

Consensual Agreement and Undertaking

Between

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

And

Gateway Financial Insurance Inc.

**Carmencita Domilos Bilagot
(Designated Representative)**

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

Bylaw 5, Section 1, subsection 1 reads: "The administrator shall, in addition to the requirements for the contents of a register required by the Act and the regulations, record on the register the existence and results of all disciplinary decisions or orders, court orders, alternative dispute resolution agreements, undertakings and mediation agreements involving a licensee or a person to whom the Life Insurance Council of Saskatchewan (Council) has the authority to issue a licence." Disciplinary actions as described are reported on the Insurance Councils of Saskatchewan website and the Canadian Insurance Regulators Disciplinary Actions (CIRDA) database.

Gateway Financial Insurance Inc. (Gateway) acknowledges and agrees that:

1. It violated Council Bylaws when:
 - A. Contrary to Bylaw 8, Section 1, subsection (a) it:
 - Acted contrary to the best interests of the consumer, or licencees or insurance companies.
 - B. Contrary to Bylaw 8, section 2 (g) it violated provisions of the Act, the regulations or the bylaws when it:

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- Acted contrary to Schedule A, Part II, Section 5, subsection (1) when it failed to maintain its registration with the Corporate Registry of the Information Services Corporation.

C. Contrary to Bylaw 8, Section 2, subsection (q) it:

- Failed to follow sound business practices;
 - i. When it failed to maintain its registration on the Saskatchewan Corporate Registry but continued to maintain an in force insurance licence in Saskatchewan from October 31, 2013 to September 1, 2015, a total of 670 days.
 - ii. When it failed to respond to Council's first request to provide proof that its registration on the Saskatchewan Corporate Registry had been restored.

D. Contrary to Bylaw 8, Section 2, subsection (s) it:

- Failed to reasonably respond to inquiries from Council.

E. Contrary to Bylaw 8, Section 2 (r) it:

- Failed to exercise reasonable and prudent oversight when acting in a supervisory capacity:
2. Its rights to appear before a Discipline Committee of Council have been explained to it and it fully understands it's rights and/or obligations under Council Bylaw 10;
 3. It waives its rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights it 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 Council from pursuing any other investigation against Gateway for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
 5. Gateway has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement:
 - a. Gateway has obtained such independent legal advice and is satisfied with the same, prior to executing this Agreement, or
 - b. Gateway has willingly chosen not to obtain such advice prior to executing this Agreement.

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6. Gateway hereby affirms that it has read and understands the terms of this Agreement, and is signing it voluntarily and of its own free will.

Gateway having waived its rights, undertakes to:

- i. Pay a fine in the amount of \$2,000.00; and
- ii. Reimburse Council's cost of investigation in the amount of \$880.00.
- iii. Pay all fines and investigative costs within 30 days of receipt of this Agreement.
- iv. Upon completion of every Annual Reporting Form, Gateway must provide proof to Council that their corporate registration in Saskatchewan remains valid.

The Committee's Agreement:

1. The Committee agrees to accept from Gateway the payment of \$2,880.00 as full and final resolution of the violations of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Gateway for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Richmond Hill, in the Province of Ontario, this 5th day of May, 2017.

Originally Signed by

Carmencita Bilagot for Gateway Financial Insurance Inc.

Dated at Saskatoon, in the Province of Saskatchewan, this 11th day of May, 2017.

Originally Signed by

**Roderick Baxter, Chair, Complaints and Investigation Committee
Life Insurance Council of Saskatchewan**