



Consensual Agreement and Undertaking

Between

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

The Flight Shops Inc. a/o/a Flight Centre Associates a/o/a Flight Centre

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 General 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.

The Flight Shops Inc. a/o/a Flight Centre Associates a/o/a Flight Centre (Flight Centre) acknowledges and agrees that:

1. It violated Council Bylaws when:
 - A. Contrary to Bylaw 8, Section 1 (a) it:
 - i. Acted contrary to the best interests of the consumer or licensees or insurance companies by allowing unlicensed salespersons to transact in insurance.
 - B. Contrary to Bylaw 8, section 2 (g) it violated provisions of the Saskatchewan Insurance Act, the regulations or the bylaws (the Act) when it:

- i. Acted contrary to Section 418 of the Act, when it appointed, permitted or authorized persons to do any of the things in respect of which a licence is required, and the persons were not the holder of a subsisting licence.
- ii. Acted contrary to Section 444 of the Act, when it compensated unlicensed individuals for acting as an agent while they did not hold an active insurance licence.

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

- i. Failed to follow sound business practices:
 - When it paid compensation to unlicensed individuals
2. Flight Centre's rights to appear before a Discipline Committee of Council have been explained to it and it fully understands its 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 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 future investigation against Flight Centre for future activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
5. Flight Centre has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement.
 - a. They have obtained such independent legal advice, or
 - b. They have willingly chosen not to obtain independent legal advice
6. Flight Centre hereby affirms that they have read and understood the terms of this Agreement, and they are signing it voluntarily and of their own free will.

Flight Centre, having waived its rights, undertakes to:

1. Pay a fine in the amount of \$2,000.00; and
2. Reimburse Council's investigation costs in the amount of \$880.00
3. 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 Flight Centre the payment of \$2880.00 as full and final resolution of its violation of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Flight Centre for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Vancouver, in the Province of British Columbia, this 20th day of April, 2017.

Originally Signed by

Lisa Baker for Flight Centre

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

Originally Signed by

**Anne Parker, Co- Chair, Complaints and Investigation Committee
General Insurance Council of Saskatchewan**

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

Originally Signed by

**Lauren Major, Co- Chair, Complaints and Investigation Committee
General Insurance Council of Saskatchewan**