

The Insurance Surveyors And Loss Assessors (Licensing, Professional Requirements And Code Of Conduct) Regulations, 2000

UNION OF INDIA

India

The Insurance Surveyors And Loss Assessors (Licensing, Professional Requirements And Code Of Conduct) Regulations, 2000

Rule

THE-INSURANCE-SURVEYORS-AND-LOSS-ASSESSORS-LICENSING- of 2000

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14.

/677Notification No. F.N. IRDA/Reg/11/2000, dated 20th November, 2000. - In exercise of the powers conferred by sections 42-D, 64-UM and 114-A of the Insurance Act, 1938 (4 of 1938) and section 26 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Authority, in consultation with the Insurance Advisory Committee, hereby makes the following regulations, namely:-

Brought into force on 24.11.2000.

Chapter I Preliminary

1. Short title, commencement and application

-(1) These regulations may be called The Insurance Surveyors and Loss Assessors (Licensing, Professional Requirements and Code of Conduct) Regulations, 2000.(2)They shall come into force on the date of their publication in the Official Gazette and shall apply to all licensed insurance surveyors and loss assessors.

2. Definitions

.-In these regulations, unless the context otherwise requires,-(a)"Act" means the Insurance Act, 1938 (4 of 1938);(b)"applicant" means any person who applies for the grant of a surveyor's and loss assessor's license or renewal thereof;(c)"Authority" means the Insurance Regulatory and Development Authority established under sub-section (1) of section 3 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999);(d)"designated person" means an officer of the Authority detailed by the Authority to discharge the functions assigned to him under all or any of these regulations;(e)"Inspecting Authority" means the person(s) appointed by the Authority to inspect and investigate the affairs of any surveyors and loss assessor;(f)"IRDA Act" means the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999);(g)words and expressions used and not defined in these regulations but defined in the Insurance Act, 1938 (4 of 1938) or Insurance Regulatory and Development Authority Act, 1999 (41 of 1999) or the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), or in any rules or regulations made under those Acts, shall have the meanings respectively assigned to them in those Acts or rules or regulations, as the case may be.

Chapter II

Licensing Procedure

3. Application for, and matters relating to, grant of license

.-(1) Every person who is an individual and intending to act as a surveyor and loss assessor in respect of general insurance business shall apply to the Authority for grant of license in Form-IRDA-1-AF as given in the Schedule to these regulations.(2)The Authority shall, before granting license, take into consideration all matters relating to the duties, responsibilities and functions of surveyor and loss assessor and satisfy itself that the applicant is a fit and proper person to be granted a license. In particular and without prejudice to the foregoing, the Authority shall satisfy itself that the applicant, in addition to submitting the application complete in all respect-(a)satisfies all the applicable requirements of section 64-UM read with section 42-D of the Act and rule 56-A of the Insurance Rules, 1939;(b)possesses such additional technical qualifications as may be specified by the Authority from time to time;(c)has furnished evidence of payment of fees for grant of license, depending upon the categorisation;(d)has undergone a period of practical training, not exceeding 12 months, as contained in Chapter VII of these regulations; and(e)furnishes such additional information as may be required by the Authority from time to time.(3)The Authority on being satisfied that the applicant is eligible for grant of license, shall grant the same in

Form-IRDA-2-LF as given in the Schedule to these regulations and send an intimation to the applicant together with an identity card mentioning the particular class or category of general insurance business namely, fire, marine cargo, marine hull, engineering, motor, miscellaneous and loss of profit for which the Authority has granted license and the license shall remain valid for a period of five years from the date of issue thereof, unless cancelled earlier.(4)A surveyor and loss assessor, whose license has been cancelled or suspended for any reason, may submit an application for issuance of license, after the expiry of three years from the date of such cancellation or suspension, and, such an application shall be treated as a fresh case, and, accordingly, the applicant shall satisfy all the requirements of sub-regulation (2).(5)A surveyor and loss assessor shall be subject to categorisation as specified in Chapter V of these regulations.(6)A license issued, before the commencement of these regulations, by the Controller of Insurance or his authorised representative shall be deemed to have been issued in accordance with these regulations.

4. Corporate surveyors and loss assessors

.- (1) Where the applicant is a company or firm, the Authority shall be satisfied that all the directors or partners, as the case may be, possess one or more of the qualifications specified in section 64-UM(1)D(i) of the Act and none of such directors or partners, as the case may be, suffers from any of the disqualifications mentioned in section 42-D of the Act read with section 42(4) of the Act.(2)The applicant referred to in (1) shall apply in Form-IRDA-3-AF as given in the Schedule to these regulations.(3)The Authority on being satisfied that the applicant is eligible for grant of license, shall grant the same in Form-IRDA-LF as given in the Schedule to these regulations, and, all the provisions of regulation 3 above, shall apply mutatis mutandis to corporate surveyors.

5. Fee structure

.-On and from May 1, 2001, the fee payable to the Authority by fresh applicants for grant of license to act as surveyors and loss assessors, category-wise, shall be as stated in the following table:

SI. No.	Category of surveyor and loss assessor	Amount payable by individuals	Amount payable by corporate surveyor and loss assessor	Rs.
1.	A	Ten thousand	Twenty-five thousand	
2.	B	Seven thousand five hundred	Twenty-thousand	
3.	C	Five thousand	Fifteen thousand	

6. Application to conform to the requirements

.-Any incomplete application not conforming to the requirements of these regulations shall be rejected:Provided that before rejecting any such application, the applicant shall be given a reasonable opportunity to make good the application.

7. Renewal of license

.- (1) An insurance surveyor and loss assessor, desiring to renew the license granted earlier, either under these regulations or prior to the commencement of these regulations, shall apply to the Authority atleast thirty days before the expiry of the period of validity thereof, in Form-IRDA-5-AF (for individuals)/Form-IRDA-6-AF (for corporate surveyors) as given in the Schedule to these regulations, alongwith a renewal fee of two hundred rupees: Provided that the Authority may, if it is satisfied that undue hardship would be caused otherwise, accept any application, within six months of its expiry on payment by the applicant of a penalty of seven hundred and fifty rupees: Provided further that a license not so renewed can be revalidated only as a fresh case. (2) A license so renewed shall be valid for five years from the date of renewal, unless cancelled earlier. The renewed license shall be in Form-IRDA-7-LF or Form-IRDA-8-LF, as the case may be. (3) Every applicant, be it an individual or a company or a firm, while applying for renewal of the license shall certify to the Authority that he or any of its directors or any of its partners, as the case may be, has: (i) not contravened any of the provisions of the Act or the IRDA Act, or any rules or regulations made under those Acts or any order or direction issued by the Authority; (ii) not made a statement which is false in material particulars with regard to his eligibility for the license or renewal thereof or in any of the activities transacted by him or them or the matters connected therewith as a surveyor and loss assessor; (iii) neither had his license cancelled or suspended under the Act, nor had violated the code of conduct prescribed under these regulations; (iv) discharged the duties and responsibilities as a professional; (v) not been negligent in the discharge of his obligations; (vi) not been sentenced to a term of imprisonment by any Court of law.

8. Procedure where license is not to be granted or renewed, or where license is to be suspended or cancelled

.- (1) Where an applicant does not satisfy the provisions of the Act and these regulations, the Authority may reject the application for grant of license or renewal thereof and refund to the applicant not more than 60 per cent. of the fee received: Provided that no application shall be rejected unless the applicant has been given a reasonable opportunity to make good the application within a time frame as may be deemed appropriate by the Authority, according to the facts and circumstances of each case. (2) The refusal shall be communicated to the applicant within thirty days of such refusal, stating the grounds of rejection. (3) Where it is found that a surveyor and loss assessor suffer from any of the disqualifications or has knowingly contravened any provisions of the Act or the IRDA Act, or the rules or regulations made under those Acts or any order or direction or instruction issued by the Authority, the Authority may, after giving such surveyor and loss assessor an opportunity of being heard, cancel his license, with effect from such date as may be specified by it and the Authority shall notify such cancellation in the Official Gazette. (4) The Authority may refuse to grant or renew license, or suspend or cancel a license already granted, to a surveyor and loss assessor, if he/it- (i) fails to discharge the duties and responsibilities in a satisfactory and professional manner; or (ii) violates the code of conduct prescribed under these regulations; or (iii) makes a statement which is false in material particulars with regard to the eligibility for obtaining license or has, after the issue or renewal of such license, acquired any of the disqualifications provided under sub-section (4) of section 42 of the Act, read with clause D of

sub-section (1) of section 64-UM of the Act: Provided that the Authority shall give a reasonable opportunity, to the person concerned, of being heard, before such refusal or suspension or cancellation. The Authority shall notify only cancellations in the Official Gazette: Provided further that the powers conferred on the Authority in this sub-regulation are without prejudice to the powers conferred on it by sub-section (7) of section 64-UM of the Act. (5) The refusal or suspension or cancellation of license referred to in sub-regulation (4) shall take effect from the date of such refusal, suspension or cancellation, as the case may be, and, no such surveyor and loss assessor shall carry out any survey and loss assessment work thereafter, including the jobs on hand. All such pending jobs shall be returned by him/it to the insurer or the insured, as the case may be.

9. Suspension of the license

.- (1) A licensed surveyor and loss assessor whose license is proposed to be suspended by the Authority may be granted an opportunity before suspending the license: Provided, however, that the Authority may not follow this procedure if the continued employment of the licensed surveyor and loss assessor is considered to be detrimental to the cause of insurance underwriting. (2) The period of suspension will be indicated in the order of the Authority. (3) On receipt of the order of suspension, the licensed surveyor and loss assessor may file an appeal with the Authority asking for revocation of suspension. The Authority may designate an officer who will hear the representation of the licensed surveyor and loss assessor and make such orders as are deemed fit. The order made in this regard shall be communicated to the suspended surveyor and loss assessor. (4) If, on the basis of the order of the designated person, the Authority restores the license of the surveyor and loss assessor, it will indicate the date from which the restoration will take place. (5) During the period of suspension, the surveyor and loss assessor shall be prohibited from carrying out any surveys and all work that was handled prior to suspension and has remained incomplete shall be returned to an insurer or the insured as the case may be. (6) The license granted by the Authority may be cancelled by the Authority where the surveyor and loss assessor does not represent within a period of 45 days from the date of order of suspension. (7) Any order of suspension or revocation of the order thereof shall be intimated to the insurers.

10. Issue of duplicate license/identity card

.- (1) A person to whom a license has been issued or renewed, shall, if such license and/or identity card is/are lost, destroyed or mutilated, make an application in Form-IRDA-9 given in the Schedule to these regulations to the Authority requesting for issuance of duplicate thereof, along with a fee of five rupees. (2) The application referred to in sub-regulation (1) shall contain full particulars of license/identity card and as to how the loss/destruction or mutilation has occurred, and the application shall be accompanied by mutilated pieces, if any, in possession of the person making the application. (3) The Authority, on being satisfied, may issue a duplicate license and/or identity card in Form-IRDA-10-LF as given in the Schedule to these regulations. (4) The duplicate so issued shall remain in force for the remainder of the period of validity of the license and/or identity card, unless cancelled earlier, and the duplicate shall bear an endorsement thereon that it is a duplicate.

Chapter III

Constitution And Functions Of Surveyors And Loss Assessors Committee

11. Constitution

.- (1) The Authority shall constitute a Committee to be called "Surveyors and Loss Assessors Committee" (hereinafter referred to as "the Committee"), for assisting the Authority on the matters and affairs relating to Insurance Surveyors and Loss Assessors. (2) The Committee may consist of the following persons:-(i) an Officer of the Authority; (ii) two representatives of the surveyors and loss assessors; (iii) a representative of Insurers; (iv) a representative of the policyholders. (3) The Committee will be for a period of three years and will be presided over by the officer of the Authority.

12. Functions of the Committee

.- (1) The Committee shall perform the following functions:-(i) recommending the syllabus for examination and practical training requirements for persons to qualify as surveyors and loss assessors; (ii) recommending to the Authority for its consideration to recognise foreign qualifications and training for the purposes of grant of license to act as surveyors and loss assessors; (iii) improving and developing the status and standard of the profession of surveyors and loss assessors; (iv) co-ordinating with educational or other institutions, having as their objects, wholly or partly, similar to those of the profession of surveyors and loss assessors, in such manner as may be conducive for the attainment of common objectives; (v) looking into the matters of professional misconduct, indiscipline, non-adherence to code of conduct by surveyors and loss assessors; and dealing with complaints of insured/insurer in respect of survey work done by surveyors and loss assessors; (vi) discharging any other function, which may be entrusted by the Authority, from time to time. (2) The Committee may meet as frequently as necessary to conduct its affairs. (3) The members of the Committee, other than the officer of Authority will be entitled to such allowances as may be determined by the Authority from time to time.

Chapter IV

Duties And Responsibilities Of A Surveyor And Loss Assessor

13.

(1) A surveyor and loss assessor shall, for a major part of the working time, investigate, manage, quantify, validate and deal with losses (whether insured or not) arising from any contingency, and report thereon, and carry out the work with competence, objectivity and professional integrity by strictly adhering to the code of conduct expected of such surveyor and loss assessor. (2) The following shall, inter alia, be the duties and responsibilities of a surveyor and loss assessor:-(i) declaring

whether he has any interest in the subject-matter in question or whether it pertains to any of his relatives, business partners or through material shareholding;Explanation .-For the purpose of this clause "relatives" shall mean any of the relatives as mentioned in Schedule 1-A to the Companies Act, 1956;(ii)maintaining confidentiality and neutrality without jeopardising the liability of the insurer and claim of the insured;(iii)conducting inspection and re-inspection of the property in question suffering a loss;(iv)examining, inquiring, investigating, verifying and checking upon the causes and the circumstances of the loss in question including extent of loss, nature of ownership and insurable interest;(v)conducting spot and final surveys, as and when necessary and comment upon franchise, excess/under insurance and any other related matter;(vi)estimating, measuring and determining the quantum and description of the subject under loss;(vii)advising the insurer and the insured about loss minimisation, loss control, security and safety measures, wherever appropriate, to avoid further losses;(viii)commenting on the admissibility of the loss as also observance of warranty conditions under the policy contract;(ix)surveying and assessing the loss on behalf of insurer or insured;(x)assessing liability under the contract of insurance;(xi)pointing out discrepancy, if any, in the policy wordings;(xii)satisfying queries of the insured/insurer and of persons connected thereto in respect of the claim/loss;(xiii)recommending applicability of depreciation and the percentage and quantum of depreciation;(xiv)giving reasons for repudiation of claim, in case the claim is not covered by policy terms and conditions;(xv)taking expert opinion, wherever required;(xvi)commenting on salvage and its disposal wherever necessary.(3)A surveyor or loss assessor shall submit his report to the insurer as expeditiously as possible, but not later than 30 days of his appointment:Provided that in exceptional cases, the aforementioned period can be extended with the consent of the insured and the insurer.

Chapter V

Categorisation Of Surveyors

14.

(1)A surveyor and loss assessor shall be categorised, as mentioned in sub-regulation (3), based on the following criteria:-(i)professional qualifications;(ii)training undergone;(iii)experience as a surveyor and loss assessor and any other relevant professional experience;(iv)any other criteria, as may be specified by the Authority from time to time.(2)The categorisation shall be done and reviewed from time to time on the basis of a point system evolved by the Authority in consultation with the Committee referred to in Chapter III of these regulations.(3)The categorisation shall consist of allocation of one or more specified departments of insurance business, based on the factors mentioned above and shall include, categorisation of the surveyors and loss assessors into three categories, viz., category A, category B and category C.(4)Every surveyor and loss assessor, whether a company or firm or an individual, shall be eligible to carry on the work as a surveyor or loss assessor, as per the categorisation specified in the license.

Chapter VI

Code Of Conduct

15.

Every surveyor and loss assessor shall-(1)behave ethically and with integrity in the professional pursuits. Integrity implies not merely honesty but fair dealings and truthfulness;(2)strive for objectivity in professional and business judgment;(3)act impartially, when acting on instructions from an insurer in relation to a policyholder's claim under a policy issued by that insurer;(4)conduct himself with courtesy and consideration to all people with whom he comes into contact during the course of his work;(5)not accept or perform survey works in areas for which he does not hold a license;(6)not accept or perform work which he is not competent to undertake, unless he obtains some advice and assistance, as will enable him to carry out the work competently;(7)carry out his professional work with due diligence, care and skill and with proper regard to technical and professional standards expected of him;(8)keep himself updated with all developments relevant to his professional practice;(9)at all times maintain proper record for work done by him and comply with all relevant laws;(10)assist and encourage his colleagues to obtain professional qualifications, and, in this behalf, provide free articleship and/or practical training for a period of twelve months;(11)maintain a register of survey work, containing the relevant information, in Form-IRDA-11 as given in the Schedule to these regulations, and shall keep important records of the survey reports, photographs and other important documents for a period three years and furnish the same and such other specified returns, as and when called for by the Authority or by any investigating authority or the insurer;(12)disclose to all parties concerned his appointment, where the acceptance or continuance of such an engagement may materially prejudice, or could be seen to materially affect the interests of any interested party. As soon as a conflict of interest is foreseen, every surveyor and loss assessor shall notify all interested parties immediately and seek instructions for his continuance;(13)not disclose any information, pertaining to a client or employer or policyholder acquired in the course of his professional work, to any third party, except, where consent has been obtained from the interested party, or where there is a legal right or duty enjoined upon him to disclose;(14)neither use nor appear to use, any confidential information acquired or received by him in the course of his professional work, to his personal advantage or for the advantage of a third party.

Chapter VII

Practical Training

16.

(1)An applicant seeking a license to act as a surveyor and loss assessor shall undergo a period of practical training of not less than twelve months with a surveyor and loss assessor as specified below;(2)The surveyor under whom an applicant will be trained shall belong to category A or category B as classified by the Authority while granting a license;(3)The trainee shall maintain a

record of training received during the period and shall get it certified by the surveyor and loss assessor under whom he has trained and the certificate shall be attached to the application for seeking grant of a license under regulation 3;(4)The license to be granted to an applicant to act as a surveyor and loss assessor shall be in that particular area for which he has been trained;(5)If a surveyor and loss assessor already licensed by the Authority seeks to obtain a similar license or acting as a surveyor in a category other than for which he is licensed, he shall undergo a period of training not less than six months under a surveyor and loss assessor holding either category A or category B license issued by the Authority to act in that particular area.

17.

The Authority may also prescribe the passing by an applicant of an examination on the successful completion of the training prescribed above for the grant of a license under regulation 3. The examination may be conducted either by the Authority itself or by an institution authorised by it in this behalf.

Chapter VIII

Miscellaneous

18. Register of licensed insurance surveyors and loss assessors

.- (1) The Authority shall maintain a register of all licensed insurance surveyors and loss assessors containing the following particulars:-(i)full name, date of birth, domicile, residential and professional address;(ii)the date on which name is entered in the Register;(iii)license number and period of validity;(iv)professional and other qualifications;(v)areas of survey work licensed to be undertaken;(vi)categorisation of the surveyor and loss assessor;(vii)any other particulars as may be prescribed by the Authority from time to time:Provided that in the case of corporate surveyors, the particulars to be entered in the register, shall be with reference to every director or partner, as the case may be.(2)The Authority shall, delete the particulars of surveyors and loss assessors, who are no longer alive, or whose license has been cancelled or suspended.(3)The Authority shall cause the publication of the relevant particulars entered in the register, as may be considered appropriate by it, at such intervals and in such manner, as may be deemed fit.

19. Submission of returns

.-Every licensed surveyor and loss assessor shall:-(a)furnish such of the document, statement, account, return or report, as and when required by the Authority, and comply with such directions, as may be issued by the Authority in this behalf, from time to time; and(b)submit an annual statement in Form-IRDA-12 given in the Schedule to these regulations.

20. Inspection

.- (1) The Authority, may appoint one or more persons as inspecting authority to undertake inspection of survey work, books, records and documents, or to investigate any bona fide complaint received against a surveyor and loss assessor. (2) The inspecting authority shall, as soon as possible, submit an inspection report to the Authority. (3) The inspecting authority shall be given all information demanded by it for the purpose of carrying out inspection/investigation work, and shall be extended all possible co-operation, to facilitate the conduct of its work. (4) The Authority shall, after consideration of the inspection report, communicate the findings of the inspecting authority to the surveyor and loss assessor, and shall also give him a reasonable opportunity of being heard before any action is taken by the Authority on the findings of the inspection report.

21. Power to clarify

.- In case of any doubt or ambiguity in regard to any of these regulations, the same shall be clarified by the Chairperson of the Authority.

Schedule

Insurance Regulatory And Development Authority Form - IRDA - 1-AF [See Regulation 3(1)] Application For A Licence To Act As Surveyor And Loss Assessor

To

The Insurance Regulatory and Development Authority Passport Size Photo (3+1)

Gate No. 3, First Floor, Jeevan Tara Bldg.,

5, Parliament Street, New Delhi-110001.

Telephone No. 23364711

Sir,

1. I request that a licence to act as a Surveyor and Loss Assessor may be granted to me for the following classes.

Depts Fire Mrn Cargo Mrn Hull Engg. Motor Misc. LOP

Please tick

2. I enclose a Demand Draft No. Dated Drawn on towards payment of fees.

3. I hereby declare that:

(i) I have not been found to be of unsound mind by a Court of competent jurisdiction. (ii) I have not been found guilty of criminal misappropriation or criminal breach of trust or cheating or forgery or

of abetment or attempt to commit any such offence by a Court of competent jurisdiction.(iii)I have not been found guilty of or to have knowingly participated in or connived at any fraud/dishonesty or misrepresentation against an insurer or an insured in the course of any judicial proceeding relating to any policy of insurance or the winding up of an insurance company or in the course of any judicial proceeding relating to any policy of insurance or the winding up of an insurance company or in the course of any investigation of the affairs of an insurer.(iv)I shall not violate the code of conduct specified by the regulations made by the Authority.(v)I possess the requisite qualifications and practical training as specified by the regulations made by the Authority.(vi)I have passed such examination as specified by the regulations made by the Authority.(vii)I enclose 4 passport size photographs.(Please also enclose an affidavit affirming clauses (i) to (vi) duly notarised.)

4. I also declare that the particulars given below are true:

(IN BLOCK LETTERS)

- (a)Full Name in (Hindi & English)Shri/Smt./Kum.
- (b)Father's/Husband's Name
- (c)Full Address in Hindi with Pin Code
- (d) Full Address in English with Pin Code
- 5.Qualification
- (a)Academic/professional
- (b)Insurance
- (c)Training attended (Nature-duration)

6. Communication

Phone Office Phone Resi. Fax Pager Mobile E-Mail

7. Date of Birth.....

8. Practical Training Details (Please enclose the certificate of training obtained from the surveyor/survey firm)

Name of Surveyor/Survey Firm	Departments Allocated to the Surveyor/Survey Firm	Category Awarded to the Surveyor/Survey Firm	Period of training undergone (Please mention dates)	Name of person(s) under whom training undertaken	Areas covered	Result

9. Experience:

(a) Whether the applicant is employed with any insurance company:(b) Job Experience in previous employment other than insurance surveyor, if any:(c) Details of other business/employment:

10. Whether the applicant possesses any of the following qualifications: Yes/No.

I also give details and also enclose either the original diploma certificate with one copy each or copies of original diploma duly attested by a Magistrate or Notary Public. (Where original diploma/Certificates are sent they will be returned after perusal but no responsibility can be accepted for loss or damage of such originals): (a) Holds a degree of a recognised University in any branch of Engineering. (b) Is a fellow or associate member of the Institute of Chartered Accountants of India or the Institute of Cost and Works Accountants of India. (c) Actuarial qualifications or holds a degree or diploma of any recognised university or institute in relation to insurance. (d) Holds a diploma in insurance granted or recognised by the Government. (e) Possesses any of the technical qualifications mentioned in Rule-56-A of the Insurance Rules, 1939.

11. (a) Are you employed? If yes, please give details.

(b) Are you under the employment of a Government/Semi-Government Organisation of any other Public Sector Undertaking, Private Organisation? Give details and attach "No Objection Certificate" of your present employer. (c) Experience: Job experience in chronological order of employment.

12. Have you ever held a licence to act as a surveyor and loss assessor? If so, state number and date and attach a photocopy of the Licence No. , SLA date of issue. If the Licence is required in the name of the Sole Proprietorship Firm, full name and address of the firm under which the individual proposes to carry on the work should also be mentioned here.

Yours faithfully.....Signature of the Applicant
Check List

Please ensure:

- (1) Draft in favour of Insurance Regulatory and Development Authority, payable at New Delhi.
- (2) Degree/Diploma attested by Notary/Magistrate only.
- (3) Affidavit of Rs. 10/- duly notarised against S. No. 3 of the application form is a must.
- (4) Self addressed envelop of 4.5" x 10" with Rs.25/- postage stamps.
- (5) Please enclose attested documents in response to Q. No.'s 5, 8, 9, 10 & 11 the answers to which are a must.
- (6) Please attach 4 passport size photographs with the application.

Notes:

- 1. The attention of the applicant is drawn to Section 102 of the Insurance Act, 1938, which provides that whoever in any document required for the purpose of any of the provisions of the Act, rules or regulations made thereunder, fails to furnish the same shall be liable to a penalty not exceeding Rs. 5 lakhs for each such failure and punishable with fine.**
- 2. An individual can apply for only one licence, which will entitle him to act as a Surveyor and Loss Assessor for any insurer.**
- 3. Any correction or alteration made in answer to the questions in the application should be initialed by the applicant.**
- 4. An applicant must be atleast 18 (eighteen) years of age on the date of submission of the application. In the case of any applicant declaring him at is 18 years the exact date of birth of falling in the year or birth should be stated against item 4 of the application. If require the applicant shall furnish proof age.**
- 5. The fee as specified in the Regulation should be paid by means of Account Payee Demand Draft in favour of Insurance Regulatory and Development Authority, New Delhi drawn on the Indian Overseas Bank, Parliament Street Branch, New Delhi.**

Fee Structure: The following scale of fees shall be payable to IRDA from the fresh applicants for grant of licence :

S.No.	Category of surveyor and loss assessor	Amount payable for Individuals (Rupees)
1.	A	Ten Thousand
2.	B	Seven Thousand five hundred
3.	C	Five Thousand

6. If the fee is made for a category of surveyor and loss assessor licence which involves payment of higher sum of money and the Authority grants a licence whose category involves payment of lower fees the Authority shall refund the balance to the applicant within a reasonable period of time through a crossed cheque in favour of the applicant.

7. The application complete in all respect alongwith bank draft and the certificates attested by a Magistrate or a Notary Public should be forwarded by the applicant to the following address by Registered Post-

The Insurance Regulatory and Development Authority Gate No. 3, First Floor, Jeevan Tara Building

5.

, Parliament Street, New Delhi-110001. Telephone No. 3364711 Enquiry Between 1500 hrs. to 1600 hrs. As the licence is issued bilingual viz., in Hindi and English, the applicant may like to indicate how he spells his name in Hindi. It is therefore, requested that the name and address may be written both in Hindi & English.

8. Payment in Cash or by Money Order, Cheque, Postal Order, Postage or Insurance Stamp is not accepted and will be returned at applicant's cost.

9. No acknowledgement of this application will be sent. If one is required the application should be sent by registered post (acknowledgement due).

10. An affidavit of duly notarised on non-judicial stamp paper is required to be furnished for both fresh and renewal of licences in the form of a declaration as contained against Sl. No. of 3 of the application form.

Insurance Regulatory And Development Authority Form - IRDA - 2-LF [See Regulation 3(3)] Not Transferable

License No.

Passport
Size Photo

LICENSE TO ACT AS A SURVEYOR AND LOSS ASSESSOR UNDER THE
INSURANCE ACT, 1938

Mr./Mrs./Miss.....

Address House No..... Street.....

Town/District..... State..... Pin code.....

*working as sole proprietor of having paid the specified fee and having made the necessary declaration is hereby authorised under Section 64-UM of the Insurance Act, 1938 to act as surveyor and loss assessor for a period of five years from This Licence will expire on..... Name..... is allocated the following departments and category :

Depts Fire Mrn Cargo Mrn Hull Engg. Motor Misc. LOP

Category

New Delhi, dated the..... 20..... Signature of the Licence

holder..... Designated Person Insurance

- 1. If it is desired to renew this licence for a further period, the procedure stated in the Regulations shall be followed, and an application for renewal should reach the Authority atleast thirty days before the licence expires.**
- 2. This licence authorises the licence holder to act as a surveyor and loss assessor for any registered insurer and therefore, no identifying mark or note of any description by which the identity of an insurer might be established should be placed on the licence.**
- 3. No correction in this licence shall be valid unless initialled by the Designated Person of the Authority.**

Insurance Regulatory And Development AuthorityForm - IRDA-3-AF[See Regulation 4(2)]Application From A Firm Or Company For A Licence To Act As A Surveyor And Loss AssessorTo>The Insurance Regulatory and Development AuthorityGate No. 3, First Floor, Jeevan Tara Bldg.,

5.

, Parliament Street, New Delhi-110001.Tel. 23364711.Dear Sir,It is requested that a licence to act as a Surveyor and loss assessor may be granted to our Firm/Company for the following departments and category.

Depts Fire MrnCargo MrnHull Engg. Motor Misc. LOP

Please tick

1. The receipt No.dated.....from.....showing payment of fees of Rs.is enclosed.

2. It is hereby declared that-

(i)no director/partner of our Company/Firm has been found to be of unsound mind by a Court of competent jurisdiction;(ii)no director/partner of our Company/Firm has been found guilty of criminal misappropriation or criminal breach of trust, or cheating or forgery, or an abetment of or attempt to commit any such offence by a Court of competent jurisdiction;(iii)no director/partner of our Company/Firm has been found guilty of or to have knowingly participated in or connived at any fraud, dishonesty or misrepresentation against an insurer or an insured in the course of any judicial proceedings relating to any policy of insurance or the winding up of an insurance company or in the course of an investigation of the affairs of an insurers;(iv)no director/partner of our Company/Firm is a minor.(v)no director/partner of our Company/Firm shall violate the code of conduct specified

by the regulations made by the Authority;(vi)all director(s)/partner(s) of our Company/Firm possess the requisite qualifications and practical training as specified by the regulations made by the Authority.(vii)all director(s)/partner(s) persons of our Company/Firm have passed such examination as specified by the regulations made by the Authority.

1.Full name of the applicant

(In Block Letters in Hindi & English)

1. Company/Firm _____

2. Full Address

(In Hindi & English)

2. _____

3. The names of all the directors/partners, with their addresses stating in each case the date of birth and whether they claim to:-

3. _____

(a) have been in practice as a surveyor/loss assessor on the 31st May, 1970, or

(a) _____

(b) hold a degree of a recognised university in any branch of engineering, or

(b) _____

(c) be a fellow or associate member of the Institute of Chartered Accountants of India or Institute of Cost and Works Accountants of India, or

(c) _____

(d) possess actuarial qualifications or hold a degree or diploma of any Indian University or Institute in relation to insurance, or

(d) _____

(e) hold a diploma in insurance granted or

Institute in relation to insurance, or recognized by the Government, or

(e) _____

(f) possess any of the technical qualifications mentioned in Rule 56-A.

(f) _____

(N.B. 1. - In the case of each of the partners/directors claiming to come under item (a) above and not being eligible to come under any of the items (b) to (f) above, a declaration as given in the Insurance Rules, 1939 and sworn before a Magistrate or Notary Public should be forwarded and in the case of each of the partners/Directors claiming to come under any one of the items (b) to (f) above, either the original diplomas/certificates with one of the attested copy each, or copies of the original diplomas/certificates duly attested by a Magistrate or Notary Public should be enclosed. Where original diplomas/certificates are sent, they will be returned after perusal, but no responsibility can be accepted for loss or damage of such originals.N.B. 2. - Where a director/partner does not already hold a licence then an application from such a person should accompany this application.(If the space above is insufficient particulars may be given in a separate sheet which should be signed by the applicant)

4. The individual details of all the directors/partners in the Company/Firm be enclosed as per FORM-IRDA-3A-AF attached.

5. Did the Firm/Company ever hold a licence, if so state number and date of issue.....

Yours faithfully,.....Signature of applicant(Designation)Name of Firm/company.....Seal of the Company/FirmName of place.....Dated.....(See Notes on the reverse)Check List

Please ensure:

- 1) Draft in favour of Insurance Regulatory and Development Authority, payable at New Delhi.
- 2) Degree/Diploma attested by Notary/Magistrate only.
- 3) Affidavit of Rs. 10/- duly notarised against S. No. 3 of the application form is a must.
- 4) Self addressed envelop of 4.5" x 10" with Rs.25/- postage stamps.
- 5) Please enclose FORM-IRDA-3A-AF complete in all respect along with attested photocopies of the documents

Notes:

1. The attention of the applicant is drawn to Section 102 of the Insurance Act 1938, which provides that whoever in any document required for the purpose of any of the provisions of the Act, rules or regulations made thereunder, fails to furnish the same, shall be liable to a penalty not exceeding Rs 5 lakhs for each such failure and punishable with fine.

2. A firm or company can apply for only one licence which will entitle it to act as a surveyor and loss assessor.

3. Any correction or alteration made in the application should be initialled by the applicant.

4. A fee as specified in the regulations should be paid by means of Account Payee Demand Draft in favour of Insurance Regulatory and Development Authority, New Delhi drawn on Indian Overseas Bank, Parliament Street Branch, New Delhi.

Fee Structure : - The following scale of fees shall be payable to the Authority from the fresh applicants for grant of licence.

Sl.No.	Category of surveyor and loss assessor	Amount payable by Companies/Firms(Rupees)
--------	----------------------------------------	-------------------------------------------

1. A Twenty Five Thousand
2. B Twenty Thousand
3. C Fifteen Thousand

5. Payment in Cash or by Money Order, Cheque, Postal Order, Postage or Insurance Stamp is not accepted and will be returned at applicant's cost.

6. If the fee is made for a category of surveyor and loss assessor licence which involves payment of higher sum of money and the Authority grants a licence whose category involves payment of lower fees the Authority shall refund the balance to the applicant within a reasonable period of time through a crossed cheque in favour of the applicant.

7. The application complete in all respects alongwith Account Payee Demand Draft should be forwarded by the applicant to the following address:

The Insurance Regulatory and Development Authority Gate No. 3, First Floor, Jeevan Tara Building,

5.

, Parliament Street, New Delhi-110001

8. No acknowledgement of this application will be sent. If one is required the application should be sent by registered post (acknowledgement due).

9. An affidavit on non-judicial stamp paper is required to be furnished for fresh licence in the form of a declaration as contained in Sl. No. 3 of the application form.

Insurance Regulatory And Development Authority Form-IRDA-3A-AF[See Sl.No. 4 of Form-IRDA-3-AF]To be filled in by every director/partner of the Company/Firm

1. Name :
2. Date of Birth : Passport size photo (3+1)
3. Current License No. & Date of Expiry :
4. Nationality :
5. Qualification (of the director/partner of Company/Firm)
- (a) Academic/professional :

(b)Insurance :
 (c)Training attended (nature-duration) :

6. Communication

Phone Office Phone Res. Fax Pager Mobile E-mail

7. Date of Birth of the director/partner of the Company/Firm :

.....

8. Practical Training Details of the director/partner of the Company/Firm. (Please enclose the certificate of training obtained from the surveyor/survey firm)

Name of Surveyor/Survey firm	Departments Allocated to the Surveyor/Survey Firm	Category Awarded to the Surveyor/Survey Firm	Period of training undergone (Please mention dates)	Name of person(s) under whom training undertaken	Areas covered	Result
------------------------------------	------------------------------------------------------------	-------------------------------------------------------	--------------------------------------------------------------------	--------------------------------------------------------------	------------------	--------

9. Experience :

(a)Whether the director/partner of the Company/Firm was employed with any insurance company
 (If so, give details):.....(b)Job experience of the director/partner of the Company/Firm (if
 applicable) in previous employment other than insurance surveyor, if any:.....(c)Details of
 other business/employment:.....I, solemnly declare and confirm
 that the particulars given above are true to the best of my knowledge and
 belief.Signature.....Name.....Date.....Insurance Regulatory
 And Development AuthorityForm-IRDA-4-LF[See Regulation 4(3)]Not TransferableInsurance
 Regulatory and Development AuthorityLicence No.Licence To Act As A Surveyor And
 Loss Assessor Under The Insurance Act, 1938Name.....Address: House No.
 Street.....Town/District StatePin code.... having paid the specified fee and having made
 the necessary declaration is hereby authorised under Section 64-UM of the Insurance Act, 1938 to
 act as surveyor and loss assessor for five years from.....This Licence will expire
 on.....Name.....are allocated the following departments and
 category :

Depts Fire MrnCrgo MrnHull Engg. Motor Misc. LOP
 Category

New Delhi, dated the..... 20Designated
 PersonInsurance Regulatory and Development AuthoritySeal of the Firm/Company(See Notes on

the reverse)Notes :

- 1. If it is desired to renew this licence for a further period, the procedure stated in the Regulations shall be followed, and an application for renewal should reach the Authority atleast thirty days before the licence expires.**
- 2. This licence authorises the licence holder to act as a surveyor and loss assessor for any registered insurer and therefore, no identifying mark or note of any description by which the identity of an insurer might be established should be placed on the licence.**
- 3. No correction in this licence shall be valid unless initialled by the Designated Person of the Authority.**

Insurance Regulatory And Development Authority Form-IRDA-5-AF[See Regulation 7 (1)]Application For Renewal Of A Licence To Act As Surveyor And Loss Assessor

Sh./Smt./Kumari :
Name of surveyor/Loss Assessor : Passport size photo (3+1)
(in Hindi & English) :
Full Address :
(in Hindi & English)
working as sole-proprietor of :
|

ToDear Sir,

- 1. I request that the above licence may be renewed for a further period of five years.**
- 2. I enclosed Demand Draft No. Dated on showing the payment of fee.**
- 3. I declare that since the date of my last application for licence (affidavit on non judicial paper - duly notarised)-**

(i)I have not been found to be unsound mind by a Court of competent jurisdiction.(ii)I have not been found guilty of criminal misappropriation or criminal breach of trust or cheating or forgery of an abetment of or attempt to commit any such offence by a Court of Competent jurisdiction.(iii)I have not been found guilty of or to have knowingly participated in or connived at any

fraud/dishonesty or made any misrepresentation against an insurer or an insured in the course of any judicial proceeding relating to a policy of insurance or the winding up of any investigation of the affairs of an insurer.(iv)My licence has not been cancelled at any time by the Controller of Insurance/Insurance Regulatory and Development Authority.(v)I declare that I continue to hold the qualification on the basis of which my licence mentioned above was issued.(vi)An undertaking on performance report showing survey work done by me during the last 5 years of the validity period indicating total number of survey work, and amount involved in each category of cases, year-wise and company-wise is enclosed.(vii)In addition to surveyor's work, I am also engaged on other occupations, the details of which are given below:Or I am not engaged in any other occupation.(viii)I have not violated the code of conduct of the Authority.(ix)I have not contravened any of the provisions of the IRDA Act, 1999, Insurance Act, 1938, Rules and Regulations made thereunder including any order or directions issued by the Authority or any of its designated persons;(x)I have not made a statement which is false in material particulars with regard to my eligibility for the licence or renewal thereof or in any of the activities transacted by me or the matters connected therewith as a Surveyor and Loss Assessor.(xi)I have neither attracted the disqualification provisions referred to in the Insurance Act, 1938 nor violated the code of conduct; and(xii)I have performed the duties & responsibilities as a professional; and(xiii)I enclose 4 passport size photographs.

3. Whether the applicant has been in practice as a Surveyor and Loss Assessor on the 31st May, 1970 (say Yes or No) If answer is in affirmative and the applicant does not possess any of the qualifications stated in Insurance Act, 1938 and rules and regulations made thereunder the applicant must make a declaration as given in the Insurance Rules, 1939 and duly sworn before a Magistrate or a Notary Public.

4. I also declare that the facts stated herein are true.

5. In case license is submitted after expiry upto a maximum period of six months, the license fee will be Rs. 200 with a penalty of Rs. 750 (alongwith photocopy of qualification duly attested by notary. See

Serial No. 4 of the application Notes).Yours faithfully,.....Signature of the ApplicantDated.....CHECK LIST

Please ensure:

- (1) D.D. in favour of Insurance Regulatory and Development Authority, payable at New Delhi.
- (2) Copy of previous licence.
- (3) Qualification copy.
- (4) Affidavit.
- (5) Work performance report.

(6) Self-addressed envelope size 4.5" x 10" with Rs.17/- postage stamps.

(7) 4 no.'s passport size photographs.

Notes:

1. The attention of the applicant is drawn to Section 102 of the Insurance Act 1938, which provides that whoever in any document required for the purpose of any of the provisions of the Act, rules or regulations made thereunder, fails to furnish the same, shall be liable to a penalty not exceeding Rs 5 lakhs for each such failure and punishable with fine.

2. That name and the Licence Number given in the application should be identical with those shown in the Licence held. If there is any subsequent change in the name, the reasons for the same should be stated furnishing documentary evidence for the same.

3. Any correction or alteration made in answer to the questions in the application should be initialled by the applicant.

4. The application should reach the Authority atleast thirty days before the expiry of the licence.

5. A fee of Rs. 200/- should be paid by means of Account Payee Demand Draft in favour of Insurance Regulatory and Development Authority, New Delhi drawn on Indian Overseas Bank, Parliament Street Branch, New Delhi.

6. If the fee is made for a category of surveyor and loss assessor licence which involves payment of higher sum of money and the Authority grants a licence whose category involves payment of lower fees the Authority shall refund the balance to the applicant within a reasonable period of time through a crossed cheque in favour of the applicant.

7. The application complete in all respect along with bank draft and the certificates attested by a Magistrate or a Notary Public should be forwarded by the applicant to the following address by Registered Post;

The Insurance Regulatory and Development Authority Gate No. 3, First Floor, Jeevan Tara Building

5.

, Parliament Street, New Delhi-110001.Tel. No. 3364711.Enquiry Between 1500 hRs. and 1600 hRs.

8. Payment in Cash or by Money Order, Cheque, Postal Order, Postage or Insurance Stamp is not accepted and will be returned at applicant's cost.

9. No acknowledgement of this application will be sent. If one is required the application should be sent by registered post (acknowledgement due).

10. An affidavit duly notarised on non-judicial stamp paper is required to be furnished for renewal of licences in the form of a declaration as contained against Sl. No. of 3 of the application form.

Insurance Regulatory And Development AuthorityForm-IRDA-6-AF[See Regulation 7(1)]Application From A Firm Or Company For Renewal Of A Licence To Act As A Surveyor And Loss AssessorFromName of the Applicant

.....
Block Letters in Hindi & English)Full Address

.....
Block Letters in Hindi & English)ToThe Insurance Regulatory and Development AuthorityGate No. 3, First Floor, Jeevan Tara Building,

5.

, Parliament Street, New Delhi-110001Tel. 23364711Licence No.

.....Department allocated.....Category

..... I.D. Card No. Date of Expiry

.....Dear Sir,It is requested that the above licence may be renewed for a further period of five years for the following classes of insurance.

Depts Fire MrnCargo MrnHull Engg. Motor Misc. LOP

Please tick

2. The receipt No.dated.....from.....showing payment of fees of Rupees is enclosed.

3. It is hereby declared that-

(i)no Director/Partner of our Company/Firm has been found to be of unsound mind by a Court of competent jurisdiction;(ii)no Director/Partner of our Company/Firm has been found guilty of criminal misappropriation or criminal breach of trust, or cheating or forgery, or an abetment of or

attempt to commit any such offence by a Court of competent jurisdiction;(iii)no Director/Partner of our Company/Firm has been found guilty of or to have knowingly participated in or connived at any fraud, dishonesty or misrepresentation against an insurer or an insured in the course of any judicial proceedings relating to any policy of insurance or the winding up of an insurance company or in the course of an investigation of the affairs of an insurers;(iv)no director/partner of our Company/Firm is a minor;(v)no director/partner of our Company/Firm shall violate the code of conduct specified by the regulations made by the Authority;(vi)all director(s)/partner(s) of our Company/Firm possess the requisite qualifications and practical training as specified by the regulations made by the Authority; and(vii)all director(s)/partner(s) of our Company/Firm have passed such examination as specified by the regulations made by the Authority.

4. It is declared that each one of the partners/Directors of the firm who was a partner/Director when the above mentioned licence was issued and who is now a partner/Director continues to satisfy the requirements of clause (D) of subsection (1) of Section 64-UM of the Act.

5. It is also declared that the particulars given below are true.

6. The names of all the director(s)/partner(s), with their addresses, are given below, stating in each case the date of birth and whether the partner or Director or employee claims to :-

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| (a) have been in practice as a surveyor/loss assessor on the 26th October, 1968, or | (a)_____ |
| (b) hold a degree of a recognised university in any branch of engineering, or | (b)_____ |
| (c) be a fellow or associate member of the Institute of Chartered Accountants of India or Institute of Cost and Works Accountants of India, or | (c)_____ |
| (d) possess actuarial qualifications or holds a degree or diploma of any Indian University or Institute in relation to insurance, or | (d)_____ |
| (e) hold a diploma in insurance granted or recognized by the Government, or | (e)_____ |
| (f) possess any of the technical qualifications mentioned in Rule 56-A. | (f)_____ |

(N.B. - In the case of each of the director/partner who was not a partner/Director on the date of last application for licence:-(i)where he claims to come under item (a) above, and is not eligible to come under any of the items (b) to (f) above, a declaration as given in the Insurance Rules, 1939 and sworn before a Magistrate or a Notary Public should be forwarded with this form; and(ii)where the claims to come under any one of the items (b) to (f) above, either the original diplomas/certificates

with one of the attested copy each, or copies of the original diplomas/certificates duly attested by a Magistrate or Notary Public should be enclosed. Where original diplomas/certificates are sent, they will be returned after perusal, but no responsibility can be accepted for loss or damage of such originals).

7. The individual details of all new director/partner in the Company/Firm be enclosed as per FORM-IRDA-6A-AF attached.

Yours faithfully,.....Signature of the Applicant(Designation)Name of Firm/company.....Seal of the Company/FirmName of place.....Dated.....(See Notes on the reverse)CHECK LIST

Please ensure:

- 1) Draft in favour of Insurance Regulatory and Development Authority, payable at New Delhi.
- 2) Copy of previous licence.
- 3) Degree/Diploma attested by Notary/Magistrate only for new directors/partners of the company/firm.
- 4) Affidavit of Rs. 10/- duly notarised against S.No. 3 of the application form is a must.
- 5) Self addressed envelop of size 4.5" x 10" with Rs. 17/- postage stamps.
- 6) Work Performance report
- 7) Please enclose FORM-IRDA-6A-AF complete in all respect along with attested photocopies of the documents in respect of all new director/partners/employees of the company/firm.

Notes:

1. The attention of the applicant is drawn to Section 102 of the Insurance Act 1938, which provides that whoever in any document required for the purpose of any of the provisions of the Act, rules and regulations made thereunder, fails to furnish the same, shall be liable to a penalty not exceeding Rs 5 lakhs for each such failure and punishable with fine.

2. The name and the Licence number given in the application should be identical with those shown in the licence held. If there is any subsequent change in the name, the reason for the same should be stated furnishing documentary evidence for the same.

3. Any correction or alteration made in the application should be initialled by the applicant.

4. The application should reach the Authority atleast thirty days before the expiry of the licence.

5. A fee of Rs. 200/- should be paid by means of Account Payee Demand Draft in favour of Insurance Regulatory and Development Authority, New Delhi drawn on Indian Overseas Bank, Parliament Street Branch, New Delhi.

6. Payment in Cash or by Money Order, Cheque, Postal Order, Postage or Insurance Stamp is not accepted and will be returned at applicant's cost.

7. If the fee is made for a category of surveyor and loss assessor licence which involves payment of higher sum of money and the Authority grants a licence whose category involves payment of lower fees the Authority shall refund the balance to the applicant within a reasonable period of time through a crossed cheque in favour of the applicant.

8. The application complete in all respects alongwith crossed Demand Draft should be forwarded by the applicant to the following address:

The Insurance Regulatory and Development Authority Gate No. 3, First Floor, Jeevan Tara Building,

5.

, Parliament Street, New Delhi-110001.

9. No acknowledgement of this application will be sent. If one is required the application should be sent by registered post (acknowledgement due).

10. An affidavit on non-judicial stamp paper is required to be furnished for fresh licence in the form of a declaration as contained in Sl. No. 3 of the application form.

Insurance Regulatory And Development Authority Form-IRDA-6A-AF[See Sl.No. 7 of Form-IRDA-6-AF]To be filled by every director/partner of the Company/Firm

- | | | | |
|-----------------------------------------|---|-------|------------------------------|
| 1. Name | : | | |
| 2. Date of Birth | : | | Passport size
photo (3+1) |
| 3. Current License No. & Date of Expiry | : | | |

- 4.Nationality :
- 5.Qualification (of the new partner of the firm/new directors of the company)
- (a)Academic/professional :
- (b)Insurance :
- (c)Training attended (nature-duration) :