

BEFORE A PARTNERSHIP OR CORPORATION MAY ACCEPT IN ITS OWN NAME COMPENSATION FOR ACTING AS AN AGENT OR BROKER IN THE STATE, THE PARTNERSHIP OR CORPORATION MUST OBTAIN:

(1) A CERTIFICATE OF QUALIFICATION IN THE KIND OR SUBDIVISION OF INSURANCE FOR WHICH THE PARTNERSHIP OR CORPORATION INTENDS TO ACT AS AN AGENT OR BROKER; AND

(2) AN APPOINTMENT FOR THE KIND OR SUBDIVISION OF INSURANCE FOR WHICH IT INTENDS TO ACT AS AGENT.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former Art. 48A, § 167(a). It is rephrased to state affirmatively that except as otherwise provided in this article, before a person acts as an agent, the person must obtain a certificate of qualification and appointment.

Subsections (b) and (d) of this section are new language derived without substantive change from former Art. 48A, §§ 167(c)(1), (2), and (3) and 168(e)(1).

Subsection (c) of this section is new language derived without substantive change from former Art. 48A, § 167(b). It is rephrased to state affirmatively that before a person acts as a broker, the person must obtain a certificate of qualification.

In the introductory language of subsection (a), in subsection (c), and in the introductory language of subsection (d) of this section, the phrase "in the State" is added for clarity and to conform to comparable provisions in other revised articles of the Code.

In subsections (a)(1), (c), and (d)(1) of this section, the former references to a "particular" kind of insurance are deleted as surplusage.

In subsection (b)(1) of this section, the former word "valid", which modified "appointment", is deleted as surplusage.

In subsection (b)(2)(i) and (ii) of this section, the former words "valid and effective" which modified the terms "certificate of qualification" and "certificate of authority", are deleted as surplusage.

Also in the introductory language of subsection (d) of this section, the former references to "commissions" and "fees" are deleted in light of the general reference to "compensation".

In subsection (d)(2) of this section, the reference in former Art. 48A, § 168(e)(1) to a partnership or corporation obtaining an appointment as a "broker" is deleted as erroneous since only agents are required to obtain appointments.