

The Limitations Act

Joint Forum of Financial  
Market Regulators

Errors & Omissions Insurance

Industry Warnings

Disciplinary Section

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Insurance Councils of  
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# Insurance Councils of Saskatchewan

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## New Limitations Act

The Saskatchewan Insurance Act and other provincial statutes used to contain different limitation periods. The Limitations Act clarifies and rationalizes limitation periods by providing a standard two year period from the discovery of the loss in which a legal action can be commenced.

The new legislation came into force effective May 1<sup>st</sup>.

The limitation periods found in the Saskatchewan Insurance Act have been repealed.

An electronic version of L-16.1 – The Limitations Act can be found at the Queen's Printer web site at [www.qp.gov.sk.ca/](http://www.qp.gov.sk.ca/).

Please contact your insurer or legal counsel if clarification is required.

## Joint Forum of Financial Market Regulators

A committee of the Joint Forum developed a document entitled "Principles and Practices for the Sale of Products and Services in the Financial Sector" which outlines the minimum obligations that should apply to all financial intermediaries in their dealings with consumers of financial products and services.

The Joint Forum Standards Committee is looking for input from industry and consumer stakeholders.

The document can be accessed from the Insurance Councils of Saskatchewan web site [www.skcouncil.sk.ca](http://www.skcouncil.sk.ca).

## CCIR-CISRO Industry Practice Review

Since late 2004, a number of U.S. regulators and state governments have investigated and taken legal action against several insurance companies, brokerages and individuals, alleging fraudulent, coercive and dishonest practices in the sale of insurance products. These practices include the alleged rigging of bids for insurance and concerns about the payment of contingent commissions and other sales incentives.

The Canadian Council of Insurance Regulators (CCIR) and the Canadian Insurance Services Regulatory Organization (CISRO), are associations of insurance regulators and of insurance intermediary licensing and regulatory authorities in Canada.

In October 2004, CCIR and CISRO established the Industry Practices Review Committee (IPRC) to examine the financial relationships between insurance companies and their sales intermediaries (e.g. contingent commissions, ownership and financial links, and sales incentives) that have the potential of creating conflicts of interest.

The IPRC's general policy objective is to reduce the opportunity for actual and potential conflicts of interest in the marketplace while working to promote consumer confidence. An IPRC consultation paper outlines a range of possible policy options which the IPRC feels have the potential to balance the business objectives of market participants and the interests of consumers, thus promoting market confidence.

The paper does not make specific recommendations but asks for feedback on a number of policy options. The policy options considered in this consultation paper are:

1. Codify the priority of client's interest;
2. Restrict performance linked benefits offered to intermediaries; and
3. Enhance transparency of compensation, ownership and other financial interests.

The document can be accessed from the Insurance Councils of Saskatchewan web site at [www.skCouncil.sk.ca](http://www.skCouncil.sk.ca).

The Insurance Councils of Saskatchewan (ICS) along with other industry stakeholders have been asked to respond to the options presented.

## Errors & Omissions Insurance

### Notice to licensees

All Classes Agencies, All Classes Direct Writers, Life and/or A & S Agents, Travel Agencies, Hail Agencies and Hail Agents must maintain E & O insurance at all times.

Licensees are required to provide a current copy of their Errors &

Omissions insurance each year with their Annual Reporting Form.

Failure to maintain Errors & Omissions Insurance could result in the suspension of your licence.

Licensees should consult the bylaws regarding the specific E & O requirements for their class of licence.

## Administration Section

### Confirmation of licence status

The Council routinely directs insurance companies and others to the Council web site for verification of an agent's licence status.

Council believes some insurers continue to rely on a copy of the licence fee receipt, as evidence of an agent's current licence status.

Insurers should not rely on this receipt as evidence of an active licence. Reliance on the receipt could expose an insurer to a penalty under Section 444 of The Saskatchewan Insurance Act. A copy of Section 444 can be obtained from <http://www.sfsc.gov.sk.ca/financial/legislation.shtml>.

The best way to be certain you are dealing with a licensed agent is to visit the Council web site which is updated daily.

The search link is [www.insurancecouncils.sk.ca/search/searchhome.htm](http://www.insurancecouncils.sk.ca/search/searchhome.htm)

If you have any questions, please contact our office.

### Payment of Fees

The Insurance Councils now accept payment of licence fees by credit or debit card.

Councils will, however, continue to accept payment by cheque. Please ensure cheques are payable to the Insurance Councils of Saskatchewan.

## Annual Reporting Forms

Licensees are reminded to fully complete the Annual Reporting form. This form must be received at the Council office prior to the annual reporting date to avoid a late filing fee.

Licensees should make certain that both sides of the form are fully completed and all documents are provided as required...i.e.) Errors & Omissions.

The Annual Reporting Form can be faxed to the Council office if credit card payment is used.

## Maternity Leave

A licensee on or going on maternity leave should contact the Council office to determine what licensing options are available.

Council may recommend suspending the licence while on maternity leave providing the licensee is not acting as an agent while on leave.

## Harmonized Licence Application Forms

The Canadian Council of Insurance Regulators (CCIR) and Canadian Insurance Services Regulatory Organization (CISRO) have agreed in principle to accept harmonized application forms for Life, Accident & Sickness and General Agents across Canada.

Resident and non-resident application forms, once approved, will be posted to the Council web site.

Insurers and agencies can obtain current application forms from the Council web site.

## Transfer Forms

The transfer form for each licence type has been amended and has been posted on the ICS web site.

Please contact the Council office if you are unclear as to which form should be used.

## We Need 10 Working Days to Process Applications

Councils continually receive calls from applicants and licensees about the status of their licence.

Turn around time is generally one week, however, we do experience delays at certain times of the year.

Please allow ten working days before contacting the Council office.

The Council web site provides the status and annual reporting date for individual and agency licenses.

The applicant's name will appear on the web site upon receipt of an application form at the Council office. The status will indicate "not licensed" until the file has been fully processed.

## Hail Section

### Hail Adjuster Manual

The Hail Insurance Council of Saskatchewan and the Canadian Crop Hail Association have agreed to an updated version of the Crop Hail Adjuster Manual for use in 2005.

The crop hail adjuster manual used prior to 2005 must be discarded and replaced with the updated version of the manual.

The Hail Adjuster Bylaws were amended to require all licensed hail adjusters to apply the adjustment procedures found in the Crop Hail Adjuster Manual to the adjustment of crop hail insurance claims.

Licensed adjusters are responsible to remain in compliance with the Bylaws by using only the approved version of the adjuster manual.

Please contact Council if there are any questions regarding this matter.

### Hail Adjuster Continuing Education

Hail Adjusters are required to obtain six credit hours of continuing education every two years.

The annual reporting form provides a reminder of the next reporting period. Licensees must disclose the name of the seminar(s) or workshop(s) they have attended.

Licensees should retain all certificates of attendance forms for four years in case they are selected for an audit.

### Notice to Licensed Hail Agents and Hail Insurers

Council has received information that some licensed hail agents believe it is acceptable to permit unlicensed persons such as a spouse, employee or other person to take an application for hail insurance.

The taking of an application brings an unlicensed employee, spouse or other person within the definition of acting as an agent under Section 2(d) of The Saskatchewan Insurance Act "Act".

The Act specifies two relevant offences. Section 418 makes it an offence for an agent or an insurer to permit or allow any person to do anything requiring a licence.

Section 417 of the Act makes it an offence for any person to act as an agent or a salesperson of an agent unless the individual is the holder of a licence.

Section 475.1 of the Act provides that any person who contravenes

any provision of the Act is, on summary conviction, liable to a fine of up to \$500,000 and up to 12 months imprisonment. Where the person is a corporation the fine is increased up to \$1,000,000.

The practice of using unlicensed persons is not acceptable. Council will actively investigate and enforce the Act.

## Life and Accident & Sickness Section

### Agent Acting as Executor of a Client's Will

Council is aware that some life insurance agents have acted as the executor of a client's Will.

Council believes it is a conflict of interest for an agent to accept an appointment as the executor of a client's will. The only exception would be in respect to an immediate family member of the agent.

The examples that have come to Council's attention suggest that utmost good faith was not present in the agent's dealing with the client.

Agents are strongly urged to consider the potential problems inherent with being appointed as an executor unless it is an immediate family member. Council recommends that agents decline appointments as executors.

### Continuing Education

Council will not accept "reading" as a certified continuing education option.

Licensees are also reminded there is no carry-over provision for Life and Accident & Sickness Licenses. Continuing education hours must be earned within the two year reporting period.

## Advocis Level II Options being discontinued

### **Advocis Level II Study Material**

Council has been notified that study material for the *Advocis Level II Examination* will be discontinued after September 30, 2005.

The Life Council will continue to offer the existing Level II Exam until December 31, 2006. Licensees should be aware that other licensing jurisdictions may not continue to recognize the Level II examination as an acceptable Level II qualifier.

### **Advocis IFATC**

As a result of significantly reduced enrollment in the Insurance and Financial Advisor Training Course (IFATC), Advocis will no longer offer the IFATC program after September 30, 2005. Licensees already enrolled in the IFATC course will have until December 31, 2005 to complete the three-course program in order to qualify for a Level II Licence.

Advocis has encouraged practitioners who are in the midst of completing the IFATC program to take immediate steps to register in the remaining courses.

For further information, please contact Advocis member services at 416.444.4449 or 1.877.773.6765.

Licensees who fail to meet their Level 2 education requirements will be required to complete the Full Life Licence Qualification Program "LLQP".

## General Section (Property & Casualty)

### **Disclosure Requirements**

The General Insurance Council Bylaw, Section 27 regarding the disclosure of additional fees charged in addition to the premium has been amended as follows:

- (1) A licensee shall not:
  - (n) charge a fee in addition to the premium charged by the insurance company, unless the fee is disclosed in writing on or with the invoice that is provided to the client. The disclosure shall include separate dollar values that clearly identify each of the following:
    - i) the total insurance premium charged by the insurer.
    - ii) the total additional fee charged by the broker.
    - iii) the total premium finance fee if charged by the broker.
    - iv) the total of items i), ii) and iii).

Any questions can be directed to John Waugh, Director of Compliance at 306.352.7870.

### **Auto Insurance**

Basic auto insurance in Saskatchewan includes a range of physical damage, liability and injury protection and allows the choice of tort or no fault injury coverage.

Basic auto insurance is provided by issuers who are appointed by SGI and exempt from The Saskatchewan Insurance Act.

Council is considering the merits of establishing an auto only licence to ensure the public is served by issuers who have broad insurance knowledge and training.

Council will be discussing this matter with the Superintendent of Insurance and other stakeholders in the coming months.

## Level Licensing Initiative

Council has been working to combine our four levels of licence into three levels to bring us into harmony with most other jurisdictions in Canada. The new levels are expected to be launched January 1, 2006.

A Level 1 licensee is currently prohibited from signing any application or insurance policy declaration page or using a signature stamp or other facsimile to substitute for the signature of a licensee who is permitted to sign applications.

A Level 2 licence can transact all insurance business.

A Level 3 licence will be required for individuals with management responsibility.

It is proposed that the Level IV Probationary Licence be deleted. Council will continue to consider requests under the exemption and extension section of the bylaws. If satisfied there is a public interest Council may grant a conditional licence.

A definition of management and supervision duties will be included in the bylaw for guidance to licensees.

### **The proposed new licence levels are:**

#### **Level 1 Education Options**

1. Fundamentals of Insurance course and examination offered by the Insurance Brokers Association of Saskatchewan "IBAS"; or
2. Canadian Accredited Insurance Broker (CAIB 1) course and examination offered by IBAS; or
3. General Insurance Essentials (GIE) and C130 Essential Skills for the Insurance Broker and Agent courses and examinations offered by the Insurance Institute of Canada "IIC"; or

4. C11 Principles and Practice of Insurance and C130 Essential Skills for the Insurance Broker and Agent courses and examinations offered by IIC.

#### **Level 1 Restrictions**

1. A Level 1 licensee shall not manage an agency.
2. A Level 1 licensee shall be subject to supervision.
3. A Level 1 licensee shall not act in the transaction of commercial lines of insurance unless supervision is provided by a Level 2 or Level 3 licensee.

#### **Level 2 Education Options**

Applicant must qualify for a Level 1 licence and successfully complete one of the following:

1. Canadian Accredited Insurance Broker (CAIB 2 and CAIB 3) courses and examinations offered by IBAS; or
2. The course of study leading to a Chartered Insurance Professional (CIP) or an Associate (AIIC) designation through the IIC.

#### **Level 2 Restrictions**

A Level 2 licensee shall not manage an agency.

#### **Level 3 Education Options**

Applicant must qualify for a Level 2 licence and successfully complete one of the following:

1. Canadian Accredited Insurance Broker (CAIB 4) course and examination offered by IBAS; or
2. The course of study leading to a Fellow Chartered Insurance Professional (FIC) or a Fellowship (FIIC) designation through IIC.

#### **Level 3 Restrictions**

None

#### **PROPOSED EXAMINATION WRITES**

Applicants will be entitled to attempt each examination identified in Levels 1, 2 and 3 a maximum of three times in any six month period. Where a course provider imposes a more restrictive

rewrite provision the course provider's restriction shall apply.

#### **PROPOSED DEFINITION OF MANAGEMENT AND SUPERVISION**

Management duties wherever used in the bylaws will be interpreted to mean the management, direction and control of the day to day operations of an insurance agency or branch of an insurance agency.

Supervision wherever used in the bylaws will be interpreted to mean reasonable and prudent oversight and review of all selling and servicing of insurance conducted by a licensee.

#### **PROPOSED CONDUCT AND TRADE PRACTICES**

A licensee shall:

- (1) (f) where the licensee is responsible for supervision ensure supervision occurs.

A licensee shall not:

- (1) (o) if the licensee is responsible for supervision allow, authorize or permit a Level 1 licensee to act in the transaction of commercial lines of insurance unless supervision is provided by a Level 2 or 3 licensee.

- (p) if responsible for the management of an agency allow any person to perform management duties unless that person holds a valid Level 3 Licence.

Council invites comments about the proposed harmonized licence structure prior to September 1, 2005.

#### **All Classes Sponsor**

The Saskatchewan Insurance Act allows an All Classes Agency to transact All Classes other than Life insurance business which includes Travel, Hail and Accident & Sickness.

An individual salesperson/agent can only sell these products on behalf of

the sponsor indicated on their licence.

In the event a salesperson/agent wants to sell hail insurance for other than the sponsor they must obtain a separate hail licence.

#### **Title Insurance**

Title insurance is a policy of insurance that provides coverage for title related risks associated with real estate transactions. It is designed to cover unpredictable or undetectable issues such as forgery, fraud, missing heirs, etc. that can affect rights of ownership.

Because it is insurance, a title insurance policy moves the risk associated with title from the home buyer, the lending institution or the lawyer, to the title insurer.

In Saskatchewan, Title Insurance must be provided by a licensed All Classes other than Life Agent.

## **Travel Section**

#### **Travel Errors & Omissions**

Council has become aware that some of the Errors & Omissions Insurance policies provided to travel agencies may not provide appropriate coverage for their operations as a licensed insurance agency.

Council does not licence or regulate the normal business activity of a travel agency or travel agent because it does not have the legislated authority to do so, however, it does issue a Travel Only Insurance Licence for the specific purpose of permitting the sale of certain travel related insurance products.

The three classes of insurance products are:

1. Out-of-Province Medical Insurance, which is an Accident & Sickness product.
2. Trip Cancellation Insurance, which is a form of Liability and/or Guarantee insurance; and
3. Baggage Insurance, which is Property Damage insurance.

Council recommends that Travel Agencies and Travel Agents (Direct Writers) seek confirmation from their insurance broker or E & O carrier that insurance related activity conducted by the travel agency is appropriately covered as required by the bylaws.

## General Adjuster Section

The Canadian Insurance Adjusters' Association "CIAA" has approved a recommendation from the Insurance Institute of Canada to amend education requirements for Adjusters.

Council will provide adjusters with the proposed bylaw and allow for a consultation period in which to receive comments or concerns.

## Industry Warnings

### Lloyd's Injunction In Ontario

*Excerpt from Lloyd's letter dated November 2004*

In September, Lloyd's announced that The Society of Lloyd's and Nicholas Smith, Attorney in Fact in Canada for Lloyd's Underwriters, had obtained an order against various parties including John Harris, Ian Stuart and Ian Stuart a.k.a. John Harris. The relevant Court Order provides, in part:

"This court orders that the defendants cease and desist from in any manner, directly or indirectly, purporting to place business with Lloyd's underwriters or a Lloyd's syndicate(s) or from purporting to bind policies of insurance with Lloyd's underwriters or a Lloyd's syndicate(s) pending further order of this court. For purposes hereof, the defendant Ian Stuart shall not hold himself out as anyone other than Ian Stuart pending further order of this court."

The action has now been discontinued against John Harris as a separate party. This decision has been taken based on information received from several sources which identify John Harris as a pseudonym used by Ian Stuart (i.e. they are one and the same individual) and there not appearing to be an actual John Harris upon whom pleadings can be served. The proceeding and the order continue against Ian Stuart in his own name and under any pseudonyms (which includes any use of the name John Harris).

### Alert to Brokers

Council has been advised that Centennial Insurance Company A.V.V.S.A. doing business as CIC Insurance Company A.V.V. has entered into an agreement with the BC Superintendent of Insurance. The consent order, in part, states:

This matter coming before me, the Superintendent of Financial Institutions this 19<sup>th</sup> day of May, 2005 and Dale Pope, Q.C. appearing on behalf of Centennial Insurance Company A.V.V.S.A. dba CIC Insurance Company A.V.V. ("CIC") and Sandra A. Wilkinson appearing on behalf of the Staff of the Superintendent of Financial Institutions, and the parties and Richard A. Whitney, Richard Bell, David W. King and Afif Najia (the "Principals of CIC") consenting,

I HEREBY ORDER:

1. That the Orders of November 24, 2004 and as amended on December 21, 2004 are confirmed to be still in force.
2. CIC, its successors and assigns, and the Principals of CIC undertake under Section 208 of the Financial Institutions Act that:
  - a. They will not conduct insurance business in Canada other than the insurance business specifically provided for in this order.

- b. They will not write any business insuring risks located in Canada, directly, indirectly, or through an intermediary.
3. CIC, its successors and assigns, and the Principals of CIC under Section 208 of the Financial Institutions Act will notify the Superintendent of Financial Institutions within 48 hours of receiving notice of a claim regarding an established policy issued to a British Columbia resident or policy on risk located in British Columbia by faxing the notice to:

The Superintendent of Financial Institutions  
1200 -13450 – 102 Avenue  
Surrey BC V3T 5X3  
Fax: 1.604.953.5301

4. All existing and future claims for refund of unearned premiums and existing and future claims on established policies issued to British Columbia residents or policies on risks located in British Columbia must be adjusted by an adjuster satisfactory to the Superintendent.
5. CIC and its successors and assigns undertake that it will not dispute or interfere with the adjusting by and adjusting decisions of the adjuster. CIC will accept and make claim payments and refund of unearned premiums according to adjuster decisions including making payments on claims as recommended by the adjuster using funds other than those frozen by the Superintendent.
6. (a) CIC appoints the Superintendent of British Columbia as of the date of this order to accept service of notice of process on its behalf.  
(b) CIC and its successors and assigns undertake to appear in any action or proceeding against it or its insured(s) in B.C. in which such action has been instituted and of which it has been notified.  
(c) Notification by the Superintendent to CIC may be delivered by:

Fax to:

CIC Insurance Company A.V.V.  
P.O. Box 6  
Brittany Louisiana 70718  
Fax: 1.225.612.4816

Or personal delivery to:

Richard A. Whitney  
12924 Joor Road  
Baton Rouge Louisiana 70818

Or

David William King  
70 Wyatts Green Lane  
Wyatts Green  
Brentwod Essex CM15 0PY

(d) CIC will notify the Superintendent of any change of address or fax number for CIC and the Principals of CIC.

(e) That upon receipt from the Superintendent of such notice of process in respect of its insured or in respect of its insured and another or others, it will forthwith cause the notice or process to be personally served upon the insured.

(f) Not to set up any defence to any claim, action, or proceeding under an insurance contract had been entered into in and in accordance with the laws relating to insurance contracts in B.C. in which such action or proceeding may be instituted, and to satisfy any final judgment rendered against it or its insured by a court of B.C., in the claim, action, or proceeding in respect of any land or class of coverage provided under the contract or plan and in respect of any land or class of coverage required by law to be provided under a plan or contract of insurance entered into in B.C. up to the amounts and limits for that kind or class of coverage or coverages provided in the contract or plan.

7. The funds frozen under the November 24, 2004 Order will continue to be frozen until the Superintendent of Financial Institutions is satisfied that there are no outstanding claims and no likelihood of future claims and no outstanding costs as per this order or, or as otherwise ordered by the Supreme Court of British Columbia.

Council has been advised the agent Special Risk Insurance Brokers Ltd. (Ray Willie principal) of White Rock BC has placed business with the referenced insurance companies in other provinces. The BC consent order while restricting the company from doing business anywhere in Canada only deals with risks in British Columbia as to claims handling and protection.

Any brokers having placed business with Special Risks are encouraged to contact Council for more information.

## Disciplinary Section

### September 1, 2004 – June 30, 2005

A licensee who uses information in this bulletin to discredit another licensee or any other person will be guilty of misconduct.

### Disciplinary Hearings

**Barbara Caroline Joseph** representing the Combined Insurance Company of America had her Life and Accident & Sickness Licence cancelled.

Ms. Joseph was found to have not carried on business in utmost good faith when she failed to report in her Annual Reporting Forms that are required to be filed with Council, that she had been charged with and/or convicted of a crime.

Ms. Joseph also failed to notify Council in writing no later than 30 days after the occurrence of the commencement of civil and/or criminal proceedings against her with respect to misrepresentation. She was charged in June 2002 and subsequently convicted under The Securities Act of Manitoba for unlicensed securities activities.

Ms. Joseph was found to have demonstrated an incompetency or untrustworthiness to act as an insurance agent pursuant to Section 439 (d) of The Saskatchewan Insurance Act.

Ms. Joseph has filed an appeal of Council's decision to the Superintendent of Insurance but her licence as of the bulletin date remains cancelled.

The appeal has been heard by the Superintendent of Insurance and a decision is pending.

**Archie Charles MacKinnon and Optimum Farm Estate Planning Inc.** representing The Maritime Life Assurance Company had his Life and Accident & Sickness Licence cancelled. Mr. MacKinnon was found to have in his dealings with several clients:

1. Failed to carry on business in utmost good faith;
2. Failed to place the interests of the clients before that of his own;
3. Made false or misleading statements or representations in the course of selling or servicing insurance; and
4. Failed to provide information demanded of him pursuant to Section 469, subsection (3) of The Saskatchewan Insurance Act.

The licenses of both Mr. MacKinnon and Optimum Farm Estate Planning Inc. were cancelled as the charges applied equally to both Mr. MacKinnon and his corporate life licensed agency Optimum Farm Estate Planning Inc.

Mr. MacKinnon in his dealings with seven of the eight clients, was found to have arranged to transfer registered insurance monies into a company that he owned and controlled. The company was not registered to receive registered funds nor was the investment an eligible investment for the deposit of registered funds.

The monies were then used in an investment scheme of Mr. MacKinnon's to purchase a fishing camp in northern Saskatchewan. The clients were told that the investment was in a registered bond or alternatively a registered bond or mortgage fund. Approximately \$372,704 was received from the clients of which \$365,308 was identified as going to Mr. MacKinnon or one of his corporations to be

invested in a fishing camp at Wollaston Lake.

The high risk investment was unsuitable for the elderly clients who had no idea they were investing in a fishing camp.

**Garry Leroy Holt** representing The Equitable Life Insurance Company of Canada had his Life and Accident & Sickness Licence, which was previously suspended in July 2003, cancelled.

Mr. Holt was convicted of fraudulently taking \$514,958 from four clients. The money was to be invested for clients but Mr. Holt diverted the funds to his own use. He was convicted under Section 380 (1) (A) of the Criminal Code on December 20, 2004 and is currently serving his three year prison term in the Prince Albert Penitentiary.

**Douglas Wayne Erickson o/a Erickson Insurance Services**, representing the Mennonite Mutual Fire Insurance Company of Saskatchewan had his All Classes other than Life Licence suspended for a period of 30 days and is required to attend an Errors & Omissions course accredited by Council for a minimum of five hours of continuing education. In addition, he is required to take additional training in the form of passing the CAIB 1 and CAIB 2 education courses within a two year period from the date of the Disciplinary Hearing Committee's decision. Failure to do so would result in the suspension of his licence until the courses had been successfully completed.

Mr. Erickson was found to have failed to act with integrity in dealings with members of the public and of making false and misleading statements or representations in the course of selling or servicing insurance.

Mr. Erickson has served seven days of his thirty day suspension, but the balance of his suspension was stayed when Mr. Erickson appealed the findings of the Disciplinary Hearing Committee to the Superintendent of Insurance.

The appeal has been heard by the Superintendent of Insurance and a decision is pending.

### Disciplinary Action

All of the licensees listed below waived their rights to a Disciplinary Hearing Committee and accepted Council's suspension.

**Evelyn Rose Edwards** representing Green Teal Insurance Brokers Ltd. had her All classes other than Life Licence suspended from July 1, 2005 to December 31, 2005. She is required to take the Insurance Brokers Association of Canada Law & Ethics Course prior to reinstatement of her licence.

Ms. Edwards advised a client to fraudulently falsify a date of loss to bring a prior claim into the coverage periods on a new Auto Insurance Policy.

**Kurt Alan Margolis** representing L. Margolis Insurance Agency Ltd. had his All Classes other than Life Licence suspended from July 1, 2005 to December 31, 2005. He is required to take the Insurance Brokers Association of Canada Law & Ethics Course prior to reinstatement of his licence.

Mr. Margolis back-dated a motor licence issue date for a client.

\* \* \* \* \*

The following licensees were found to have failed to maintain valid Errors & Omissions Insurance and of having failed to notify the Life Insurance Council of Saskatchewan

of the non-renewal of their Errors & Omissions Insurance.

Licensees, as a condition of licence, are required to maintain Errors & Omissions Insurance and where a licensee has not renewed their Errors & Omissions Insurance, they must immediately notify Council of that fact.

**Thomas A. Lipp** representing The Equitable Life Insurance Company of Canada received a 30 day suspension.

**Murray Hugh Smith** representing The Canada Life Assurance Company received a 30 day suspension.

**Jennifer Rae Schafer** representing BMO Life Insurance Company received a two week suspension.

**Gordon C. Edwards** representing The Canada Life Assurance Company received a 30 day suspension.

**David Herbert Ford** representing Sun Life Assurance Company of Canada received a 30 day suspension.

**Louise Alma Marie Svingen** representing The Manufacturers Life Insurance Company received a 30 day suspension.

## Bylaw Amendments Section

### October 1, 2004 – July 1, 2005

It is the responsibility of a licensee to remain in full compliance with the bylaws. The following sections have been added, amended or deleted.

A current version of the bylaws can be obtained from the Council office or by visiting the Council web site.

#### Hail Adjuster Bylaws

Section 11 amended

#### Life Council Bylaws

Section 3.1 amended

## Contact Section

### Council Staff

Ernie Gaschler, Administrator

Penny Barlow, Licensing Officer/  
Compliance Assistant

Annette Graff, Administrative Assistant

Diane Lindsay, Licensing Officer/  
Education Coordinator

Cindy Swales, Licensing Officer

John Waugh, Director of Compliance

### Contact Information

Licensing (306) 347-0862  
Complaints (306) 352-7870  
Fax (306) 569-3018

Insurance Councils of Saskatchewan  
310 - 2631 – 28<sup>th</sup> Avenue  
Regina SK S4S 6X3

## Council Members

The names of the Council members may be obtained from the web site at the following addresses:

#### General Council

[www.skcouncil.sk.ca/gen\\_council.htm](http://www.skcouncil.sk.ca/gen_council.htm)

#### Hail Council

[www.skcouncil.sk.ca/hail\\_council.htm](http://www.skcouncil.sk.ca/hail_council.htm)

#### Life Council

[www.skcouncil.sk.ca/life\\_council.htm](http://www.skcouncil.sk.ca/life_council.htm)

## Exam and Study Material Section

Council licence examinations are administered through the Insurance Brokers' Association of Saskatchewan.

Ingrid Stroeder, Examination  
Coordinator

Exam scheduling (306) 525-5900

**RETURN TO**

**Insurance Councils of Saskatchewan  
310 – 2631 – 28<sup>th</sup> Avenue  
Regina SK S4S 6X3**



**Place label here**