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Message from the President IBANB

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*Jay Kimball, FCIP, CAIB
President IBANB*

Here we are at the Fall edition of the Atlantic Insurance Brokers Magazine, sometimes referred to as the Convention issue as it is normally circulated at the Insurance Brokers convention. Typically you would have seen previous presidents extol their amazement of how quickly the year has gone by and I for one will not disappoint. It really doesn't seem like it was 12 months ago that we gathered in Fredericton, twice I might add, and I was sworn in as the President of the Insurance Brokers Association of New Brunswick. I was happy to assume the reigns of our group from then president Mike Weston as he left it in a healthy and productive position. My intention was to hand it over, at the end of my term, in as good a shape as when I assumed the role.

Looking back over the previous year, there are three events that stand out to me as being the highlight of my term. Firstly, in May we had the pleasure of hosting about 23 of our provincial MLAs for a dinner meeting with 30 of our member brokers. The primary objective was to strengthen the relationship we have with our provincially elected officials. The main topic of discussion surrounded around the recent annual flooding and the application of the relatively new coverage of overland water protection and whether it will complement or replace the Provincial Flood Plan. Secondly, we hosted a number of our insuring partners in our annual Insurer Forum giving us an opportunity to challenge them on certain topics that are on the minds of most

brokers. Lastly, without question, one of my lasting memories is of our trip to Ottawa for Hill Day. On one day at the end of May, approximately 40 fellow brokers from across Canada met with almost 200 Federal MP's and Senators over a span of about 8 hours. This event is affectionately referred to as "The Magenta Tide" as we ascend on Capitol Hill with our Bipper's displayed proudly.

I had the pleasure of attending British Columbia's broker convention in June at the venerable Fairmont Whistler at the foothills of the Blackcomb Mountains. Widely attended, this was their 69th consecutive convention in the 99 years of existence for their association. I can only imagine what they have in store for next year's centennial celebration.

Education is one of the cornerstones for our association and we continue to see consistent registration in our CAIB course program, turning out as many as 20 to 25 new graduates every year. IBANB has recently re-assumed the administration of the Fundamentals of Insurance course from Post-Secondary Education, Training and Labour (PETL) and has experienced resurgence of late.

As an association of our members, the board of directors has recognized an increased need for automation within our industry and in particular the relationship between brokers and insurers and the customers we serve. IBANB has formed an automation committee to work closely with the national automation committee put together by IBAC. We realize that consumer preferences have changed and certain groups of individuals may want to tend to their insurance needs in a different manner and perhaps at times that falls outside of what might be considered core operating hours.

The Federal Liberal party has recently introduced upcoming changes to our federal tax rules that appear to have a detrimental effect on small businesses in Canada, which is the fundamental backbone of not only our industry but the very essence of the Canadian economy. The focus of the amendments revolves around three commonly used tax rules of which the Finance Minister feels have been abused. At issue

is the current ability to “income split” amongst various family members, the ability to hold passive investments within a corporation to isolate them from personal tax liabilities and thirdly, the ability to use corporate profits as personal Capital Gains. Our national association (IBAC) along with most provincial associations are monitoring and responding to this issue.

As this will be my last article as your president, I would like to personally thank everyone that has served with me this year on the board of the association and to wish well to those board members that are leaving us but also to welcome those newly joining the ranks. It is without hesitation that I hand the reigns of president over to Brian Schryer who I know has the youthfulness and aspiration to move our association forward.

Thank you for the opportunity to serve as your president.

You may contact jay at (506) 633-2121 or via email at, jay@gtisj.ca

Nous voici rendus au numéro d'automne du magazine Atlantic Insurance Broker, qu'on appelle parfois l'« édition du congrès » parce que, justement, la distribution se fait à cet événement. Normalement, les présidents y font état de leur étonnement face à la rapidité avec laquelle l'année s'est écoulée... et je ne vais pas faire exception! Y a-t-il vraiment déjà 12 mois que nous nous sommes réunis à Fredericton, par deux fois devrais-je dire, et que j'ai été assermenté à titre de président de l'Association des courtiers d'assurance du Nouveau-Brunswick? J'étais heureux de succéder au président Mike Weston qui laissait notre groupe dans une position saine et productive, situation que j'avais bien l'intention de reproduire au moment de remettre le pouvoir à mon successeur.

Au cours de la dernière année, trois événements m'ont particulièrement marqué. Tout d'abord, en mai, nous avons eu le plaisir d'accueillir 23 députés provinciaux pour un souper-rencontre avec 30 courtiers membres. L'objectif principal était de renforcer la relation que nous avons avec nos élus provinciaux. La discussion a porté,

d'une part, sur les récentes inondations annuelles et, d'autre part, sur la nouvelle couverture de l'Écoulement des eaux en surface et sur sa capacité à compléter ou à remplacer le Plan provincial relatif aux inondations. Deuxième événement marquant, le forum annuel des assureurs où nous avons accueilli plusieurs partenaires et pu soulever des sujets qui préoccupent la plupart des courtiers. Enfin, dernier événement mais non le moindre, notre voyage à Ottawa à l'occasion des Journées sur la Colline du Parlement est certainement un de mes souvenirs les plus mémorables. Ce jour-là, fin mai, une quarantaine de courtiers de tout le Canada ont rencontré près de 200 députés et sénateurs fédéraux sur une période d'environ huit heures. On a appelé affectueusement cet événement la « marée magenta » en référence au symbole que nous portons fièrement en nous dirigeant vers la Colline.

En juin, j'ai eu le plaisir d'assister au congrès des courtiers de Colombie-Britannique qui s'est tenu au vénérable hôtel Fairmont Whistler, au pied des monts Blackcomb. Cet événement, qui en était à sa 69e édition en 99 années d'existence de l'association, a enregistré une forte participation. Je ne peux qu'imaginer ce qu'ils ont en tête pour la célébration du centenaire l'année prochaine!

La formation constitue un élément essentiel de notre association. La preuve, les inscriptions au programme du CAAC se maintiennent bien et débouchent annuellement sur plus d'une vingtaine de nouveaux diplômés. Récemment, l'ACANB a aussi repris en main, du ministère de l'Éducation postsecondaire, de la Formation et du Travail, l'administration du cours Éléments de l'Assurance et a enregistré un regain.

Fidèle à son mandat de regroupement des membres, le conseil d'administration a reconnu un besoin accru d'automatisation dans notre industrie, en particulier en ce qui concerne la relation entre les courtiers, les assureurs et les clients. À cet effet, l'ACANB a formé un comité qui travaillera en étroite collaboration avec le comité national d'automatisation mis en place par l'ACAC. Nous nous rendons compte que les préférences des consommateurs ont changé et que certains groupes de personnes souhaitent qu'on réponde à leurs

besoins d'assurance de manière différente et peut-être parfois à d'autres moments qu'« aux heures normales d'ouverture ».

Dans un autre ordre d'idées, le Parti libéral fédéral a récemment proposé des modifications à apporter aux règles fiscales fédérales. Ces nouveautés semblent être préjudiciables aux petites entreprises canadiennes qui constituent l'épine dorsale non seulement de notre secteur, mais aussi de l'économie du pays. Les modifications envisagées portent sur trois règles fiscales qui sont communément utilisées et qui, selon le ministre des Finances, semblent être surexploitées. Trois aspects sont en jeu : la possibilité de « partager les revenus » entre les différents membres d'une famille, la détention d'investissements passifs dans une société pour les isoler des obligations fiscales personnelles et la capacité d'utiliser les bénéfices d'entreprise en tant que gains en capital. Notre association nationale (ACAC), de concert avec la majorité des associations provinciales, surveille ces enjeux et intervient.

Je profite de ce dernier article pour remercier personnellement celles et ceux qui, tout au long de l'année, m'ont secondé au conseil d'administration. Je souhaite bonne chance aux membres du conseil qui nous quittent et la bienvenue à ceux qui joignent les rangs. C'est sans aucune hésitation que je laisse les rênes de la présidence à Brian Schryer qui, je le sais, possède la jeunesse et l'aspiration nécessaires pour faire progresser notre association.

Merci de m'avoir permis de vous servir à titre de président.

On peut communiquer avec Jay au 506-633-2121 ou à jay@gtisj.ca

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Message from the President IBANS



*Gina McFetridge
President IBANS*

Sometimes the pace of change in our industry regarding emerging technologies is overwhelming. It can make the most progressive amongst us want to stick our heads in the sand, and cross our fingers that things will be “back to normal” when we resurface. The reality is, the way we manage our brokerages and interact with both our insuring partners and our clients will continue to evolve with technology playing an increasingly important role in these relationships. We need not turn our backs on what has worked for our brokerages in the past, but we also must open ourselves to new avenues for growing our businesses. Working together, we can implement technology solutions that will work for our brokerage and our clients in ways that enhance our relationships, not detract from them.

As brokers, we pride ourselves in the relationships we develop with our clients. We bring the human side to the insurance transaction. We translate complicated insurance jargon into terms our clients can understand. We help them fill out paperwork. We walk them through the claims process, and advocate on their behalf when they hit roadblocks or have communication issues with their insurance company. We provide professional advice on recommended coverage. Finally, we communicate their insurance requirements back to one of our insuring markets.

When we start talking about client portals, smartphone apps, e-signatures, electronic pink cards, chatbots and other automated or self serve options for clients, we sometimes lose sight of our role. When the client is accessing their insurance information with no need for a visit, phone call, or email from us, what is the role of the broker? A key factor contributing to this displaced sense of purpose is that a lot of the technology is being developed and implemented by insurance companies. We feel control over communication with our clients slipping away from us, inciting justifiable concern over ownership of the client relationship.

The reality is, in any relationship, it takes two to tango. Our clients have smart phones, bank online, and shop online. Both young and old are growing increasingly comfortable with technology and find it convenient as a form of communication. Insurance companies recognize these changes and are responding accordingly. If we want to continue to own the relationship with clients, we need to be open to implementing technology that empowers our clients to interact with us in new ways, and manage their insurance policies. We need to work with our insuring partners, and more importantly with each other, to ensure the implementation of broker-centric solutions. We’ve embraced technology in our personal lives, and yet for many of us there is reluctance to adopt our brokerage operations to reflect this new reality. What’s really holding us back?

The problem is technology is complicated, and technology projects are expensive. This is another factor that’s caused insurance companies to take the lead over brokers. My answer to these challenges ties back into our Atlantic Convention theme for this year, Better Together. We may compete, but decades ago, we recognized the value of working together for the betterment of the channel through our broker associations. Technology is recognized as an area of increasing importance for brokers to work collaboratively and speak with a shared voice to our insuring partners, broker management system vendors, and other technology providers such as CSIO.

Both IBANS and our parent association IBAC are mindful of the need for brokers

to have an equal voice when it comes to developing and implementing technology solutions. In recognition of the need to provide technology education and encourage collaboration amongst members, IBANS is in the initial phases of planning a technology symposium for our membership. At the national level, the IBAC Tech Committee is at the forefront of identifying key technology issues for brokers. Our broker association is an active participant of this committee through our representative, Steve Earle. One of the most important roles of this committee is to determine how brokers can become more proactive in embracing technology and innovation.

Would we ever consider the use of phone, fax machines or email as a competitive advantage? Likewise, we need to approach emerging technology in the same manner. These are tools we all require to continue doing our job well. As we participate in the education sessions at convention this year and spend time connecting with our peers, I challenge each of us to address the technology elephant in the room. You may be surprised at the work that’s already been done within our region on the broker side. You may be equally surprised and pleased with the willingness to share ideas and offer assistance from your fellow brokers.

I’ve heard many brokers in our region claim that our clients don’t care about insurance apps, websites, and portals; they value face-to-face relationships. Many do, but they are also embracing technology. It is only through cooperation and collaboration on the technology front that we can adapt to the diverse ways our clients wish to communicate. So let’s start the conversation. As Maritimers, we cling to the belief that clients don’t care about apps and portals. That our clients value face-to-face relationships. ■

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Message from the President IBAN



Kent Rowe
President IBAN

It's hard to believe that 2017 is almost over. I think that the older we get the more time just passes us by. Years turn into months, months turn into weeks and weeks turn into days. Before you know it your term as IBAN President has come to an end. It's hard to believe that it's been 2 years since I took over as President of our association, but it's been an amazing 2 years.

I can't say enough about the passion that exists on the IBAN board of directors. I've never seen a core group of brokers who care more about their profession! Nothing that we have accomplished over the past years would have been possible without your insight, hard work and undying dedication to our industry. I would like to sincerely thank Basil Crosbie, Jason Sharpe, CJ Nolan, Marilyn North, Kelly Hickman, Rod Vatcher, Bill Simms and Adam Nolan for your unwavering support. Our association will remain in very capable hands as Jason Sharpe is set to take the reins in October. Jason's experience and passion for this business will ensure that we will be ready to face any challenge thrown our way, regardless of its complexity or disruptive nature.

We've had our share of challenges in the past two years, but we've also created many great opportunities out of those challenges. Here are just a few;

- We formed a successful partnership with IBANS to provide professional

services and support to our members. I think that everyone would agree that this has been a great move. We've taken steps to be more communicative and more professional in everything that we do. We've also cleaned up many things that really needed cleaning up and developed a very successful inaugural insurer sponsorship program. I'm certain that this partnership will continue to prosper and that our members will benefit for many years to come.

- We were an integral player in assisting government work through how the reimplementation of the RST on insurance premiums would take shape. Government relied heavily on our view of how the tax would impact consumers and sought our advice on how we could make this work in a way that was as easy and seamless as possible for our customers. To me, this was a huge win. Political advocacy has always been one of our strengths, but this just reiterated that the work that we have done over the past few years has paid off. Government values our opinion, and that is important!
- We continue to do great work in our communities. We've partnered with many great charities to ensure that we give back to those in need. We've sponsored a Christmas "Don't Drink and Drive" awareness program and we were major sponsors of a "Block the Bus" program that ensures that children in need have adequate school supplies in September. We continue to promote our brand in a constructive and productive way, aligning ourselves with issues and community groups that share our values.
- We have done a lot of work to enhance our on-line capabilities. Our website is better than ever and we are finally close to transacting all member business via our site. This includes membership dues, CAIB and CPIB registration/course management and special events registration/management. I'd like to thank our members for their cooperation and patience as we have worked through this process. There's much more to accomplish, but we are on the right path.

- We've just finished another very successful YBN symposium and the YBN continues to do their part to promote our industry to the young and new. The YBN also plans to have more fun in the fall with a softball tournament and a few other surprises.

As for the challenges of the future, there are many. If you've read any of my past articles (some of you must have) you will know that I have addressed quite a few of them using this medium. However, in Newfoundland and Labrador, it's possible that we will face our biggest challenge ever. Government has notified us that they intend to move forward with a review of Auto Insurance here in the province. This starts with them undertaking a closed claims study, followed by stakeholder consultation. Rest assured IBAN will be extremely active and vigilant on this file. We have engaged with our members to ensure that we are fully prepared to manage this very fluid situation. There is little doubt that something needs to be done to help us manage auto premiums and claims cost in the province, but we have to ensure that we do it in a way that is fair and equitable for all stakeholders and makes doing business here a desire for insurers, instead of a need.

I'd love to see as many of our members as possible at our upcoming AGM on October 17, 2017 in St. John's. It's your chance to meet the new CEO of IBAC, Mr. Peter Braid. See you there!

Well, that's all for me friends. It's been a slice. Remember...If the road is easy, you're likely going the wrong way. ■

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IBAC – Parliament Hill Day



David Cooke
Chair, Prince Edward Island YBN

As a young broker on Prince Edward Island, I recently became the Young Broker representative of PEI for IBAPEI and was given the opportunity to join IBAC along with respective representatives from across the country for Hill Day in Ottawa. I had the pleasure of joining Helen Hyndman, president of IBAPEI. Heather and I work for different brokerages, however, much like IBAC representing over 36,000 property and casualty brokers across the country, we all share a common vision along with similar goals. Thus, this trip was made amongst many others in an effort to further restrict the capabilities of banks with respect to insurance which is regulated by the Bank Act. This act has allowed banks to own insurers but not to retail directly from the bank.

As brokers, we are forever in favor of the consumer and thus, a healthy competition with respect to insurance premiums as well as service is a good thing for the consumer. However, as it stands, we as brokers also want to protect the consumer from any potential pressures created by banks as a result of pushing insurance products at the same time credit is granted and this is IBAC's main federal legislative issue. The credit granting process whether it is a mortgage, financing a car, etc., could put consumers at a disadvantage when it comes to insurance purchases as it may involve coercion and undue influence for a product that may not be in the consumers' best interest. It was best summarized by an individual in Ottawa as "banks are tellers, brokers are listeners." Luckily, this has been re-affirmed by successive governments since 1991. With a new government in place and with the bank

act coming up for review in 2019, we travelled to Ottawa to reaffirm our positions by meeting with our respective senators and MPs from PEI. We had the pleasure of meeting with our MP, Wayne Easter whom is also currently the chair of the finance committee and thus, would oversee the Bank Act review. In addition, we had met with Senator Dianne Griffin who just recently put forward a bill that was passed designating PEI as the birth place of confederation. Finally, we met with Senator Percy Downe as well as Senator Elizabeth Hubley. All were in agreement with respect to our vision and goals, however, the review is not until 2019 and we will be heading back in 2018 and in 2019 to reiterate our vision of the future.

I should stress that Hill Day 2017 was likely more important than all other Hill Days as we were meeting with our respective provincial MPs and Senators hot on the heels of a CBC Go Public investigation that had shed some light on Canada's five largest banks' sales tactics. Reportedly, employees of said banks were under such pressure to meet sales targets, they would do anything required to hit such targets in an effort to keep their jobs, even if this meant breaking the law. This has launched a federal investigation which is still on going. In addition, less than a week after Hill Day concluded, the finance committee led by MP and committee chair Wayne Easter, heard from former bank

employees ready to blow the whistle and said employees were given parliamentary immunity. Following such, I imagine I speak for all members of IBAC when I say I look forward to seeing how discussions will proceed on Hill Day 2018.

Following Hill Day was a National Young Brokers Forum in which the Young Broker representatives from each province participated, representing those working in the industry under the age of 40. The average age in the insurance industry across the country is relatively high and this is the purpose of the Young Broker Network, to bring together and engage the younger minds entering the insurance industry. Not surprisingly, with PEI being a small province, we are one of the only provinces without a Young Broker Network. As such, there is some disconnect with the younger generation in the industry on PEI which is why it is critical that such a network be established. Sitting and listening to other young brokers from the East to the West, what some provinces are doing to engage vs. what others are not was very engaging and eye-opening in comparison to what we are currently doing here on PEI. This generation is the future of the industry and we will be tackling it together and thus, to conclude, a network on PEI is needed. ■

David may be reached at (800) 566-5666 ext. 4826 or via email at, dcooke@cooke.ca.



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Sponsorship – For the Right Reasons.



Doug Daley
Kiers Marketing Group

How many calls do you get every year to be a sponsor of an event, a team, a charity, or an individual? Brokers are the perfect targets for sponsorships. Why? Because you are local, are visible in the community, and know lots of people. When approached for sponsorship you have to think with your head and not with your heart.

There were over 500 charitable events just in the Fredericton area last year. Guess what? All of them were looking for sponsors. Brokers, like most business owners, are constantly approached to sponsor events and teams. In a perfect world, you would have the budget to sponsor everything. Unfortunately, this is not the case for most businesses, so it is important to pick the right sponsorship for the right reasons.

We all like to be good community-minded citizens and give wherever we can. But smart business people pick the sponsorship that gives them the best bang for their buck. Take a look at what you are sponsoring and ask yourself, what's in it for me? Is it the right fit for my business? What is the return on my investment? Make sure there are many opportunities to showcase your business. Things to look for that are of value to you could include: how many places does your logo appear; at the event - are you publicly recognized or do you get to speak; do you get complimentary tickets for you and your staff and last, and most importantly, does it fit your target market.

My company, Kiers Marketing, is proud to be a sponsor of The Fredericton Playhouse and Ability New Brunswick. We also sponsor the Fredericton Chamber of Commerce State of the City and State of the Province Addresses. Why? Because the demographics of the event attendees match our target market. We are good community-minded citizens and at the same time, receive the maximum from our sponsorship dollar. Plus, you don't always have to give cash as part of your sponsorship. Most event organizers will accept your products, services or time as contra to make it easier for you.

So what would be a good fit for an insurance broker? Where does your target market hang out? Perhaps something that is related to automobiles, trucks, motorcycles, homes, home renovations or any event that caters to business people. A business group, like a Chamber of Commerce, is great because the members all have multiple vehicles, home and/or cottage and they own a business.

Sponsoring an individual sports team might not be the best way to spend your sponsorship money (a league or a division is better). But if it is something you have done over the years or if you have a child on the team, it's pretty hard to say "No". It's even harder to say "No" when approached by customers and even employees. A line I like to use is, "I'm sorry, all of our sponsorship money is allocated for this year, try me again next year." Most people will respect this answer and move on to another prospect.

When you are approached for a sponsorship, consider your target market, take a hard look at the sponsorship perks

and make sure they will benefit your business. Entering a sponsorship agreement is like buying insurance from a broker. It has to be the "right fit". ■

Doug Daley is the Vice President of Sales and Marketing with Kiers Marketing in Fredericton. Doug can be reached at ddaley@kiers.com or by visiting www.kiers.com.



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IBANB CEO Report



*Andrew McNair, CAIB, CAE
IBANB Chief Executive Officer*

It's difficult to write about the crisp fall air that will be the case as you read this, as I'm flying over huge sun kissed fields of crops enroute to Branson, Missouri for the annual Independent Agents Association Executives (IAAE) conference in late July! This conference is a meeting of my counterparts from across the US, to which they invite the Canadian contingent of Provincial Brokers Associations, and IBAC, Chief Staff Executives. This is an excellent opportunity to learn and hear about association trends, issues and concerns that are either already effecting Canadian associations, or may soon be in our backyard.

With the fall edition of the Atlantic Broker Magazine comes convention. Many of you may be reading this while at this years' convention, some of you may be reading it after and many of you will be reading it having not been there. Regardless of when you're reading this, I am very confident that it will be during or after what will have been an excellent event! The IBANS team of volunteers and staff always put on a great show for us...thank you to the entire organizing committee and staff of IBANS!

I would like to take this additional opportunity to welcome Becci Taylor to the IBANB staff. Becci came on board as our new Marketing and Programs Coordinator back in early July and has certainly hit the ground running! Becci's background as a recruitment/marketing specialist, work-

ing with NBCC and other organizations in Canada, after emigrating to New Brunswick from the UK five years ago, has already helped her settle into her role with IBANB very well. If you haven't already had the opportunity to meet Becci, be sure to say hello the next time you're in touch with the IBANB office or at an upcoming event.

Speaking of events...this fall is no different than most, with lots of events coming up, including our AGM being held on October 26th in Fredericton. We hope to see many of our members out to hear about what the past year looked like, and to have a say in how the next year will roll out. Please mark October 26th in your calendar. The annual, and ever growing, Young Broker Hosted (but open to all brokers), Meet the Underwriter night is taking place on November 23rd in Saint John. This event has grown each year, and we hope this year is no different. Watch for details on a possible afternoon session as well, much like last year when we added the 'Ask an Underwriter' session to the evening main event.

We will also be holding our normal suite of fall CAIB immersion courses throughout November...if you're looking to continue your education or complete your CAIB designation, contact the IBANB office, or check our website for course availability and registration.

As fall unfolds and transitions us towards the inevitable shorter and cooler days; be sure to keep an eye on your digital world and the social media that is such a large part of it... IBANB will be launching an exciting new digital marketing strategy this fall. It will include the obvious consumer facing promotion of the broker distribution channel as well as a campaign to help brokers adapt and evolve more deeply into the digital world. We're looking forward to better engage-

ment with brokers and consumers in the digital space and welcome your feedback as you see things roll out.

As our digital marketing strategy rolls out, we will be heading into our strategic planning session as a board later this fall. With everything happening in our industry, from consolidation of companies and brokerages, to the digitization of how consumers want to be served, I am very excited to see how we as a board and association can work for our members to help ensure the longevity of the broker distribution channel. Members should keep an eye out for a membership survey that will help chart the course for the coming years of IBANB. Please make sure you complete the survey when you see it land in your inbox.

As always, thanks for reading and enjoy the fall weather...winter is coming!! ■

Andrew may be reached at (506) 450-2898 or via email at amcnair@nbinsurancebrokers.ca.

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*Jeff Daniels BCom, CAIB
Chair, New Brunswick YBN*

“Proof of insurance? Let me get my phone”

The traditional proof of auto insurance or “pink card” has been around since the 1960’s, and like most of our industry on the technology front not much has changed.

A new concept is surfacing called electronic proof of insurance or “e-cards”.

Some provinces with government run auto insurance currently do not use pink cards at all, and the cost of their minimum auto insurance coverage is built right into their vehicle registration.

Most of our current “pink card” provinces do not state that the exclusive format for proof of auto insurance is the printed pink card, many clients are not aware that a photocopy or picture of their pink card is not a valid form of proof of insurance.

There is a long list of pros and cons for the possibility and implementation of e-cards in our province.

Fraud is a common argument on the con side of things, it is argued that electronic copies of insurance cards could easily be falsified. This is also true for our decades old pink cards. The “30-day policy” for example, where a client would purchase auto insurance and as soon as they receive their full term insurance card in the mail they would cancel their policy and carry their card for the remainder of the year as proof of insurance. An officer verifying someone’s proof of insurance would accept this as proof because it appears valid and is not expired. This also rings true for

any policy that has been cancelled for non payment or for any other reason. Currently there is no technological solution available for officers to truly validate a client’s pink card, other than what is printed in front of them.

US exposure is another con, what works in Canada may not work in the USA. However, there are already a number of US states that are currently using a form of e-cards.

Privacy is one of the larger concerns with e-cards. It is not uncommon for people to store personal, or potentially incriminating information on their cell phone. One of the arguments for cons is that when you hand your cell phone over to a police officer to provide your proof of insurance with your nifty new e-card, you are giving them access to your mobile device including everything on it. Legislation regarding what an officer can access when reviewing someone’s e-card, or a lock on the application used to provide your proof of insurance on our phone could address this issue but it will be a long road to get there.

Not to mention what happens if the officer drops your phone while juggling the pile of paperwork you must carry to operate a vehicle in NB while verifying your proof of insurance?

Another con would be what happens if the mobile device does not have service or is unable to access your proof of insurance while you are pulled over

on the back roads and valleys of NB? A simple picture saved on your phone should suffice, but can it be verified?

Pros

Companies may cite decreased costs, less paper etc, but the real value is an added service we can provide to our clients tailored to the new digital consumers we are all faced with. These customers would always have access to their up to date e-card, latest policy information, payment details, and so on.

The technology that can enable this for our clients is already at our fingertips, through Broker branded mobile app solutions. These apps currently exist which can securely deliver electronic copies of insurance cards. In addition, they can also provide your digital client with; policy information, current coverages, submit a change, and are even able to report a claim or ask their Broker a question.

As our industry evolves this is yet another aspect we need to adopt, and mould to the benefit of our clients and provide a new way to connect with their Broker directly. ■

If you have any comments or suggestions I would like to hear from you, so please do not hesitate to contact me at jeff.daniels@gotoinsure.ca or call me directly at (506) 450-7719.



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| 6:00 pm - 9:00 pm | Meet & Greet / Tradeshow
World Trade Centre |
| 9:00 pm | Hospitality Suites
Hosted at the Delta Halifax, these suites are open to all registered attendees |

Thursday, October 5, 2017

- | | |
|--------------------|---|
| 9:00 am – 12:00 pm | Tradeshow
World Trade Centre |
| 9:00 am – 12:00 pm | Education Sessions
World Trade Centre |
| 12:00 pm – 1:00 pm | Luncheon
World Trade Centre |
| 1:30 pm – 3:30 pm | CEO Forum
World Trade Centre |
| 6:00 pm | Presidents' Reception
World Trade Centre |
| 7:00 pm | Presidents' Dinner & Entertainment
World Trade Centre |
| 9:00 pm | Hospitality Suites
Hosted at the Delta Halifax, these suites are open to all registered attendees |



Visit www.brokersconvention.ca for details

IBANS Young Broker Network

Why the YBN is Important & What We're Up To



*Christy Silvestri, CAIB
Chair, Nova Scotia YBN*

I'm very excited and honored to have been chosen as the incoming Chair of the Young Brokers Network (YBN) committee. The YBN has big goals and aspirations for this year, so I'm thrilled to lead our ambitious team in accomplishing them! I would like to thank our outgoing Chair Mark Anderson for another successful and innovative year. With your drive and creativeness in thinking outside the box, you have led our team to fun and fresh changes!

I was recently asked an interesting question – Why is the YBN important? To me the YBN is important for the community of insurance brokers. It gives forum for younger voices to be heard - a place where you can discuss ideas, problems and solutions amongst your peers locally and across the country. I believe it is the best place to develop future leaders for our industry.

Here's what fellow board members had to say about the benefits they've received from being part of the YBN, either on the committee or as a member:

"Being part of the YBN is a great way to meet contacts in my industry, connect with company folks at events (face to a name goes a long way) and, in general, become more comfortable and confident operating in this industry. It's a steep learning curve for Young Professionals and new employees in the industry (<5 years). It's great to spend time with those sharing your struggles/successes, paving the

way for long-term career paths through the contacts you make. It's a great industry with great people, come out to a YBN event and meet some of them!" – Luke Keun, BA, CAIB – Archway Insurance

"The YBN provides a great opportunity for personal and professional development within the broker community. The various social events have allowed me to develop relationships with underwriters, company broker reps, and fellow brokers. This has had a huge impact on my company relations, and in turn, sales. The YBN has also helped me develop my organizational and critical thinking skills as I helped develop and implement various ideas with peers in a group setting" – Zach Armstrong, CAIB – AA Munro.

The social aspect of the YBN is very rewarding. I know for most people going to an event where you don't know anyone may sound intimidating, or you may think you won't have any fun since you don't know anyone. Let me assure you that is not the case. You are guaranteed to meet someone new from another brokerage or an insurance company. Solid personal friendships have been made from attending events, along with connections that can help propel your career forward, and I speak from experience.

So what is it we do exactly? I know some of you out there may see us at events or have heard the term YBN committee, but what are we doing? Let me fill you in!

Our main goals this year are as follows:

Support the Community - The YBN hosts the annual IBANS golf tournament. This year, we decided to add a fun change that had a purpose. We had hole sponsors conduct games, and the proceeds went to charity. We decided as a group to choose Phoenix Youth Group to support this year. The Phoenix Youth Program provides a continuum of care for youth ages 11-24 and their families. They offer important services and programs including shelter, food, housing support, health care, parenting support, recreation, education and employment services, and clinical therapy. Not only did everyone in attendance enjoy the new event day twist and fun games, we raised over \$1,000 to donate to Phoenix Youth Group.

Attract People to Our Amazing Industry – This year, the YBN opened up our bursary to

friends and family members of anyone in the industry! The Bursary covers the Fundamentals of Insurance textbook and course registration. We know the hardest part of attracting people to our industry is having a General License. Our hope with awarding two people with the tools to obtain their General Insurance License, more opportunities will open up to them, and we can gain some new talent in the industry!

Promote Strong Relationships – Our annual Curling Funspiel is always a great time. People come out to have fun no matter what their skill level is, from bringing their own equipment to people like me who, let's face it, are lucky not to fall on their face. I'm excited for our future social night that's coming this fall (dates to be announced, so keep an eye on your IBANS emails!) - we hope you're ready to come out and have fun and play some Office Olympic games with us! ■

If you have any questions about what we do, ideas you would like to share, want to help the YBN by volunteering at events, or want to join the YBN, please reach out to me at christy@cheepinsurance.ca.



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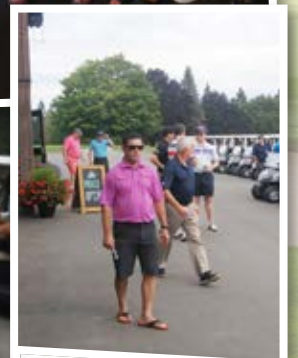
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Women in Insurance – Breaking the Gender Gap



*Keri Foley, IBTHM, CAIB
IBANS/IBAN Professional
Development Coordinator*

The insurance industry has always been perceived as a male dominated industry – a “man’s world” so to speak; whether we like to admit it or not. But this is changing, at a rapid pace. If I listed every woman who has in some way directly affected me in my role as Professional Development Coordinator, the list would be multiple pages. The first page would most certainly list the outstanding women who have sat in the role as President of the Insurance Brokers Association of Nova Scotia, each making their own mark on the Association – Sarah Amirault, Carolyn James, Glenna Boudreau, Cathie Robski, and our incoming President Gina McFetridge. In my eight years in this role, a woman has led the Association as President for over half the time; very impressive!

In Nova Scotia, women make up over half of IBANS membership, including broker principals and staff which is something that should be recognised and commended! The old adages of working harder, speaking up and building a strong network really do make a difference. It is a conscious choice to speak up and make your voice heard, so if what you have to say is relevant, gender shouldn’t count – either for or against women, but it does. A strong woman with a voice is often viewed (by both men and other women) as aggressive, unfeminine, and antagonist, which is highly disappointing. This applies to simply speaking up at a meeting, or asking for a raise during a performance review. The good news is, as the millennials become brokerage supervisors, managers and owners, these views will no doubt change over time.

On International Women’s Day (March 8) Stats Canada released data that showed women aged 25-54 make 0.87 and hour for every dollar made by men. However still disappointing, we are going in the right direction. In 1981, women made 0.77 for each dollar earned by men; so, the gender gap is shrinking. The change could be attributed due to rising in educational attainment by women. In 2015, 35.1% of Canadian women had university degrees, compared to 13.7% in 1990. At the recent IBANS graduation, the number of women graduating with national accredited designations compared to men was 19 – 6, with the only three distinctions of honours, going to females.

As a woman in a male dominated field you have to pay your dues, as it should be for both sexes. There will be some women who believe they deserve more of a chance than their male colleagues and counterparts, given the gender imbalance, but both men and women must prove themselves worthy of the role they are in. In this industry, there is no fast ticket to get ahead – you have to earn it. Which is why the industry will have many choices in future, both male and female, to assume the role of President on the Board of Directors with our National Association, the Insurance Brokers Association of Canada (IBAC). IBAC has had 65 brokers serve as President of the Association, with two of those 65 being women, so my question is, which provincial association President will be the next female President of IBAC? To say that there are numerous qualified choices is an understatement.

Earlier this year the Insurance Brokers Association of Manitoba highlighted the “Presidential Power Play”, women across the country who were serving their association as President of their respective Board. Of the ten Canadian provinces that are members of the National Association, a female was President in over half of the country – an accomplishment worth celebrating!

Regardless if you live in a large cosmopolitan city centre, or a small town brokerage, women from across the

country have taken on leadership roles in their work space and having mentors and champions within the work environment have no doubt been huge drivers in the success of women in insurance. Whether it was the head principal in a family run brokerage, or a stakeholder in the industry, someone recognized a woman’s potential, perhaps even before she did, and played a key role in their career advancement.

Young women who are now entering the workforce and the broker profession are an entirely different breed from the industry forerunners. These younger brokers were most likely raised by working mothers and are use to working and collaborating with a more diverse team; that includes women in leadership roles. I have faith that the number on my list of outstanding women will only increase in my next eight years in the industry. ■

IBAC Female Presidents:

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IBANS/IBAN Executive Director's Report



*Karen Slaunwhite, BA, BPR, MEd, CAIB (Hons)
Executive Director IBANS/IBAN*

Fast Pace of Change: There is no Dress Rehearsal

One of the things parenting has taught me is there is no dress rehearsal, as parents we do not get a script to practice from, we are called upon to perform in real time, as things happen. The pace of change today far surpasses anything from our history. I have two children, Jacob 21 and Julia 17 and the four years between them is vast in so many respects, but what never ceases to amaze me is what was relevant to parenting Jacob at 17 is no longer relevant to parenting Julia at 17. Some days I wonder, is the age difference only four years, but then I must remind myself, a lot can happen in four years. Two things which have impacted parenting for me have been: technology and generational differences. Technically by definition, Jacob and Julia are both Gen Z but technology and how quickly it changes has fundamentally changed how they view the world and interact within it; therefore, illustrating to me the necessity of being nimble and adjusting my parenting style as circumstances and life unfolds.

Being an entrepreneur is a lot like being a parent, there is no dress rehearsal, you do not get to practice before making business decisions you make these decisions in real time, responding to real business conditions you face at any given moment. Like parenting, technology and generational differences will impact how you run your business and the decisions you make. Understanding technology and how it has shaped and continues to shape generational views is important to future business success because both these factors are creating the consumer of today and tomorrow.

What is the consumer of today and tomorrow looking for? Consumers are looking for an exceptional experience which includes: intuitive customer-facing technology, self-service, an authentic personalized experience, and dealing with a company that cares about their values. The underlying commonalities amongst these items are generational and technology driven and both these things are going to give business owners a run for their money.

Entrepreneurs have reached a fork in the road and must decide whether they want to be leaders or fall behind in the pack. To be a leader business owners need to stay in front of customer expectations, it is no longer going to be okay to meet customer expectations you are going to need to exceed them. You can be rest assured if you are not exceeding customer expectations than your competition is or soon will be. The choice is voluntary; you can choose to be ordinary or extraordinary. Remember social media is very real it is where our young people live their lives. They share **EVERYTHING** and they also have fewer boundaries than previous generations so rest assured if they have a great customer experience they will share it far and wide but also remember they will also share those experiences that aren't great as well.

So how do you become extraordinary in today's business environment? The answer is quite simple; you need to have your finger on the pulse of the bigger picture and in doing so you create an opportunity to be not only on top of things but ahead of them. I think about the country we live in and where we are headed and I am proud to be Canadian because Canada is a country where dreams are made and realized and opportunities to succeed are endless. Our country's position on diversity, love not hate and acceptance of everyone is going to create business opportunities that previously did not exist. Successful business owners will be those that understand and are responsive to the changing needs of Canadian consumers and these needs will extend beyond understanding generational complexities and technology. New Canadians will provide an opportunity for you to grow your business but in order to do so you will need to decide first whether you wish to be ordinary or extraordinary. The future is in your hands and success is within your grasp, be proactive and try new things or like Nike's motto say, "just do it". ■

You may contact Karen at (902) 876-0526 or via email at, karen@ibans.com.

Reminder:

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Taking Steps to Fix What Ails NL Auto Insurance



*Amanda Dean, BPR, MBA
Vice President, Atlantic,
Insurance Bureau of Canada*

A sustainable auto insurance product ensures that customers are well-served – something that insurers and brokers can agree is the main goal of the property and casualty insurance industry. After all, without well-served customers, there would be no auto insurance industry. This is why the industry breathed a collective sigh of relief following the Newfoundland and Labrador (NL) government's announcement on July 4 that it would initiate a review of the auto insurance product. At the same time, Nova Scotia (NS) is in the midst of planning its own review of the product in 2018, despite record stability and no pressing concerns.

The NL review is long overdue. Rising claims costs have overburdened the NL auto insurance system for a number of years, with higher premiums as the result. In fact, for many years now, premiums paid by Newfoundlanders and Labradorians have not been enough to cover the cost of providing auto insurance in the province. Apart from being an unsustainable business model, it's also a clear indication that the auto insurance product is in dire need of reform.

But the impact of an unstable auto insurance product goes beyond high operating costs. The harsh reality of the NL market has prompted some insurers to cease operations in the province. This has created a void of competition, leaving consumers with little to no choice – an issue raised by the Insurance Brokers' Association of Newfoundland (IBAN) long ago.

Fixing what ails the auto insurance product is the key to attracting new and returning insurers to the

province. Stable, affordable and sustainable auto insurance requires a well-functioning market. This involves quality insurance at a fair price for consumers, in an environment that also allows insurers to make a fair return on investment. Companies can't continue to operate at a loss, particularly in such a significant line of business, and still maintain robust levels of service and choice.

As part of the NL auto insurance review, the Public Utilities Board will conduct an independent closed claims study to better understand the factors contributing to the province's escalating claims costs. It will also conduct public consultations and share the results with the government. At the same time, Service NL will review the rate regulation regime, giving the insurance industry an opportunity to highlight the barriers to operating within the province. Any changes to the Auto Insurance Act will be in place by autumn 2018, as announced by the NL government. This is very welcome news after waiting 13 years since the last review of auto insurance regulations in the province.

Meanwhile in NS, planning for the government's mandated seven-year auto insurance review is underway. The importance of a well-planned review of such a heavily regulated product can't be understated – it allows for collaboration between the industry and the government to help avoid making mountains out of proverbial molehills. In June, Insurance Bureau of Canada joined Insurance Brokers' Association of Nova Scotia and others in a stakeholder consultation hosted by the NS Superintendent's Office to determine the scope of next year's review. The government plans to hold further consultations and will likely propose the review scope in September.

This proactive approach shows tremen-

dous leadership on behalf of the NS government. While it means a great deal of work is initially needed on behalf of the government and the industry alike, it helps to set the stage for a long-term sustainable product for consumers and a healthy business environment for the industry.

The NL government must receive some praise in following through on its commitment to review the auto insurance product. With the topic of auto insurance quickly coming to a boiling point in the province, it's crucial that the review acknowledge and address the needs of consumers and the industry. Now that the problems in the current system have been recognized, the NL government has laid out the initial stages of a thorough review process. The road to affordable and sustainable auto insurance for NL drivers may seem long, but it's on the horizon. All we need do is keeping driving toward it. ■

Amanda may be reached at (902) 429-2730 ext. 225 or via email at, adean@ibc.ca.



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Growing Atlantic Brokerages Through Technology



Grant Patten
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For an insurance broker, an enormous component of growth comes from out-servicing the competition – which, in today's world, means embracing and implementing the digital technologies that consumers expect. Brokers everywhere can take heart, then, that technology adoption among brokerages is trending in the right direction.

Since launching its Technology Scorecard last year, CSIO has gathered invaluable data on how its member brokerages are adopting nine key technologies. The goal was to provide brokers with a way to benchmark their own tech adoption against their provincial peers, to celebrate those brokerages with a score of 100% and to encourage further growth in tech implementation.

After updating the statistics with 2016 numbers, adoption for all technology solutions grew by 12%, bringing national adoption to 69%. Brokerages in Atlantic Canada made impressive gains in the past year, with Nova Scotia scoring first among all provinces with an overall tech score of 81%. New Brunswick finished 2016 with a tech score of 68% (a 22% increase from 2015), Newfoundland finished with 72% (a 10% increase) and PEI finished with 59% (a 2% increase).

Customers don't compare insurance brokers to each other – they compare brokers to the last, best digital experience they had. With that in mind, consider the impression they form when they have to wait on the phone while their broker searches for a paper file, or when they have to print, sign and scan a document when they could do so electronically.

Full statistics for tech adoption in Atlantic Canada are:

NS			
	2015	2016	Change
eDocs	46 %	88 %	42 %
CSIONet	59 %	90 %	31 %
Forms	100 %	100 %	0 %
eSignatures	3 %	15 %	12 %
TLS	50 %	83 %	33 %
Website	74 %	90 %	16 %
Mobile Website	40 %	79 %	39 %
Google	58 %	77 %	19 %
Social Media	47 %	69 %	22 %
Overall Average	52 %	81 %	29 %
NB			
	2015	2016	Change
eDocs	40 %	76 %	36 %
CSIONet	65 %	83 %	18 %
Forms	100 %	100 %	0 %
eSignatures	2 %	3 %	1 %
TLS	39 %	60 %	21 %
Website	62 %	80 %	18 %
Mobile Website	25 %	56 %	31 %
Google	73 %	71 %	-2 %
Social Media	30 %	34 %	4 %
Overall Average	46 %	68 %	22 %
NL			
	2015	2016	Change
eDocs	50 %	69 %	19 %
CSIONet	75 %	77 %	2 %
Forms	100 %	100 %	0 %
eSignatures	0 %	8 %	8 %
TLS	63 %	75 %	12 %
Website	88 %	92 %	4 %
Mobile Website	50 %	77 %	27 %
Google	69 %	62 %	-7 %
Social Media	63 %	62 %	-1 %
Overall Average	62 %	72 %	10 %
PEI			
	2015	2016	Change
eDocs	50 %	63 %	13 %
CSIONet	58 %	63 %	5 %
Forms	100 %	100 %	0 %
eSignatures	8 %	0 %	-8 %
TLS	58 %	57 %	-1 %
Website	92 %	88 %	-5 %
Mobile Website	42 %	25 %	-17 %
Google	75 %	75 %	0 %
Social Media	17 %	25 %	8 %
Overall Average	57 %	59 %	2 %

For many brokers, finding the time to investigate and fully understand new technology is a challenge. How do the technologies on the CSIO Tech Scorecard help brokerages grow?

CSIONet & CSIO Forms

CSIONet connects your BMS to your insurers, enabling the download of policy data and eDocs. This reduces the need for paper, couriers and double-entry, improving workflow and enhancing customer service. Many CSIO forms are programmed directly into your BMS, saving additional time.

eDocs

eDocs are electronic policy documents (dec pages, billing notices, etc.) that insurers can send through CSIONet directly to your BMS, where it will automatically attach to the client file. This puts the exact policy wording at your brokers' fingertips and significantly reduces the amount of paper entering your office, leading to faster customer service and reduced costs.

eSignatures / Call Recording

eSignatures enable customers to sign important documents securely and conveniently from their computer or mobile device; no paper, pen or scanner required. Call Recording obtains cus-

tomers consent over the phone, storing a record of the call for as long as is required. Both solutions create a digital and streamlined experience for customers.

TLS eMail Security

TLS eMail Security is an inexpensive form of encryption that enhances protection for emails – especially those containing sensitive customer information – from cyber criminals. There is no change to the user experience, as TLS operates in the background.

Brokerage Website and Mobile-Optimized Website

Customers search for and purchase insurance online in greater numbers than ever before. Simply put, without a mobile-friendly online presence, customers will have difficulty finding your brokerage and turn to one that provides the online experience they expect.

Search Engine Optimization (SEO)

48% of customers start mobile research on a search engine such as Google – meaning that if your brokerage does not appear near the top of web searches, customers likely won't find you. SEO strategies can help your website increase its visibility by appearing higher in search results.

Social Media

71% of Canadian consumers visit Facebook at least twice a week, and other platforms such as Twitter and LinkedIn are popular as well. By investing in a social media strategy, your brokerage can establish itself as modern and relevant, and provide customers with another means of interacting with you.

Is YOUR brokerage a Technology Leader? Complete the scorecard and let us know! Visit: <https://www.csio.com/scorecard-tool>

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Explaining a Material Change of Risk to Clients

By Kyla Russell and Gregory Hardy

People purchase insurance for the protection it offers if they suffer a loss. When clients purchase insurance, it is important to explain to them what a material change is, and to review with them the requirement to notify their insurer or broker, if there is a material change.

Failure by an insured to advise their insurer of a material change can result in a denial of coverage and/or can make the insurance void. The courts have provided direction that the responsibility rests with insurers and brokers to help clients understand what changes are material to the risks of the policy. Assisting clients to understand their requirements under the policy at the onset helps prevent a denial of a claim because of lack of coverage. It is also important upon renewal of a policy for an insurer or broker to inquire directly whether an insured has had any material changes.

What is a material change?

A material change affects coverage because it goes directly to the risk involved in insuring the property. It is a fact that is material to an insurer's decision to take on the risk or alternatively, impacts the premium that an insurer charges for the insurance.

A material change may include the following types of change:

- Changing the use of a vehicle (from pleasure to commuting to work or using the vehicle commercially);
- A change in the ownership of property;
- Opening a home to roomers or boarders; or
- Having the insured property become unoccupied or vacant.

Generally, changes of a non-structural or cosmetic nature, such as the following, are not material changes as they have no impact on the premium or the insurer's acceptance of the risk:

- Changing the vehicle colours;
- Changing the colour of the siding on a home;
- Re-shingling a roof;
- Replacing the windows or doors in a home;
- Paving the driveway;
- Updating flooring, cabinets, counters, etc.

A material change is a statutory condition.

A statutory condition is a mandatory condition that is set out in the Insurance Act, which is the

legislation that governs insurance policies. Because it is a statutory condition, the insured must comply with the obligations under that condition. The statutory condition states that an insured must promptly give notice in writing to the insurer or its agent of any change that is:

- a) material to the risk; and
- b) within the Insured's knowledge and control.

The requirement to give notice in writing is generally met by the insured filling out the initial application or renewal forms.

Within those forms, the insured must provide information that they know is material to the risk. In order to do so, the insured must understand what is material to the risk of the insurance policy. It is not always easy for an insured to know whether a change is a material one. Therefore, while the material change must be within the insured's knowl-



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edge and control, case law has directed that determining whether a change is material is guided by the questions asked and the information gathered by the insurer or broker.

Guidance on Material Change is Provided by the Insurer or Broker

If an insurer fails to ask about a matter, issue, or item, a court may draw an inference that the insurer does not consider that matter relevant or material. Conversely, if an insurer or broker asks a number of questions about a certain issue then the insured should have an understanding that that particular issue is material to the policy.

In *Aviva v Thomas*, 2011 NBCA 96, the insured installed a wood stove after he initially applied for and received insurance from Aviva. In his initial application, the insured noted that his primary source of heat was electric. Upon his renewal, the insured did not advise his insurer that he had installed a wood stove. In issuing the renewal, the insurer simply inquired whether all information was accurate, as the insured's coverage and premium were based upon the information provided. The insured confirmed that the information was

accurate, as electric heat was still his primary heating source. The insured then suffered a fire that was caused by the wood stove. The insurer sought to have the claim denied for lack of coverage caused by the insured's failure to notify the insurer of the material change resulting from the installation of the wood stove.

The Appeal Court rejected the insurer's appeal from the Trial Court's finding that the wood stove was not a material change of risk. The Appeal Court found that renewal notice from the insurer did not require the insured to notify the insurer of all changes material to the risk. The Court of Appeal also stated that even when an insurance policy is drafted in plain language that is insufficient proof that an insured understands what a material change is. This case is an example of how the insurer or broker has to take a proactive approach in helping an insured understand what a material change is and to inquire whether the insured has had a material change since the initial application or most recent renewal.

A Final Word

Meeting obligations that the courts place upon an

insurer or broker to explain what a material change is to clients is not an onerous task. It simply requires communication with the insured by doing such things as ensuring that questions to all things considered material are set out in the initial application and that the insured answers those questions. Secondly, a policy renewal should include in plain language an explanation as to what a material change is and that the insurer or broker should be promptly notified of any material changes. ■

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Claims Made Versus Claims Made and Reported Policies: What's the Difference and Does It Matter?

When it comes to coverage provided, the differences between **Claims Made** policies and **Claims Made and Reported** policies are extremely significant. Professional liability policies for Insurance Professionals are typically written on one of these forms. It is critical to understand the two when purchasing professional liability insurance to protect yourself and your business.

Claims Made Coverage

A Claims Made Policy provides coverage for an injury or loss if a claim, such as receipt of a demand letter or service of a lawsuit, is first made during the policy period. **Claims Made** policies provide broader coverage and contain more liberal reporting requirements than **Claims Made and Reported** policies. The major distinction between the claims made form and the claims made and reported form is that under a claims made policy form the insured typically need only report the claim "as soon as practicable" or promptly, but not necessarily during the policy term. On the other hand, Claims Made and Reported Policies, as the name suggests, require that the claim be made and reported during the same policy period. This wording under a claims made policy may read:

- "This is a claims-made policy which applies to 'claims' first made during the policy period or any extended reporting period." Sample insuring language: "We will pay on behalf of the insured 'loss' for which the insured is legally liable caused by a 'wrongful act' committed by an insured arising out of 'professional services' rendered to others."
- This type of insurance applies to "'potential claims' and 'claims' first made against the insured during the 'policy period' arising out of a 'wrongful act' taking place on or after the retroactive date".

Claims Made and Reported Coverage

A Claims Made and Reported Policy also requires that the claim be made during the policy period. However, this policy form also requires that the claim be reported to the carrier during the same policy period in force at the time the claim was made. While often less expensive, Claims Made and Reported coverage is much more restrictive.

- Sample wording under a claims made and

reported policy: "We agree to pay on behalf of the insured such 'loss' to which this insurance applies sustained by the insured by reason of liability imposed by law for 'loss' caused by any 'wrongful acts' committed by the insured, arising out of the conduct of the business of the insured in rendering services for others"..

- This insurance applies to "wrongful acts" only if:
 1. The "wrongful acts" did not occur before the Retroactive Date, if any, shown in the Declarations or after the end of the policy period, and
 2. "Loss" because of the "wrongful act" results in a "claim first made and reported to us" during the policy period.

How do these differences play out in real life?

Case Study

An insurance broker is insured by Carrier A for policy period July 1, 2016 through July 1, 2017. On June 27, 2017, the broker is served with a lawsuit alleging that the broker failed to procure the appropriate coverage for her client. On July 1, 2017 the broker changes carriers and moves her coverage to Carrier B. On August 4, 2017, the broker reports the claim to Carrier A.

What is the result?

If the broker was insured by Carrier A on a claims made and reported policy form, there is no coverage. The claim was made during the policy period but not reported during the same policy period.

What will Carrier B's position be if its policy is written on a Claims Made and Reported form as well? No coverage. Due to the fact that the claim was made during Carrier A's policy period, the claim was not made and reported during carrier B's policy period. What if the broker had renewed its claims made and reported coverage with Carrier A? No coverage. Claims Made and Reported forms do not typically provide continuous coverage and the reporting requirement is typically strictly enforced (i.e., that the claim be reported during the policy period in which the claim was made).

If the broker's coverage through Carrier A was provided on a claims made basis, the claim is

covered. There is coverage under the policy issued by Carrier A because the claim was made during that policy period and, for the purpose of this article, was reported promptly.

Lesson learned

While the broker was continuously insured, there is still a gap in coverage under the claims made and reported form. Because of the less onerous reporting requirements under the claims made policy form, the claim can be reported after the policy period has ended without jeopardizing coverage as long as the claim was made within the policy period and reported promptly.

The distinctions between **Claims Made** and **Claims Made and Reported** policies do make a difference. While a Claims Made and Reported policy may cost less than a Claims Made policy in the short run, it is because the Claims Made and Reported is a more restrictive form of coverage. It's important to keep this in mind the next time you recommend or buy professional liability coverage, as the Claims Made and Reported form could end up costing you in the end. ■

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CALENDAR OF EVENTS 2017-2018

SEPTEMBER

6	National CAIB/CPIB exams	various locations
18	IBANS CAIB 1 Immersion	Halifax, NS
21	IBANS Annual General Meeting/Breakfast	Halifax, NS
27	Fundamentals of Insurance exam	Fredericton, NB
27/28	IBAC Board Meeting	Nanaimo, BC
29	IBAC Annual General Meeting	Nanaimo, BC

OCTOBER

4/5	2017 Atlantic Insurance Brokers Convention	Halifax, NS
17	IBAN Annual General Meeting	St. John's, NL
20	IBANB CAIB 1 Immersion	Fredericton, NB
25	IBANB CAIB 2 Immersion	Fredericton, NB
25	Fundamentals of Insurance exam	Fredericton, NB
26	IBANB Annual General Meeting	Fredericton, NB
26	IBAPEI Annual General Meeting	Charlottetown, PE
26	PEI Convocation Ceremony	Charlottetown, PE
30	IBANB CAIB 4 Immersion	Fredericton, NB
30	IBANS CAIB 2 Immersion	Halifax, NS

NOVEMBER

23	Ask/Meet the Underwriter hosted by YBN	Saint John, NB
TBC	IBAC BIP Meeting	Toronto, ON
29	Fundamentals of Insurance exam	Fredericton, NB

DECEMBER

6	National CAIB/CPIB exams	various locations
7	PEI Industry Christmas "Meet & Greet"	Charlottetown, PE
13	Fundamentals of Insurance exam	Fredericton, NB

FEBRUARY

7	National CAIB/CPIB exams	various locations
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MAY

2	National CAIB/CPIB exams	various locations
3	IBANB Convocation	Fredericton, NB



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