



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

INSURANCE ACT INSURANCE ADJUSTERS REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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INSURANCE ACT
Chapter I-4

INSURANCE ADJUSTERS REGULATIONS

Pursuant to section 368 of the *Insurance Act* R.S.P.E.I. 1988, Cap. I-4, Council made the following regulations:

1. Definitions

In these regulations

- (a) “**Act**” means the *Insurance Act* R.S.P.E.I. 1988, Cap. I-4;
- (b) “**full license**” means a full license issued under the Act, in accordance with these regulations;
- (c) “**probationary license**” means a probationary license issued under the Act, in accordance with these regulations;
- (d) “**probationary licensee**” means an individual who is the holder of a probationary license;
- (e) “**supervising licensee**” means an individual who is the holder of a full license and who has signed a supervision undertaking submitted under subsection 4(1) for a probationary licensee. (EC247/05)

2. Persons deemed not to be adjusters

For the purposes of the Act and these regulations, the following persons are deemed not to be acting as adjusters in the circumstances indicated:

- (a) a liquidator or trustee in bankruptcy who is acting in the performance of his or her duties;
- (b) a testamentary executor, director, trustee or fiduciary who is acting in the performance of his or her duties;
- (c) a person who is employed as an architect, appraiser, engineer or other expert who is employed solely for the purpose of giving expert advice or evidence; and
- (d) a person who is adjusting or dealing solely with claims
 - (i) under a contract of marine insurance,
 - (ii) under a contract of aircraft insurance,
 - (iii) under a contract of life insurance, or
 - (iv) under a contract of accident insurance, sickness insurance or accident and sickness insurance. (EC247/05)

3. Classes of licenses

There are two classes of licenses for adjusters:

- (a) probationary licenses; and
- (b) full licenses. (EC247/05)

4. Probationary licenses

- (1) The Superintendent may issue a probationary license to an individual if the Superintendent is satisfied that the individual
 - (a) is a suitable individual to act as an adjuster; and
 - (b) has filed a supervision undertaking, in a form acceptable to the Superintendent, that is signed by the applicant and the holder of a full license.

Authority

- (2) A probationary license authorizes the probationary licensee to act as an adjuster only under the supervision of the supervising licensee.

Supervising licensee

- (3) During the term of a probationary license, the supervising licensee for the probationary licensee shall
 - (a) supervise the probationary licensee in accordance with the supervision undertaking; and
 - (b) review and countersign all claim reports or settlement offers completed or submitted by the probationary licensee.

Initial term

- (4) The initial probationary license issued to a probationary licensee shall have a term not exceeding one year.

Courses

- (5) A probationary licensee shall, during the term of his or her initial probationary license, take and successfully complete the course or courses of study designated by the Superintendent for the purposes of this subsection.

Idem

- (6) A probationary licensee shall, within five years from the date the initial probationary license was issued to the probationary licensee, take and successfully complete the course or courses of study designated by the Superintendent for the purposes of this subsection.

Exception

- (7) The Superintendent may issue a probationary license, for such term as the Superintendent considers appropriate, to an individual under this section notwithstanding that the individual has not successfully completed the course or courses of study required under subsection (5) or (6) if the individual files with the Superintendent
 - (a) a written request, with reasons, to support the issuance of a probationary license beyond the time periods specified in subsection (5) and (6); and
 - (b) a recommendation, in writing, from the supervising licensee recommending the issuance of the probationary license. (EC247/05)



5. Full licenses

- (1) The Superintendent may issue a full license to an individual if the Superintendent is satisfied that the individual
- (a) is a suitable individual to act as an adjuster; and
 - (b) either
 - (i) has held a probationary license for at least two years and has successfully completed the courses of study designated by the Superintendent for the purposes of subsection 4(5) and (6),
 - (ii) holds the equivalent of a full license in any other province,
 - (iii) has acted as an adjuster in another province for at least two years and has successfully completed the courses of study referred to in subclause (i), or
 - (iv) holds or has held a full license.

Authority

- (2) A full license authorizes the individual to whom it is issued to act as an adjuster under all classes of insurance and to investigate, adjust or settle losses or claims. *(EC247/05)*

6. Revocation

The Insurance Adjusters Regulations *(EC257/75)* are revoked. *(EC247/05)*