



# Incorporation guide

Guide for Incorporating an Alberta Insurance Company,  
or Licensing a Reciprocal Insurance Exchange in Alberta



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## Introduction

This Guide for Incorporating an Insurance Company or Licensing a Reciprocal Insurance Exchange in Alberta (“Guide”) is a reference tool for applicants wishing to incorporate an insurance company in the province of Alberta. The Guide also includes information for licensing of a reciprocal insurance exchange where Alberta is the primary regulator.

The Superintendent of Insurance (“Superintendent”) is responsible for administering the *Insurance Act* (“Act”) and Regulations with respect to the regulation of provincially incorporated insurance companies as well as insurers who carry on business in Alberta. As part of the regulatory process, the Superintendent assesses applications for incorporation and makes recommendations to the President of Treasury Board and Minister of Finance (“the Minister”) who has the ultimate responsibility for approving the incorporation of a provincially regulated insurance company under the Act. The certificate of incorporation is formally issued by the Lieutenant Governor in Council.

Insurance Companies incorporated either federally or in another province or territory should refer to the Insurance Licence Application Form and related documents on our website. The Act prohibits the incorporation of Fraternal Benefit Societies under the laws of Alberta.

## Purpose

This Guide sets out the various prudential, regulatory and legislative criteria and information requirements relative to applications for the incorporation of an insurance company or the licensing of a reciprocal insurance exchange in Alberta. The primary objective of this Guide is to promote awareness and enhance the transparency of the assessment criteria and processes for the incorporation of an insurance company or the licensing of a reciprocal insurance exchange in the province of Alberta.

This Guide provides information on the steps required to establish a regulated insurance entity in the province of Alberta. There are two main components involved with an application to establish an Insurance Company in Alberta: (i) incorporation; and (ii) obtaining a licence to transact business in Alberta.

There is one component involved with an application to establish a reciprocal insurance exchange: (i) obtaining a licence to transact business in Alberta.

The Guide is broken down into four parts:

- Part I identifies the information that applicants are generally expected to submit in support of an application to incorporate a provincial insurance company. A certificate of incorporation is issued by the Lieutenant Governor in Council upon review and recommendation by the Superintendent, who has been delegated these powers, duties and functions by the Minister.
- Part II identifies the information that is generally expected in support of the subsequent application to the Superintendent for issuance of an initial licence to transact business in Alberta.
- Part III provides information specific to the licensing of a reciprocal insurance exchange.
- Part IV provides administrative guidance, with respect to Parts I - III.

The Superintendent will generally evaluate a proposed incorporation against the criteria in this Guide; however, as the particular circumstances and facts of each application are different, this Guide should not be viewed as an exhaustive set of criteria and information requirements.

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## Initial Discussion with Superintendent

Prior to filing an application, prospective applicants are strongly encouraged to contact the Superintendent to schedule an initial discussion regarding the nature of the proposed insurance company. This discussion will include an overview of the proposed owners, ownership structure, business plan and eligibility requirements. This discussion also provides an opportunity for the Superintendent to identify those persons who should be considered applicants for the purpose of this Guide, as well as any apparent or potential regulatory, prudential or public policy issues.

At or around the time at which an application is made to incorporate an insurance company, applicants are encouraged to contact Assuris (the life insurance compensation fund) or the Property and Casualty Insurance Compensation Corporation (PACICC), as the case may be, to ascertain the requirements for membership<sup>1</sup>.

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<sup>1</sup> This Guide relates solely to the Act and does not address any Assuris or PACICC requirements. Accordingly, it is recommended that the applicable membership requirements of Assuris, or the Property and Casualty Insurance Compensation Corporation, be reviewed, and that compensation fund officials be consulted.

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# Superintendent Review Process

## Incorporation

The Superintendent will review the whole application to ascertain whether the criteria related to the approval for incorporation have been met. The review will primarily focus on determining whether the following broad considerations – which are further informed by the requirements set out in this Guide and under sections 125 and 126 of the Act – have been satisfied:

- (a) the applicant has sufficient resources to provide continuing financial support to the proposed insurance company;
- (b) the applicant's business record and experience is appropriate;
- (c) the applicant is of good character and integrity and has a good reputation;
- (d) the business plan for the proposed insurance company is sound and feasible;
- (e) the applicant has adequately assessed the risks to which the proposed insurance company will be exposed, and has satisfied the Superintendent that it will have the proper policies, processes and systems in place to monitor and mitigate those risks prior to the commencement of the business;
- (f) the proposed insurance company's initial capital will be sufficient to support the business plan and provide adequate protection to policyholders and creditors;
- (g) the prospective managers and directors of the proposed insurance company have the necessary experience and competence to fulfil their roles;
- (h) any integration of the applicant's businesses and operations with those of the proposed insurance company is appropriate for the proposed insurance company;
- (i) any supervisability concerns presented by the ownership structure of the proposed insurance company are addressed;
- (j) any legislative compliance or public policy issues raised by the application are addressed; and
- (k) the issuance of the incorporation will be in the best interests of the financial system in Alberta.

The Superintendent will review the application and will contact the applicant to discuss its completeness, status and outstanding issues. Where necessary, the Superintendent will request additional information to complete the assessment of the application. This may include additional corroborating information or analysis from third parties. The assessment will also be informed by the Superintendent's experience of the actual performance of existing insurance companies in similar business lines.

The Superintendent may discontinue its review of an application where, based on the quality of the applicant's submissions, and despite significant feedback from our office, the applicant is unable to satisfy the information requirements in support of the application. In this regard, applicants should note that they bear the onus of satisfying the Superintendent's information requirements in a timely, clear and complete manner.

## Licence

In the next step of the process, the Superintendent will determine if the information provided by the applicant demonstrates the insurance company is sufficiently prepared to commence business operations in Alberta.

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# Application Timeframes

While there is no specific time limit on the assessment of applications for incorporation, the Superintendent strives to complete all application assessments within 90 days from the date all required documentation is received; however, the assessment of each application will depend on its own specific facts and circumstances.

Based on previous applications, the Superintendent advises that the entire process to incorporate a new insurance company may take up to 12 months to complete.

## Part I

### 1.0 Requirements for the Incorporation

In accordance with Section 125 of the Act, any person(s) wishing to incorporate a provincial insurance company must submit an application that contains:

- (a) the information, material and evidence specified by the Minister;
- (b) a plan for the future conduct and development of the business of the company;
- (c) its proposed financial year;
- (d) the location of the head office of the company in Alberta; and
- (e) the names of the first directors of the company.

Applications must contain all the information requirements required by the Act and detailed under Sections 1.1 through 1.9 of Appendix 1 of this Guide. The level of detail of the information to be provided will depend on the size of the proposed insurance company, its corporate group, the ownership structure of the applicant and the nature, complexity and related inherent risks of the proposed insurance company's business.

In certain circumstances, it may not be feasible for an applicant to provide all the information set out below at the time of the application. If this is the case, applicants should explain which information items will be provided at a later date. Depending on the timeline for obtaining the information, the application may be placed on hold pending receipt of all required documentation.

### 2.0 Certificate of Incorporation

The insurance company comes into existence on the date provided in the Certificate of Incorporation. The Minister may recommend the Lieutenant Governor in Council set out in the Certificate of Incorporation terms and conditions to address supervisory and regulatory concerns raised by the corporate structure of the applicant.

The insurance company may not carry on any business until the Superintendent has received and approved a licence application.



## Part II

### 3.0 Requirements for Initial Licence

Once the insurance company is incorporated and before it receives an initial licence, the Superintendent must be satisfied that the insurance company has the necessary systems, management structure, control processes and compliance management systems in place.

The insurer is required to provide an action plan for developing and implementing all policies and procedures required to comply with the Act, Regulations and Guidelines adopted by Alberta. This is required to assess the control processes and management systems referred to in section 1.4 of Appendix 1 of this Guide, and to ensure that the insurance company is capable of producing the required statutory and supervisory information in an accurate and timely manner at the commencement of operations.

In support of its application for a licence, the insurance company is expected to provide:

- (a) a certified copy of the minutes of the first meeting of the Board confirming that, in compliance with section 132 of the Act, they have:
  - made bylaws,
  - adopted forms of share certificates and corporate records,
  - authorized the issue of shares of the company,
  - appointed officers,
  - appointed an auditor to hold office until the first meeting of shareholders,
  - made banking arrangements, and
  - dealt with any other matters necessary to organize the company.
- (b) confirmation that the insurance company's directors and officers either have complied or have a plan to comply with the requirements of section 309 of the Act;
- (c) confirmation that the insurance company has the required amount of paid-in capital;
- (d) a certified copy of the minutes of the first meeting of the shareholders of the insurance company in accordance with Section 133 of the Act;
- (e) a detailed description of the amounts paid, or to be paid, by the insurance company in connection with its incorporation and organization, and a statement that the amounts are reasonable (in accordance with section 137 of the Act);
- (f) a signed letter of commitment by the insurance company to the effect that it will provide the Superintendent with adequate advance notice of any proposed material<sup>2</sup> changes to the business plan; and
- (g) confirmation that the insurance company has applied for membership in Assuris (the life insurance compensation fund), or the Property and Casualty Insurance Compensation Corporation, as the case may be, in accordance with section 819 of the Act.
- (h) confirmation that the insurance company has applied for membership in General Insurance Ombudservice (GIO), or the OmbudService for Life & Health Insurance (OLHI), as the case may be, in accordance with section 819.1 of the Act and section 5.5 of Fair Practices Regulation.

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<sup>2</sup> Material changes to the business plan may include new product offerings, changes in management structure or growth of the business beyond what was contemplated in the initial business plan submitted in support of the application for incorporation.

## 4.0 Licence

The insurance company may only commence business on the date provided in the licence. In the licence, the Superintendent may set out conditions or limitations on the insurance company's business to address supervisory and regulatory concerns.

In accordance with section 139 of the Act, a provincial company has one year after it is incorporated to obtain a licence.

## Part III

### 5.0 Licensing of a new Reciprocal Insurance Exchange

A reciprocal insurance exchange means a group of subscribers exchanging reciprocal contracts of indemnity or inter-insurance with each other through a principal attorney authorized by subscribers.

A reciprocal insurance exchange is not incorporated: it is formed under the Act when its initial licence to transact insurance is issued.

#### 5.1 Requirements for Initial Licence

Before an initial licence is issued for a reciprocal insurance exchange, the Superintendent must be satisfied that the reciprocal insurance exchange has the necessary financial resources, management structure, control processes and compliance management systems in place.

Applications must contain the information requirements set out in Appendix 1 of this Guide to the extent they may apply to a reciprocal insurance exchange. The level of detail of the information to be provided will depend on the size of the proposed reciprocal insurance exchange, its subscribers, and the nature, complexity and related inherent risks of the proposed reciprocal's business. Applicants should contact the Superintendent's office for guidance.

The reciprocal insurance exchange is also required to provide an action plan for developing and implementing all policies and procedures required to comply with the Act, Regulations and Guidelines adopted by Alberta. This is required to assess the control processes and management systems referred to in Section 1.4 of Appendix 1 of this Guide. Further, it will ensure that the reciprocal insurance exchange is capable of producing the required statutory and supervisory information in an accurate and timely manner at the commencement of operations.

In support of its application for a licence, and pursuant to section 84 of the Act, the reciprocal insurance exchange is generally expected to provide:

- (a) a copy of the form of the contract, agreement or policy under or by which the reciprocal contracts are to be effected or exchanged;
- (b) a copy of the power of attorney under which the forms or contracts are effected or exchanged;
- (c) the classes of insurance that cover the reciprocal contracts to be exchanged;
- (d) a copy of the minutes of the first meeting of the Advisory Board or Committee of Subscribers confirming that they have:
  - made bylaws and/or a subscriber's agreement,
  - appointed a principal attorney,
  - appointed an auditor to hold office until the first meeting of subscribers,
  - made banking arrangements, and
  - dealt with any other matters necessary to organize the reciprocal exchange;

- (e) confirmation that the reciprocal exchange will be invoicing subscribers for the first premium, and that it will ensure capital be adequate for the premium and risk underwritten (as required under section 88 of the Act); and
- (f) a detailed description of the amounts paid, or to be paid, by the subscribers or principal attorney in connection with its organization, and a statement that the amounts are reasonable;
- (g) a signed letter of commitment by the reciprocal insurance exchange to the effect that it will provide the Superintendent with adequate advance notice of any proposed material<sup>3</sup> changes to the business plan.

## **Part IV**

### **6.0 Administrative Guidance**

This Part provides additional guidance to applicants in respect of ownership and the factors the Superintendent will take into account in determining the Superintendent's ability to supervise and regulate an insurance company.

#### **6.1 Significant Interest and Control**

Acquisitions of a significant interest in, and/or control of, an insurance company are subject to Ministerial approval.

#### **6.2 No Composite Companies**

The Act prohibits the incorporation of a composite insurance company, namely, an insurance company that is licenced to insure both risks falling within the class of life insurance, and risks falling within any other class of insurance, other than accident and sickness, and credit protection insurance.

#### **6.3 No Fraternal Benefit Societies**

The Act prohibits the incorporation of a Fraternal Benefit Society.

#### **6.4 Supervision and Regulation**

In all applications to incorporate an insurance company, the Superintendent will assess his/her ability to supervise, examine and regulate the insurance company effectively. This assessment entails an examination of the proposed corporate structure, and seeks to determine whether the proposed structure would hinder effective implementation of corrective measures in the future.

The Superintendent will generally consider factors in assessing the level of risk posed by the proposed corporate structure and its impact on the Superintendent's ability to effectively supervise and regulate the insurance company. These factors include the activities in which the insurance company proposes to engage and the extent to which affiliates within the corporate group are supervised by other regulatory agencies.

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<sup>3</sup> Material changes to the business plan may include new product offerings, changes in management structure or growth of the business beyond what was contemplated in the initial business plan submitted in support of the application for incorporation.

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## Contact Details for Additional Information

All enquiries regarding the incorporation of an insurance company should be directed to:

Email: [tbf.insurance-licens@gov.ab.ca](mailto:tbf.insurance-licens@gov.ab.ca)

Website: <https://www.alberta.ca/insurance.aspx>

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# Appendix 1 – Application Requirements

## 1.0 CCIR Licence Application

### 1.0 Preamble

The Canadian Council of Insurance Regulators (CCIR) is an association of Canadian insurance regulators with the mandate to facilitate and promote an efficient and effective insurance regulatory system in Canada to serve the public interest. The CCIR has developed a standardized licence application to be used by insurers seeking incorporation and/or a license to undertake the business of insurance in a Canadian jurisdiction.

The information requested in Appendix 1 is requested from insurers seeking incorporation and/or licensing in Alberta, and is reviewed by the Superintendent to determine whether the criteria related to the approval for incorporation and/or licensing have been met.

Applicants must provide a copy of the CCIR Licence Application Form including information, as applicable, described below in section 1.1 through 1.9.

### 1.1 Ownership and Financial Strength

The applicant is generally expected to provide, as applicable:

- (a) the name of the applicant;
- (b) the address of the principal place of business and head office of the applicant;
- (c) a certified copy of the incorporation documents and current company by-laws of the applicant;
- (d) the current organization chart (with percentages owned) of the applicant's corporate group, including entities in which the applicant (and any of its parents that are not also applicants) beneficially owns 10% or more of the voting rights (provide a summary of these operations);
- (e) details regarding any voting agreement or other similar arrangements that involve persons exercising direct or indirect control over the applicant;
- (f) the names of all persons owning more than 10% of any class of shares or ownership interests in the applicant (and in any of its parents that are not also applicants), and the percentage of shares or ownership interests held (to the extent not already shown in the organization chart referred to in (d) above);
- (g) a summary of the current and proposed financial services and other key activities carried on by the applicant and its affiliates (other than the proposed insurance company);
- (h) a copy of the most recent annual report of the applicant (and of any of its parents that are not also applicants);
- (i) the audited consolidated financial statements of the applicant (and of any of its parents that are not also applicants) for the last three years (balance sheet, income statement, statement of changes in shareholders' equity);

- (j) a copy of the most recent report on the applicant (and on any of its parents that are not also applicants) issued by a recognized credit rating agency, if available;
- (k) details of whether the applicant (and any of its affiliates that are not also applicants) has ever been denied a request to establish a financial institution;
- (l) details of whether the applicant (and any of its affiliates that are not also applicants) has been the subject of any criminal proceedings or administrative sanctions;
- (m) if the applicant is an individual:
  - (i) a completed Personal Information Return,
  - (ii) a curriculum vitae, and
  - (iii) information that demonstrates that the applicant has, or has access to, the necessary resources to provide on-going financial support to the insurance company;
- (n) at the time the application is filed, a written commitment from the applicant to provide the proposed initial capital of the insurance company as detailed in the business plan; and
- (o) a certified copy of a resolution of the board of directors of the applicant approving the application.

## 1.2 Business Plan

The applicant is generally expected to provide a minimum five-year business plan for the proposed insurance company, including:

- (a) the reasons why the applicant is seeking to establish an insurance entity;
- (b) an analysis of target markets and opportunities that the insurance company will pursue and the plans to address them;
- (c) an analysis of competitors, showing both challenges and opportunities, and plans to address them;
- (d) the reasons why the applicant believes that the insurance company will be successful, and the overall strategy for achieving this success, including a discussion of key assumptions;
- (e) the location(s) of the proposed head office in Alberta<sup>4</sup> and/or agencies of the insurance company in Canada;
- (f) a detailed description of each line of business to be conducted by the insurance company and the products and services to be offered, including how the lines of business interrelate;
- (g) an analysis on how the risks that the insurance company would insure, in respect of its lines of business, fall within the classes of insurance set out in the Classes of Insurance Regulation;
- (h) copies of all proposed insurance policies and application forms to be used in Alberta;
- (i) details regarding the projected insurance policy limits by class of insurance;
- (j) sources of initial and future capital in the form of a capital plan and funding policies;
- (k) list of all provinces or territories the insurer the insurer proposes to apply for licenses to transact business;

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<sup>4</sup> Head office location must meet the requirements of Section 216 of the Act.

- (l) five-year *pro forma* financial statements (base case) for the insurance company, including:
  - (i) balance sheet,
  - (ii) income statement showing premium volumes on a gross and net basis, premiums earned, net claims and adjustment expenses, acquisition expenses, investment income and net income,
  - (iii) details regarding any key assumptions, including actuarial assumptions, supporting the *pro forma* financial statements, including those related to underlying claims, valuation, pricing, underwriting, expenses and persistency of policies, and
  - (iv) detailed calculations of financial ratios relevant to the proposed business of the insurance company,
- (m) a detailed description of all projected reinsurance arrangements involving the insurance company, including planned net retentions per class of insurance requested;
- (n) if the applicant is proposing to establish a property and casualty insurance company, five-year *pro forma* Minimum Capital Test (MCT) calculations, or if the applicant is proposing to establish a life insurance company, five-year *pro forma* Life Insurance Capital Adequacy Test (LICAT) calculations, including:
  - (i) base case and scenario stress testing supporting the insurance company's proposed internal target ratio showing the results on the base case business plan (including a worst case scenario and a scenario with a maximum single loss),
  - (ii) a detailed description of the applicant's contingency plans to address the worst case and other adverse scenarios, and
  - (iii) details regarding the source(s) of the initial and future capital provided for in the base case, worst case and other adverse scenarios;
- (o) a detailed description of any proposed material outsourcing arrangements involving the insurance company and how these arrangements would be managed; and
- (p) a copy of any proposed shareholders' agreement.

### 1.3 Management

The applicant is generally expected to provide:

- (a) details regarding the projected staff complement and an organization chart showing reporting lines for senior positions and key responsibilities in the insurance company over the lifespan of the business plan, including proposed mandates for each senior position and any senior management committees;
- (b) details regarding the hiring criteria, including knowledge and experience, for each senior position;
- (c) information on each proposed senior officer of the insurance company, including:
  - (i) a completed Personal Questionnaire for Provincial Insurer Directors and Officers,
  - (ii) the title of the position the individual would hold within the insurance company,
  - (iii) details of whether the individual, and/or any entity in which the individual is or was a senior officer, have been the subject of any criminal proceedings or administrative sanctions, and
  - (iv) the individual's current *curriculum vitae* demonstrating that the individual has the necessary qualifications and expertise to manage or direct the insurance company's proposed business;

- (d) the name and address of the proposed appointed actuary of the insurance company and confirmation that the proposed appointed actuary meets the suitability requirements set out in section 395 of the Act; and
- (e) the name and address of the proposed external audit firm, and the specific partner of that firm, that will be responsible for auditing the insurance company, and confirmation that the proposed external auditor meets the suitability requirements set out in section 374 of the Act.

#### **1.4 Risk Management: Policies, Procedures and Risk Management Controls**

The applicant is generally expected to provide:

- (a) a detailed description of all risks to which the insurance company would be exposed as well as the manner in which it would monitor and manage these risks, including:
  - market and credit risk,
  - operational and regulatory compliance risk,
  - reputational and strategic risk, and
  - product design, pricing and underwriting risk;
- (b) draft copies of the insurance company's proposed:
  - stress testing policies and procedures,
  - reinsurance risk management policy,
  - operational risk management policies,
  - business continuity management policy, business impact analysis and plans for business continuity and disaster recovery,
  - investment and lending policies, standards and procedures,
  - compensation policy for all human resources,
  - dividend and capital management policy, and
  - if applicable, the proposed provisioning policies and a description of the collective allowances that are anticipated in executing the insurance company's business plan;
- (c) the name of the proposed senior officer to be responsible for risk management oversight of the proposed insurance company and a description of the resources and authority allocated to discharge this responsibility;
- (d) the risk appetite framework for the proposed insurance company; and
- (e) details of any proposed risk management and control processes that will be integrated with those of the operations of the applicant or other entities in the applicant's group.

#### **1.5 Board of Directors and Committees**

The applicant is generally expected to provide:

- (a) the information listed in subsection 1.3(c) above in respect of each proposed director of the insurance company;
- (b) a description of:
  - (i) the composition and mandate of the proposed board of directors (the Board) and its committees,
  - (ii) the Board's proposed policies and practices,
  - (iii) the proposed self-assessment programs of the Board, and
  - (iv) the Board's proposed responsibilities with respect to risk management and internal controls;<sup>38</sup>



- (c) a draft copy of the insurance company's proposed conflict of interest policy and, if applicable, details regarding the oversight that will be provided by the management committee(s) of the insurance company's parent; and
- (d) an analysis demonstrating that the proposed insurance company's corporate governance policies and practices will comply with the Corporate Governance Guideline.

### **1.6 Internal Audit**

The applicant is generally expected to provide, if applicable:

- (a) a description of the proposed mandate, organization structure, and methodology and practices of the internal audit function; and
- (b) where applicable, a description of the involvement of any internal audit group(s) of the insurance company's affiliates to assess the internal controls of the insurance company.

### **1.7 Compliance Management**

The applicant is generally expected to provide a detailed description of the proposed internal controls, policies and procedures that the insurance company would follow to ensure compliance with:

- (a) the Act and Alberta adopted or issued guidance, including the name of the proposed senior officer that would be responsible for such compliance, and a description of the resources and authority to be allocated to that person to discharge this responsibility;
- (b) sections 83.08 to 83.12 of the *Criminal Code* and the *Regulations Implementing the United Nations Resolutions on the Suppression of Terrorism* (UNSTR) and related directives issued the Government of Canada, including the name of the proposed senior officer that would be responsible for compliance with the Criminal Code and UNSTR, and a description of the resources and authority to be allocated to that person to discharge this responsibility; and
- (c) the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (PCMLTFA), and related guidelines issued by the Financial Transactions and Reports Analysis Centre of Canada and OSFI Guideline B-8 - Detering and Detecting Money Laundering, including: the name of the proposed Chief Anti- Money Laundering Officer that would be appointed under the PCMLTFA, a description of the resources and authority to be allocated to that person to discharge this responsibility, and an assessment of the money laundering and terrorist financing risks relevant to the proposed insurance company's business plan.

### **1.8 Information Technology**

The applicant is generally expected to provide:

- (a) a description of the insurance company's proposed information technology (IT) environment;
- (b) a risk assessment of the IT operations;
- (c) a description of any integration with third party systems;
- (d) the proposed end user computing policy; and
- (e) the proposed IT policy and governance structure, including roles and responsibilities, and details on resources and staffing.

## 1.9 Other Requirements

The applicant is also generally expected to provide:

- (a) confirmation of the fiscal year of the insurer (all provincially incorporated insurers are required to have a December 31 fiscal year end;
- (b) a plan with a reasonable timeline to achieve compliance with the requirements identified in the Act and Guidelines following initial licensing;
- (c) the insurance company's proposed by-laws, including capital by-laws if applicable;
- (d) the proposed name of the insurer, in English, French, or both (as required), and a name search report accompanied by an analysis in support of the applicant's conclusion that the proposed name of the insurance company:
  - (i) is available for use in Canada, and
  - (ii) is not prohibited by the Act<sup>5</sup> and meets the requirements of any other relevant Canadian legislation;
- (e) where the proposed name of the insurance company is substantially the same as that of an affiliated entity:
  - (i) the consent in writing of that entity, or from the controlling parent of the corporate group on behalf of that entity, to use the name, and
  - (ii) a description of the mitigants already in place, or mitigating measures that the insurance company would undertake, to avoid potential confusion in the marketplace.

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<sup>5</sup> Refer to section 211 of the Act for clarification on the name requirement for Alberta provincial insurance companies.



