



Consensual Agreement and Undertaking

Between

**The Complaints and Investigation Committee of the
General Insurance Council of Saskatchewan**

and

Hilton Insurance Agency (1989) Ltd.

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

The Committee is authorized 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 Bulletin published by the Insurance Councils of Saskatchewan.

Hilton Insurance Agency (1989) Ltd. (Hilton) acknowledges and agrees that:

1. It is a Saskatchewan non-resident All Classes other than Life Insurance Licensee. Its home jurisdiction is Manitoba.
2. It contravened Bylaw 8, Section 2 subsection(g), of the General Insurance Council of Saskatchewan (Council) when:
 - a. it failed to notify Council of the proceedings of the Insurance Council of Manitoba where it was fined for violating the *Manitoba Insurance Act*. A licensee is obligated under Bylaw 2, Section 1, subsection 4(c)(ii) to notify Council within 30 days of the commencement of any professional, occupational or regulatory body proceedings involving the licensee.
3. It contravened Council Bylaw 8, Section 2, subsection (d) by making a material misstatement in an application for licence or report to continue a licence when:
 - a. on its April 17 2012 All Classes other than Life Agency Application(APP), and its Mar. 01 2013 Annual Reporting Form (ARF) it declared that all statements and answers on the APP and the ARF were true and correct when it knew or should

have known that the answer it provided at question 6 of the APP and Question 7 on the ARF were incorrect.

4. Its rights to appear before a Discipline Committee of Council have been explained to it through its Designated Representative and it fully understands its rights and obligations under the GIC Bylaw 10.
5. It waives its rights to appear before a Discipline Committee of Council and undertakes not to exercise any appeal rights it may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act* (the Act), Section 466.1 (7.1), as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
6. It has been advised by the Complaints and Investigations Committee (the Committee) that it is in its interests to obtain independent legal advice before entering into this Agreement.
7. This Agreement does not preclude the Committee from pursuing any other investigation against it for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.

Hilton having waived its rights undertakes to:

8. Pay a fine in the amount of \$250.00 for contravention of Council Bylaw 8, Section 2 subsection (g);
9. Pay a fine in the amount of \$250.00 for contravention of Council Bylaw 8, Section 2 subsection (d); and
10. Reimburse Council for the Committee's investigation costs in the total amount of \$440.00

The Committee's Agreement:

11. The Committee agrees to accept as full and final resolution to the acknowledged violations of the Council Bylaws as set out in this Agreement the following:
 - a. payment to Council a fine in the total amount of \$500.00; and
 - b. payment to Council of the Committee investigation costs in the total amount of \$440.00.

Dated at Winnipeg , in the Province of Manitoba, this 18 day of June 2013.

Originally signed by:

Garry Studensky,
Designated Representative for Hilton Insurance Agency (1989) Ltd.

Dated at Kindersley. in the Province of Saskatchewan, this 27 day of June 2013.

Originally signed by:

Mark Stockford, Chairman
Complaints and Investigation Committee
General Insurance Council of Saskatchewan