**Section 3125.40 Exemption from Certification**

a) Government employees and their agents performing activities related to the Marketplace are exempt from certification. Those individuals and entities may not engage in Navigator, In-Person Counselor and Certified Application Counselor prohibited conduct.

b) The distribution of educational and informational materials relating to the Marketplace authored or provided by a governmental authority is exempt from certification.

c) The collection from the public of requests for information or assistance relating to the Marketplace in a manner approved by a governmental authority or a certified Navigator, In-Person Counselor, Certified Application Counselor or Certified Application Counselor Organization is exempt from certification.

d) The referral of inquiries from the public relating to the Marketplace to an appropriate governmental authority or certified Navigator, In-Person Counselor, Certified Application Counselor or Certified Application Counselor Organization is exempt from certification.

e) The exercise in good faith by journalists and persons other than a certified Navigator, In-Person Counselor or Certified Application Counselor of such person's U.S. and Illinois constitutional right to speak, write and publish freely with regard to the Marketplace is exempt from certification. The rights of a certified Navigator, In-Person Counselor or Certified Application Counselor to engage in Navigator, In-Person Counselor and Certified Application Counselor prohibited conduct are expressly restricted.