



Circular No: IRDA/BRK/MISC/CIR/260/12/2016

29.12.2016.

All Insurance Brokers,

Re: Online System For Obtaining Prior Approval And Intimation Regarding Governance Issues Of Broking Companies.

As part of automation of various activities of IRDAI, a web based system is now available for obtaining prior approval and intimation regarding governance issues of Insurance Broking Companies at the following link: <http://www.irdabap.org.in>.

The correspondence already received by the department will be processed manually and **henceforth all information/prior approval for changes during license period shall be accepted through on-line mode.**

There is also a provision for payment of renewal and annual fees through the above portal. The Authority also reaffirms to all the Brokers that submission of application for licensing of new brokers and submission of applications for renewal of registrations shall be accepted through on-line mode.

The two broad categories of governance as per regulations are:-

- A) For prior approval
- B) For information.

Given below are the items and the relevant documents/information required to be submitted for consideration of the Authority in case prior approval of the Authority is required :-

1. Change of Principal Officer - Annexure 1
2. Change in Director(s)/Partner(s) - Annexure 2 and 3
3. Change in name of the company - Annexure 4
4. Change in place of corporate/registered office/principal place of business - Annexure 5
5. Change in shareholding pattern [when the transfer is exceeding 5% of the total paid up capital] – Regulation 10 and Annexure VII of IRDA (Insurance Brokers) Regulations, 2013. Also refer to Circular No. IRDA/BRK/Misc/Cir/121/05/2014 dt.01.05.2014.
6. Voluntary surrender of license – Regulation 46 and Annexure VIII of IRDA (Insurance Brokers) Regulations, 2013.
7. Removal of lien on FD after making fresh FD.

Given below are the items when the Authority needs to be informed :-

1. Opening/Closing of branch offices.
2. List of broker qualified persons.
3. In respect of a claim under the professional indemnity policy.
4. Acquiring of immovable property.
5. Change in shareholding pattern [when the transfer is not exceeding 5% of the total paid up capital]

The user manual and video demo of the governance process has also been made available which can be accessed on logging in to the portal.

It may be noted that in BAP module the following items has been classified under the "For information" category :-

1. Change of registered office.
2. Induction of new directors / cessation of existing directors.
3. Change in principal officer.

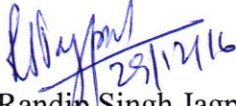
Please note that for the above items 'prior approval' of the Authority is necessary and all the steps/documents as given in Annexure to this communication are attached along with the request for change.

A helpline system has been setup for this purpose and the queries will be attended by the team on priority basis. Brokers may also escalate the issues at the following:

Issues	Can be escalated to*	Contact No.
Technical Issues	bap.support [at] irda [dot] gov [dot] in Ms. V. Chitra, Manager BAP	020-66416996 040-23381353
Governance Related Queries/Issues	Mr. Chivukula Ramakrishna, OSD c.ramakrishna [at] irda [dot] gov [dot] in Mr. A. Ramesh Kumar, Assistant ramesh [at] irda [dot] gov [dot] in	040-23490812 040-23490815

* Please note that queries have to be routed through helpline in the Module. If not resolved within a reasonable time, escalations can be made to these IDs/contact nos.

Insurance Brokers are advised to ensure that there are adequate manual controls and validations in order to ensure that the data submitted through the system is factually correct:


(Randip Singh Jagpal)
Chief General Manager (Intermediaries)

Documents to be Submitted for Seeking Approval from the Authority on Issues Related to Changes during Licensing Period

Annexure 1: Requirements for appointing a Principal Officer

1. Copy of Minutes of Board Resolution accepting the resignation of existing Principal Officer and the appointment of the new Principal Officer subject to approval from IRDAI.
2. Copy of the resignation letter submitted by the existing Principal Officer.
3. CV of the proposed Principal Officer along with testimonials.
4. Copy of Broker exam certificate of the proposed Principal Officer.
5. Particulars of proposed Principal Officer as required under Annexure-II A of the IRDAI (Insurance Brokers) Regulations, 2013.
6. "Fit and Proper" declaration and undertaking by the proposed Principal Officer as specified under Annexure-II B of the IRDAI (Insurance Brokers) Regulations, 2013.
7. Duly notarized affidavit executed by the proposed Principal Officer that he/she is not suffering from any disqualifications specified under Section 42D of the Insurance Act, 1938.
8. An undertaking that the new Principal Officer is appointed exclusively to carry out the functions of the Insurance Broker and is neither holding any Directorship/Employment/Assignment in nor represents, either on full time or on part time basis, any other Insurance related or any other entity.
9. An undertaking that the new Principal Officer is not holding any insurance agency/Corporate Agency/TPA/Surveyors License.
10. Credential report from the previous employer, if any.
11. Any other requirement or information that may be asked by the Authority.

Annexure 2: Requirements for appointment of a Director

1. Copy of Minutes of Board resolution for appointment of a proposed Director.
2. CV of the proposed Director along with his/her testimonials.
3. Particulars of proposed Director as required under Annexure-II A of the IRDAI (Insurance Brokers) Regulations, 2013.
4. "Fit and Proper" declaration and undertaking by the proposed Director as specified under Annexure-II B of the IRDAI (Insurance Brokers) Regulations, 2013.
5. Duly notarized affidavit executed by the proposed Director that he/she is not suffering from any disqualifications specified under Section 42D of the Insurance Act, 1938.
6. An undertaking that the Director is not holding any Directorship/employment in or represents any other Insurance related entity and he/she is not holding any insurance agency/Corporate Agency/TPA/Surveyors License.

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7. Any other requirement or information that may be asked by the Authority.

Annexure 3: Requirements for Resignation of a Director

1. Reasons for resignation of the Director.
2. Copy of Minutes of Board resolution accepting his resignation.
3. Is the Director holding any shares in the broking company, if yes, will he/she continue to remain the shareholder of the company.
4. Any other requirement or information that may be asked by the Authority.

Annexure 4: Requirements for Change in name of the company

1. Reason for proposing to change the name of the company.
2. Copy of Minutes of Board resolution for change in name of the company.
3. Any other requirement or information that may be asked by the Authority.

Annexure 5: Requirements for shifting Registered/Corporate Office

1. Reason for shifting the Registered/Corporate Office.
2. Copy of Minutes of Board Resolution for shifting the Registered Office.
3. Copy of ownership/lease agreement in respect of new office premises.
4. Any other requirement or information that may be asked by the Authority.

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