§ 2202. Prerequisites. (a) Certification shall not be made by the superintendent unless there shall be on file in his office the following documents:

(1) a written application by the person to be certified in such form and containing such information the superintendent prescribes; and

(2) a statement executed by an officer of the insurer or the savings bank which is to be named in such certificate, that the insurer or bank is satisfied that the applicant is trustworthy and competent to negotiate for applications or orders for life insurance or annuity contracts and to solicit and procure from the public such applications or orders.

(b) (1) In order to determine trustworthiness and competency, the applicant shall be required to pass a personal written examination to the satisfaction of the superintendent. Such examination shall be held at times and places set by the superintendent. Every individual taking any such examination shall pay to the superintendent, or at the superintendent's discretion, directly to any organization that is under contract to provide examination services, an examination fee of an amount which is the actual documented administrative cost of conducting said qualifying examination as certified by the superintendent from time to time. An examination fee represents an administrative expense and is not refundable.

(2) No individual shall be qualified to take the examination unless he possesses the same qualifications regarding insurance course requirements as those required pursuant to subparagraph (A) of paragraph two of subsection (f) of section two thousand one hundred three of this chapter for agent licensing pursuant to such section.

(3) The superintendent may accept, in lieu of the examination required by paragraph one hereof, the result of any previous written examination given by him which in his judgment is equivalent to the examination for which it is substituted.

(c) The superintendent may refuse to certify any person if, in his judgment, such person is not trustworthy and competent, or has failed to comply with any prerequisite for the issuance of such certificate.

(d) The superintendent may issue a replacement for a currently in force certificate which has been lost or destroyed. Before such replacement certificate shall be issued, there shall be on file in the

office of the superintendent a written application for such replacement certificate, affirming under penalty of perjury that the original certificate has been lost or destroyed, together with a fee of fifteen dollars.