

Consensual Agreement and Undertaking

Between

Excel Insurance Group Lloydminster Inc. c/o Daryl Swanson

And

**The Complaints and Investigation Committee of the
General 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 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.

Excel Insurance Group Lloydminster Inc c/o Daryl Swanson (Excel) acknowledges and agrees that:

1. Contrary to Bylaw 8, Section 2, (g) of the General Insurance Council of Saskatchewan (Council), Excel violated Section 418 and Section 444 of *The Saskatchewan Insurance Act* ("the Act") when it did:
 - a. Permit Lynne Scaddan (Scaddan) and Audrey Marie Kine (Kine) to transact insurance business and compensated them for it while they were not licensed with Excel from March 01 2013 until June 18 2013.
2. That it's rights to appear before a Discipline Committee of Council have been explained to it and it fully understand it's rights and/or obligations under Bylaw 10;
3. To waive its rights to appear before a Discipline Committee and undertake 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 agreement and undertaking.
4. That it has been advised by The Committee that it is in its interests to obtain independent legal advice before entering into this consensual agreement and undertaking.

5. This Agreement does not preclude the Committee from pursuing any other investigation against Excel 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. Excel undertakes to pay a fine in the amount of \$250.00 for allowing Scaddan and Kine to transact insurance business and be compensated for it on behalf of Excel while not sponsored by Excel..
2. Excel undertakes to reimburse Council's investigation costs in the amount of \$440.00.

The Committee's Agreement

1. The Committee agrees to accept payment of \$690.00 representing a fine of \$250.00 to Excel and costs of investigation in the amount of \$440.00 as full and final resolution of the complaint against Excel.

Dated at Lloydminster, in the Province of Alberta, this 10 day of October 2013.

Originally signed by:

Daryl Swanson for Excel Insurance Group Lloydminster Inc.

Dated at Kindersley, in the Province of Saskatchewan, this 29 day of October 2013.

Originally signed by:

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