

11 NCAC 12 .0443 QUALIFICATION: FOR THE SALE OF VARIABLE LIFE INSURANCE

(a) Qualifications to Sell Variable Life Insurance

- (1) No person may sell or offer for sale in this state any variable life insurance policy unless such person is an agent and has filed with the commissioner, in a form satisfactory to the commissioner, evidence that such person holds any license or authorization which may be required for the solicitation or sale of variable life insurance by any federal or state securities law.
- (2) Any examination administered by the department for the purpose of determining the eligibility of any person for licensing as an agent shall, after the effective date of this Regulation, include such questions concerning the history, purpose, regulation, and sale of variable life insurance as the commissioner deems appropriate.

(b) Reports of Disciplinary Actions. Any person qualified in this state under this article to sell or offer to sell variable life insurance shall immediately report to the commissioner:

- (1) any suspension or revocation of his agent's license in any other state or territory of the United States;
- (2) the imposition of any disciplinary sanction, including suspension or expulsion from membership, suspension, or revocation of or denial of registration, imposed upon him by any national securities exchange, or national securities association, or any federal, state, or territorial agency with jurisdiction over securities or variable life insurance;
- (3) any judgment or injunction entered against him on the basis of conduct deemed to have involved fraud, deceit, misrepresentation, or violation of any insurance or securities law or regulation.

(c) Refusal to Qualify Agent to Sell Variable Life Insurance; Suspension, Revocation, or Nonrenewal of Qualification. The commissioner may reject any application or suspend or revoke or refuse to renew any agent's qualification to sell or offer to sell variable life insurance upon any ground that would bar such applicant or such agent from being licensed to sell other life insurance contracts in this state. The rules governing any proceeding relating to the suspension or revocation of an agent's license shall also govern any proceeding for suspension or revocation of an agent's qualification to sell or offer to sell variable life insurance.

*History Note: Authority G.S. 58-2-40(1); 58-7-95;
Eff. January 1, 1978;
Readopted Eff. September 26, 1978;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*