

Notification of the Office of Insurance Commission

**Re: Individual Loss Adjusters Training Course & Examination, as well as Criteria and Conditions for Accreditation of the Training & Examination Associations or Institutions
B.E. 2564 (2021)**

By virtue of Clause 6 (5) (a) 1), 2), and 3) of the Notification of the Office of Insurance Commission, Re: Criteria, Procedures, and Conditions for an Initial or Renewed Loss Adjuster License Application, as well as a Loss Inspection and Adjustment B.E. 2562 (2019), the Office prescribes this Notification as follows:

Clause 1 This Notification shall be called the “Notification of the Office of Insurance Commission Re: Individual Loss Adjusters Training Course & Examination, as well as Criteria and Conditions for Accreditation of Training & Examination Associations or Institutions, B.E. 2564 (2021)”.

Clause 2 This Notification shall take effect as from the date of its publication onwards.

Clause 3 In this Notification:

“Office” means the Office of the Insurance Commission;

“Training & Examination Agency” means an association or institution accredited by the Office as the agency offering individual loss adjusters trainings and examinations.

Section 1

Individual Loss Adjusters Training Courses and Examinations

Clause 4 A individual loss adjuster shall complete a training of at least twelve hours, and pass an examination on the following subjects:

(1) at least one hour of training on the roles and duties of individual loss adjusters;

(2) at least two hours of training on the professional ethics for individual loss adjusters;

(3) at least three hours of training on the laws applicable to individual loss adjusters;

(4) at least three hours of training on the principles of property loss inspection and adjustment and format for report;

(5) at least three hours of training on principles of insurance and overview of insurance products.

Clause 5 Examinations for subjects listed in Clause 4 may be conducted by either objective or subjective examinations.

Clause 6 The examination result of at least a sixty percent mark in each subject listed in Clause 4 shall be regarded as a passing score.

An applicant having completed a training but failed an examination in any of the subjects listed in Clause 4 shall retake an examination in that subject until the passing score is achieved.

Clause 7 Any act of cheating in an examination, or colluding to cheat in an examination, or having another person take an examination in an applicant's place and stead shall be regarded as having a record of irresponsibility due to a misconduct, corrupt practice, dishonesty and unfairness pursuant to the Notification of the Office of Insurance Commission Re: Criteria, Procedures, and Conditions for an Initial or Renewed Loss Adjuster License Application, as well as a Loss Inspection and Adjustment.

A person cheating in an examination, a person taking an examination in another person's place and stead, or any person colluding to cheat in an examination pursuant to paragraph one shall be disqualified from applying to take any individual loss adjusters examination for a period of five years from the date of having committed such act.

In the case of a person taking an examination in another person's place and stead or a person colluding to cheat in an examination pursuant to paragraph one that is currently an individual loss adjuster, such person shall be deemed a disqualified as an individual loss adjuster.

Section 2

Organising Trainings and Examinations

and Application for Accreditation of Training & Examination Agency

Clause 8 Trainings and examinations on the subjects listed in Clause 4 shall be organised by:

- (1) the Office;
- (2) an association or institution accredited by the Office as the Training & Examination Agency of individual loss adjusters.

Clause 9 Any association or institution pursuant to Clause 8 (2) intending to be accredited by the Office as an agency for training and examination on those subjects listed in Clause 4 shall possess the following qualifications:

- (1) having a person responsible for an operation relating to organising trainings and examinations, who graduated with at least a bachelor's degree and has work experience in the loss adjusting business, non-life insurance business, or any other related business for at least five years;

(2) having at least five instructors with the following qualifications at a minimum:

(a) having graduated with at least a bachelor's degree;

(b) having work experience as an individual loss adjuster of physical damage to property, or in a non-life insurance business, or any other related business for at least five years;

(c) having experience in giving lectures on physical damage to property loss adjustment or non-life insurance;

(3) maintaining appropriate premises, devices, and equipment for the intended trainings.

Clause 10 An association or institution pursuant to Clause 8 (2) with such qualifications listed in Clause 9, intending to organise trainings and examinations on the subjects listed in Clause 4 shall submit an application for the Office's accreditation of its status as a Training & Examination Agency, along with the following documents and evidence:

(1) details, information, and evidence relating to the association or institution;

(2) details of operation in relation to organising trainings and examinations;

(a) policy guidelines and practice guidelines for organising the trainings;

(b) charts entailing operating procedures, work systems, technologies to be applied in the trainings and examinations, that shall comprise the following details of procedures and systems at a minimum:

1) a system for taking training and examination enrolments;

2) a system for disseminating a list of persons eligible for the trainings and examinations;

3) a system for supervision, inspection, and selection of instructors;

4) a work system for monitoring, inspection, and ensuring due compliance with the specified policy and practice guidelines for organising trainings and examinations, e.g., curriculum and instructor's lecture quality control system, training and examination applicant's attendance verification system, training and examination applicant's identity verification system, training and examination historical record system.

5) efficient process of delivering required information to the Office and related parties in accordance with the forms and procedures prescribed or

approved by the Office, including a system for mitigating any potential risks associated with such process.

(3) details of the premises for organising the trainings and examinations, entailing at a minimum:

- (a) location;
- (b) usable space;
- (c) devices and equipment readily available and appropriate for organising the trainings;

(4) details of personnel involved in organising the trainings and examinations, entailing at a minimum:

- (a) structure of the association's or institution's operational units for the trainings and examinations;
- (b) duties and responsibilities of personnel in the association's or institution's operational units for the trainings and examinations;
- (c) list of names and profiles of the persons being assigned with responsibilities in the association's or institution's operation of organising the trainings and examinations, and possessing the characteristics in accordance with Clause 9 (1).
- (d) list of names and profiles of the instructors possessing the qualifications pursuant to Clause 9 (2).

Clause 11 As a prerequisite for organising any trainings and examinations on the subjects listed in Clause 4, a Training & Examination Agency pursuant to Clause 8 (2) shall obtain the Office's approval, by submitting an application for approval of its annual plan for organising trainings and examinations, curriculum details, examination sheets, venue of the trainings and examinations, including a list of instructors with knowledge and expertise, for the Office's review at least thirty days in advance. In this regard, a training agency may not organise any trainings on the subjects listed in Clause 4 until it has been granted the Office's approval. In granting approvals, the Office may do so with any specified conditions.

Clause 12 Any Training & Examination Agency's intended amendments, adjustments, or changes to its annual plan for organising trainings and examinations, or curriculum details shall be submitted to the Office for review at least fifteen days prior to proceeding with any trainings and examinations in accordance with such intended amendments, adjustments, or changes.

Clause 13 Any training and examination organised without the Office's prior approval pursuant to this Notification shall not be regarded as the training and examination under this Notification.

Section 3

Organising Trainings and Examinations

Clause 14 A Training & Examination Agency with respect to the subjects listed in Clause 4 shall maintain its preparedness in organising trainings and examinations, and have in place the following appropriate work system at a minimum:

(1) having instructors with characteristics pursuant to Clause 9 (2), and adequate experience in working on or lecturing the subject assigned as the lecture topic;

(2) having policy and practice guidelines in organising trainings and examinations, and work system as specified in Clause 10 (2), at a minimum.

Clause 15 In organising trainings and knowledge examinations on the subjects listed in Clause 4, the Training & Examination Agency shall:

(1) prior to a training,

(a) disseminate a schedule for taking the training enrolment openly or through different public relation channels, or the Training & Examination Agency's website;

(b) take the training enrolments through requiring applicants to fill out an enrolment application form that specifies the intended curriculum and is enclosed with a copy of the applicant's identification card;

(c) disseminate a list of persons eligible to participate in the training openly or on the Training & Examination Agency's website, at least fifteen days prior to the beginning of the training,

(2) during the training,

(a) organise the training in accordance with the curriculum and procedure approved by the Office;

(b) ensure that the training instructors have been duly approved by the Office in accordance with the list of names and subjects specified in the annual plan for organising trainings;

(c) oversee the training participants' complete attendance pertaining to all subjects and number of training hours as required by the curriculum by

requiring each participant's registration of attendance through the training attendant's identity verification means;

(d) ensure the participants' access to training's supplementary textbooks, handbooks, or documents in accordance with the curriculum's intended subjects, as approved by the Office;

(e) ensure that each participant fill out a form for evaluation of the training outcome after its completion;

(3) after the training,

(a) verify the information on persons having completed the training, and disclose a list of persons having completed the training and being eligible to take an examination, as well as disseminate a schedule for the examination enrolment, date and time of the examination, examination arrangement formats, and a dissemination of the examination result, openly or via different public relation channels, or the Training & Examination Agency's website;

(b) keep as evidence all training enrolment application forms, the organised training, information on the training participants, examination sheet for assessment of each training participant's knowledge, training outcome evaluation form, as well as a summary of the evaluation outcome pertaining to all training courses organised over the past two years for the purposes of presenting to the Office upon request.

(c) analyse the summary of training evaluation outcomes and improve the organisation of trainings accordingly.

(4) examination,

oversee that each examination participant while sitting in the examination on the subjects listed in Clause 4 behaves in the following manners:

(a) adhere to a proper and polite dress code;

(b) present an original and valid official document showing the holder's clear photo and an identification card number or passport number, to the officer for the purpose of verifying the person's identity and serving as evidence of the holder's having taken the examination, examples of which include identification cards, driver's licenses, passports. The person shall also personally affix a signature on the examination attendance register;

(c) documents, electronic devices, communication devices, image recording equipment, any devices or equipment potentially suspicious of being involved in

examination cheating are prohibited from being taken into the examination room, unless being placed in a location allowed by the invigilator;

(d) take the examination on the specified date, time, and venue, and be entitled to enter the examination room no later than fifteen minutes after the starting time. In this regard, no additional time shall be given to a person arriving late;

(e) not leave the examination seat during the examination, except in a case of serious necessity and having been allowed by the invigilator only;

(f) leave the examination room after having finished the examination at any time before the end of the scheduled period, but not earlier than twenty minutes after the starting time;

(g) refrain from pursuing any cheating acts or suspicious cheating behaviours during the examination;

(h) refrain from chatting, discussing, noisemaking, or any act that may cause nuisance to others during the examination;

(i) be banned from the examination in a case where the examination participant violates the examination rules under (a), (b), (c), and (d), and be marked as having failed the examination in a case where the examination participant violates the examination rules under (e), (f), (g), and (h).

Clause 16 A Training & Examination Agency under Clause 8 (2) shall issue a letter certifying completion of training cum exam passing to the person having successfully completed the training and passed the examination on the subjects list in Clause 4 in a form attached to this Notification.

Clause 17 A Training & Examination Agency intending to cancel, change, or adjourn the trainings and examinations on certain subjects after having obtained the Office's approval of its plan for organising the trainings and examinations, shall notify the Office of each occasion of such intention and shall make arrangements to have another Training & Examination Agency with its trainings and examinations having been approved by the Office, offer the trainings and examinations on such subjects in its stead. Notwithstanding the arrangements, the Training & Examination Agency having cancelled or adjourned its training courses shall remain accountable for legal liabilities towards the enrolled applicants for such trainings and examinations.

Clause 18 A Training & Examination Agency shall deliver to the Office such information on each training and examination participant who has successfully completed and

passed the training and examination within fifteen business days from the date of the examination passing as required in the curriculum.

Clause 19 The outcome of such training and examination on the subjects listed in Clauses 4 and 6 shall remain valid for not exceeding two years from the date of issuing a certificate of completion of the training and examination, with the exception of either one of the following cases:

(1) A person having successfully completed the training and passed the examination has commenced performing duties as an individual loss adjuster of a juristic person licensed to be a Loss Adjuster under the law on non-life insurance, within the period of two years from the issuance date of the certificate of completion of the training and examination, and is still performing the duties in such juristic person continuously;

(2) A person having successfully completed the training and passed the examination has ceased to perform duties as an individual loss adjuster of a juristic person licensed to be a Loss Adjuster under the law on non-life insurance for a consecutive period of not exceeding two years.

Section 4

Inspection, Operation Suspension Order, and Revocation of Accreditation of Training & Examination Agency

Clause 20 A Training & Examination Agency shall allow the Office's access for the purpose of inspecting any trainings or examinations organising under this Notification. The Training & Examination Agency shall reasonably facilitate the Office in conducting such inspection of the trainings or examinations.

Clause 21 In a case where it is apparent to the Office that the Training & Examination Agency's conduct likely leads to a violation of or a non-compliance with this Notification, the Office shall be empowered to order the Training & Examination Agency to act, or refrain from acting or performing its operation as follows:

(1) order the Training & Examination Agency to act, refrain from acting, or rectify any operation within a specified period, in a case where such violation or non-compliance with this Notification arises unintentionally and the circumstance is rectifiable;

(2) issue an order instructing any act, omission, suspension of the training and examination, in a case of non-compliance with (1) without any reasonable cause or with deliberate intent to violate or disobey this Notification.

In addition to the actions pursuant to paragraph one, the Office is empowered revoke the accreditation of the Training & Examination Agency pursuant to Clause 8(2) in a

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case of any violation of or non-compliance with the Office's order issued pursuant to paragraph one.

Clause 22 The Office shall be empowered to revoke an approval granted to any Training & Examination Agency if it appears to the Office that:

(1) the Training & Examination Agency violates or disobeys this Notification;

(2) the Training & Examination Agency dishonestly issues a certificate of completion of trainings;

(3) the Training & Examination Agency lacks qualifications required under Clause 9.

Clause 23 Where a Training & Examination Agency's accreditation is revoked by the Office, such revocation shall not prejudice the validity of any certificate of completion of trainings cum examination passing issued by such Training & Examination Agency to the persons who have completed the trainings and passed the examinations.

Notified on this 27th day of May 2021.

General Secretary,
Office of Insurance Commission