

Consensual Agreement and Undertaking

Between

**Wadena Insurance Ltd.
Linke Agencies Inc.
Steven James Moulding**

and

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

The Complaints and Investigation Committee ("the Committee") of The General Insurance Council of Saskatchewan ("Council") 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 through the website of the Insurance Councils of Saskatchewan.

Linke Agencies Inc; ("Linke") Wadena Insurance Ltd.("Wadena"), and Steven James Moulding ("Moulding") (collectively the "Licensees") acknowledge and agree that:

1. Contrary to Bylaw 8, Section 2, (g) of ("Council") and Section 435(2) of *The Saskatchewan Insurance Act* ("the Act"), Linke violated Section 435(1) of the Act") when it:
 - a. Failed to provide notice within five (5) days of the cessation of a licence when a salesperson left Linke to transact insurance for Wadena.
2. Contrary to Bylaw 8, Section 2, (g) of Council, Wadena violated Section 418 of the Act when it:
 - a. Permitted a salesperson to engage in the transaction of insurance on behalf of Wadena while that salesperson's license was not sponsored by Wadena.
3. Contrary to Council Bylaw 8(2)(r) Moulding:
 - a. failed to exercise reasonable and prudent oversight and review when acting in a supervisory capacity in his role as Designated Representative of Linke and Wadena.

4. That their rights to appear before a Discipline Committee of Council have been explained to them and they fully understand their rights and/or obligations under Bylaw 10;
5. To waive their rights to appear before a Discipline Committee and undertake not to exercise any appeal rights they may have under Council Bylaw 10, Section 3 of *The Act*, as it relates to matters set out in this agreement and undertaking.
6. That they have been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this consensual agreement and undertaking.
7. This Agreement does not preclude the Committee from pursuing any other investigation against the Licensees for activities not identified in this Agreement that may be in violation of Council Bylaws, the Act or its Regulations.

Having waived their rights:

1. The Licensees undertake to pay a collective fine in the amount of \$250.00 for violations of:
 - a. Bylaw 8(2)(g) and Bylaw 8(2)(r)
2. The Licensees collectively undertake to reimburse Council's investigation costs in the amount of \$330.00.

The Committee's Agreement

1. The Committee agrees to accept payment of \$580.00 representing a fine of \$250.00 and costs of investigation in the amount of \$330.00 as full and final resolution of the complaint against the Licensees.

Dated at Wadena, in the Province of Saskatchewan, this 27th day of May 2014.

Original Signed by

Steven James Moulding for
Steven James Moulding
Linke Agencies Inc.; and
Wadena Insurance Ltd.

Dated at Regina, in the Province of Saskatchewan, this 5th day of June 2014.

Original Signed by

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