



Consensual Agreement and Undertaking

Between

Juanito Martinez Camungol

and

**The Complaints and Investigation Committee
of
The Life Insurance Council of Saskatchewan
(the Committee)**

The Committee is authorized under Bylaw 7, Section 5, subsection 3, subparagraph (b), to enter into consensual resolutions of complaints.

The Committee is required under Bylaw 5, Section 1, subsection 1 to record on the register the existence of all disciplinary decisions or orders, court orders of suspension, alternative dispute resolution agreements, undertaking and mediation agreements in accordance with council policy. Disciplinary actions as described above are reported in the Insurance Councils of Saskatchewan website and the Canadian Insurance Regulators Disciplinary Actions (CIRDA) database.

Juanito Martinez Camungol (Camungol) acknowledges and agrees that:

1. Camungol violated The Life Insurance Council (Council) Bylaws when:
 - a. contrary to Schedule A, Part II, Section 6, subsection (1) he failed to maintain a valid policy of errors and omissions insurance; and
 - i. The breach occurred when he allowed his errors and omissions insurance (E&O) policy to lapse effective December 1, 2013.
 - ii. E&O was not re-established until April 30, 2014.
 - iii. He was without E&O coverage for 150 days.
 - b. contrary to Bylaw 2, Section 1, subsection (4)(d) he failed to immediately notify Council of cancellation or non-renewal of his errors and omissions insurance

- c. contrary to Bylaw 2, Section 1, subsection (4)(c)(ii) he failed to notify Council within 30 days of commencement of any professional, occupational or regulatory body proceedings;
 - i. When he failed to notify Council with 30 days of the 2014 disciplinary action taken against him by the Insurance Council of Manitoba for failing to maintain E&O insurance.
- d. contrary to Bylaw 8, Section 2(d) he made material mis-statements in an application for licence or a report to continue a licence.
 - i. Between May 2006 to May 2014, he failed to disclose on his Annual Reporting forms (ARF) that he was subject to an investigation in 2004 by the Insurance Council of Manitoba.
 - ii. Between May 2006 to May 2014, he made material mis-statements on his ARF when he declared all statements and answers on the ARF were true and correct.
2. His rights to appear before a Discipline Committee of Council have been explained to him and he fully understands his rights and/or obligations under Council Bylaw 10;
3. He waives his rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights he may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act*, (the Act) as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
4. This Agreement does not preclude the Life Council from pursuing any other investigation against him for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
5. He has been advised by the Committee that it is in his interests to obtain independent legal advice before entering into this Agreement.
 - a. Camungol has obtained such independent legal advice and is satisfied with the same, prior to executing this Agreement, or
 - b. Camungol has willingly chosen not to obtain such advise prior to executing this Agreement
6. Camungol hereby affirms that he has read and understood the terms of this Agreement, and is signing it voluntarily and of his own free will.

Camungol, having waived his rights, undertakes to:

1. Pay a fine in the amount of \$1,021.00; and

2. Reimburse Council's investigation costs in the amount of \$550.00.
3. Camungol will pay all fines and investigative costs within 30 days of receipt of this Agreement.

The Committee's Agreement:

1. The Committee agrees to accept from Camungol the payment of \$1,571.00 as full and final resolution of his violation of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Camungol for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Winnipeg, in the Province of Manitoba, this 13th day of August, 2015.

Originally signed by

Juanito Martinez Camungol

Dated at Regina, in the Province of Saskatchewan, this 18th day of August, 2015

Originally signed by

**Ian Colborne, Chairman, Complaints and Investigation Committee
Life Insurance Council of Saskatchewan**