

CODE OF ETHICS FOR AGENTS and SUB AGENTS Insurance Act 1998 (Section 43(1))

A. Preamble

A person who is licensed to act as an agent under Division 3 of the Insurance Act 1998 is subject to the Code of Ethics as set out below. Any agent who commits any act thereunder forbidden or declared to be unethical or fails to do anything they are required to do shall be in breach of the Code of Ethics.

Sub-agents referred to in section 4(6) of the Insurance Act 1998 are also subject to the code of ethics as set out below. Any sub-agent who commits any act there under forbidden or declared to be unethical or fails to do anything they are required to do shall be in breach of the Code of Ethics.

Any breach of the Code of Ethics would be a sufficient ground for the cancellation of any such licence issued to the agent. For clarity purpose, the Code of Ethics refers to agents or sub-agents by the first person "you".

B. Codes

1. You shall discharge your duties to clients, members of the public, fellow agents and insurers with integrity/honesty. Integrity/Honesty is a fundamental quality demanded of every insurance agent as trust is the foundation of all dealings in the insurance industry. You must be trustworthy, conducting all professional activities with integrity, reliability and honesty. The principle of trustworthiness extends beyond insurance business activities. Your conduct in other areas may reflect on your trustworthiness and call into question your suitability to hold an insurance agent's licence.
2. All agents of companies have a common obligation to work together in serving the best interest of the insuring public, by understanding and observing the law governing insurance in letter and in spirit, and by being fair in all relations with the fellow agents and competitors, always placing the policyholder's interest first.
3. You must give advice only on insurance matters on which you are sure of the correctness of the statement you make and not hazard an opinion on matters about which you cannot be certain. In areas of uncertainty and complexity including for example the legal positions of the parties to the contract, estate planning, business assurance where matters of taxation, death duties and gift duties are concerned, you must seek or recommend insurers advice.
4. You shall not place yourself in a conflict of interest with your client, unless the client has first approved of your conduct after full disclosure of the conflict, preferably in writing.

5. Where there is an irreconcilable conflict between your duty to a client and your other duties as an agent, you should decline to act in the transaction. For example, if a client asked you to conceal information from an insurer that was material to the risk, you should decline to act.
6. A conflict of interests is also said to occur where you have a personal interest that conflicts or might possibly conflict with your role to provide the best possible advice or service to a customer. This may occur as a result of agency relationship or family or personal relationships with insurer. In circumstances where avoidance of such conflicts of interest may not be practicable, you should disclose to the customer the conflict of interest arising from the relationship with the insurer, including any material information or facts that may compromise your objectivity, before the insurance is arranged.
7. In selling insurance policies, you must:
 - a) Explain all provisions of the insurance cover afforded by the policy or policies which you are recommending so as to ensure as far as possible that a prospective policyholder understands what he or she is or may be buying;
 - b) Draw attention to all restrictions, exclusions and conditions applicable to the policy;
 - c) If necessary, obtain from the insurer specialist advice in relation to items (a) and (b) above;
 - d) Not impose any charge in addition to the premium required by the insurer;
 - e) in the case of with – profit business, make clear that bonuses declared in the future may be lower or higher than those currently quoted, thus past performance may not necessarily be a guide to future performance; and
 - f) where projected benefits are illustrated, make clear where applicable that they are based on certain assumptions and hence are not guaranteed and these assumptions should be stated.
8. You shall treat all information supplied by the prospective policyholder, whether associated with the proposed policy of insurance or not, as completely confidential to you and to your principal.
9. You should not collect, use or disclose personal data about a client unless:
 - a) The client has given his/her consent to the collection, use or disclosure; or

- b) The collection, use or disclosure, is required or authorized under any written agreement and rules of insurer and the Reserve Bank of Fiji.
10. Twisting is declared to be unethical. Twisting is the act of including a policyholder, premium payer or owner to lapse, surrender or cancel a policy or convert it a paid up policy for the purpose of replacing such policy with a new one to the financial detriment of such holder, premium payer or owner.
 11. Rebating is hereby declared to be unethical and defined as giving or offering to give any inducement not included in the policy contracts to persuade or induce a person to enter into an insurance contract.
 12. Defamation is hereby declared to be unethical and defined as making, publishing, or circulating an oral, written or printed statement which is false, or maliciously critical of or derogatory to the financial condition of any insurance company or agent or which is calculated to injure any person engaged in the business of insurance.
 13. The conduct of transferring your existing client base portfolio to another agent or to another insurer should you join a new insurer for monetary gain is hereby declared to be unethical. Policyholders are clients of the insurer and the insurer has the ultimate right to deal with the policyholders directly. Should you ending your agency with an insurer, you should advise your clients to deal with the insurer directly.
 14. Misrepresentation is hereby declared to be unethical and defined as making, publishing, or circulating any false, deceptive, or misleading statements or illustrations:
 - a) as to the term benefits, dividends, or other advantages of any policy already issued, or to be issued;
 - b) or as to the financial condition of any life insurance company;
 - c) or with respect to any person in the conduct of his insurance business.
 15. (a) Wherever you submit a completed proposal for any prospective client, such proposals should contain the following information:
 - i. the date of the proposal; and
 - ii. the signature and address of the agent submitting it.(b) you shall ensure that all proposal forms are completed by the proposer, except where the proposer is unable to read and write English sufficiently to complete the proposal form.

- (c) You should not withhold from a policyholder or client any written evidence or documentation relating to the contract of insurance.
16. In procuring new life insurance business, you shall:
- (a) take into consideration the needs of the proposers for life insurance and make reasonable efforts to ensure that they do not exceed their capacity to pay premiums;
 - (b) make all reasonable inquiries in regard to the lives to be insured, their health and habits, their family background and financial commitments before recommending proposals for acceptance, and bring to the notice of the insurer any circumstances which may adversely affect the risk to be underwritten. Any statement concerning the financial capacity and commitment shall be signed by the proponent;
 - (c) not interfere with any proposal introduced by any other agent;
 - (d) obtain any required medical record certificate before submitting the proposal to the insurer for processing.
17. You shall, with a view to conserving the business secured, maintain contact with the persons who have become policyholders through you and shall:
- (a) advise every policyholder to effect nomination or assignment in respect of his policy and offer necessary assistance in this behalf;
 - (b) as a part of the service to policyholders of his introduction, keep in continuous touch with them with a view to ensuring that premiums on their policies are paid as and when they fall due.
 - (c) endeavor to prevent the lapsing, surrender or cancellation of a policy or its conversion into a paid up policy;
 - (d) render all reasonable assistance to claimants in filling claim forms and generally in complying with the requirements laid down in relation to settlement of claims.
18. You shall not make comparisons with other types of policies unless you make clear the differing characteristics of each policy and also not comment on other insurers policies.
19. All Individual agents must present the valid licence card to the clients to ensure that you are an agent licensed to sell insurance policies for nominated insurer.
20. You must comply with and observe all relevant laws and regulations at all times.

Ihereby state that I have read and fully understood the above code of ethics subject to which an insurance AGENT'S licence may be issued to me and I hereby agree to abide by the code of ethics if any application by me for an insurance agent's licence is accepted and I further accept that any breach of the code of ethics would be a sufficient ground for the cancellation of any such licence issued to me.

SIGNATURE:

DATE:

Witnessed by: (Name of Nominated Insurer or Responsible Person)

Signature:

Date:

Company Stamp: