

QUALIFIED agent, provided that such salaried officer or employee receives no commission or other compensation directly dependent upon the amount of business obtained;

(3) Any person who secures and forwards information for the purpose of group insurance coverage or for enrolling individuals under group insurance coverages or issuing certificates thereunder where no commission is paid for such services.

(b) An "independent agent" means an agent as defined in subsection (a) of this section and:

(1) Who is not owned or controlled by any insurer or group of insurers;

(2) Whose [agency agreement] APPOINTMENT does not prohibit the representation of more than one insurer or group of insurers; and

(3) Whose [agency agreement] APPOINTMENT provides that at [the] termination [of the agency] the agent's records shall remain the property of the agent, and that the agent retains the use and control of all expirations incurred during the agency.

A person or corporation other than an independent insurance agent may not be represented to the public as an independent agent.

(c) A "broker" is a person who for compensation in any manner solicits, procures or negotiates insurance contracts or the renewal or continuance thereof, on behalf of insureds or prospective insureds other than himself and not on behalf of an insurer or agent.

(D) A "CERTIFICATE OF QUALIFICATION" OR "CERTIFICATE" IS A DOCUMENT ISSUED BY THE STATE ATTESTING THAT AN AGENT OR BROKER HAS MET THE STANDARDS SET FORTH UNDER THIS SUBTITLE TO ACT AS AN AGENT OR BROKER IN THIS STATE.

(E) AN "APPOINTMENT" IS AN AGREEMENT BETWEEN AN AGENT AND AN INSURER UNDER WHICH THE AGENT MAY SOLICIT, NEGOTIATE, MAKE, OR PROCURE INSURANCE POLICIES, FOR COMPENSATION, WHICH ARE ISSUED BY THE APPOINTING INSURER OR INSURERS.

(F) THE TERM "QUALIFIED" WHEN USED IN THIS ARTICLE MEANS AN AGENT WHO HAS OBTAINED A CERTIFICATE AND AN APPOINTMENT UNDER § 167(A) OF THIS ARTICLE, AND A BROKER WHO HAS OBTAINED A CERTIFICATE UNDER § 167(B) OF THIS ARTICLE.

167.

(a) [No person shall in this State] A PERSON MAY NOT act as [or hold himself out to be an agent or broker, nor shall any