or
 - (c) had a history of work that was of fraudulent or dishonest nature or indicated irresponsibility, failure to preserve customers' interests, or lack of due care, or reflected unfair or unreliable work.

signed.....

(.....)

Applicant for registration/Applicant for renewal of registration

Office of the Insurance Commission (OIC)

Application for Registration / Application for Registration Renewal as an Agent/Broker Selling Universal Life Insurance Policies that is a Juristic Person

Made at

Date..... Month..... Year.....

Attn: the Commissioner

1. We, Bank/Co., Ltd.

2. Life Insurance Broker License No.

3. Wish to apply for (...) registration

(...) renewal of registration for the ... time

4. Hereby provide our representation to the Commissioner

(...) in the case of application for registration as a broker selling universal life insurance policies

(...) in the case of application for renewal of registration as a broker selling universal life insurance policies

as follows:

The company's broker(s) selling universal life insurance policies, as per the attachment, is/are fully qualified and possesses/possess no prohibited characteristics of life insurance brokers per the Notification of the Commissioner Re: Rules, Procedures and Conditions for the Registration as Agents and Brokers Selling Universal Life Insurance Policies, B.E. 2552 (2009), notified on Date..... Month.... Year.....

Signed

(.....)

Applicant for registration/Applicant for renewal of registration

Representation

Attn: the Commissioner

We, Co., Ltd. hereby provide our representation to the Commissioner

(...) in the case of application for registration as agent/broker selling universal life insurance policies

(...) in the case of application for renewal of registration as agent/broker selling universal life insurance policies

as follows:

The company's agent/broker(s) selling universal life insurance policies, as per the attachment, is/are fully qualified and possesses/possess no prohibited characteristics of life insurance agent/brokers per the Notification of the Commissioner Re: Rules, Procedures and Conditions for the Registration as Agents and Brokers Selling Universal Life Insurance Policies, B.E. 2552 (2009), notified on Date..... Month.... Year.....

Please be informed accordingly.

-Affix corporate seal-

(Signed)Director/Authorized Person

(.....)