

ALBERTA INSURANCE COUNCIL
(the "AIC")

In the Matter of the *Insurance Act*, R.S.A. 2000, Chapter I-3
(the "Act")

And

In the Matter of Great Escapes 2012 Inc.
(the "Agency")

As represented by
Rita Robinson, Designated Individual,
(the "DI")

AGREED STATEMENT OF FACTS AND JOINT SUBMISSION

WHEREAS the AIC undertook a review of the Agency's licensing records, during which review information came to light that indicated that the Agency had been acting as a restricted insurance agent while unlicensed;

AND WHEREAS the review established that the Agency had sold travel insurance policies during the period from June 29, 2014 to and including November 18, 2014, without a valid and subsisting Certificate of Authority and was compensated for acting as a restricted insurance agent;

AND WHEREAS the Agency is aware of the opportunity to retain and instruct legal counsel with respect to the matters referred to in this Agreed Statement of Facts and Joint Submission;

NOW THEREFORE the Agency , as represented by the DI, and the Investigator agree as follows:

- 1.0 For the purposes of this Agreed Statement of Facts and Joint Submission, the Agency through its DI makes the following admissions and submissions:
 - 1.1.1 The Agency is the holder of a Certificate of Authority (3-10903517) to transact business as a restricted insurance agent to sell travel related insurance and has been licensed since May 7, 2012, other than for the period from June 29, 2014 to and including November 18, 2014;
 - 1.1.2 In an email dated November 19, 2014, the DI stated that the Agency had acted as, and been compensated for acting as, a restricted insurance agent;
 - 1.1.3 The AIC sent a letter to the Agency dated March 27, 2015, which requested details as to the number of insurance policies the Agency sold from June 30, 2014 to and including November 19, 2014, as well as details in relation to the compensation it had received for doing so. The AIC received a letter dated April 13, 2015, from the DI confirming that the Agency sold 45 insurance policies

during the unlicensed period, which the Agency received compensation in the amount of \$3498.83;

1.1.4 In response to a letter from the AIC dated April 14, 2015, Lucinda Douglas (“LD”), Compliance Analyst, Advisory Services with Manulife Financial sent an email dated May 14, 2015 to the AIC, which confirmed that the Agency sold a total of 42 policies and received commission income in the amount of \$3283.19;

1.1.5 In response to a letter from the AIC dated June 29, 2015, the DI confirmed that the number of policies and amount of compensation Manulife Financial provided the AIC were the correct amounts.

- 2.0 As a result of the facts set out in this Agreed Statement of Facts and Joint Submission, the Agency contravened section 452(1) of the Act, and consequently violated section 480 (1) (b) of the Act for acting as a restricted insurance agent during a period of time the Agency was unlicensed.
- 3.0 The DI and the Investigator jointly recommend to the Life Insurance Council (“Council”) that the Council approve this Agreed Statement of Facts and Joint Submission and resolve, dispose of and finally conclude this matter involving the Agency by approving a decision in the form annexed hereto as Schedule 1, which provides for a civil penalty in the amount of \$300.00 in accordance with the penalties prescribed in section 13(1)(b) of the Certificate Expiry, Penalties and Fees Regulation, AR 125/2001.
- 4.0 The Agency recognizes that the acceptance of the decision set out in Schedule 1 shall be at the unfettered discretion of the Council.
- 5.0 The Agency is aware of and acknowledges that upon receiving notification of the Council’s decision, the civil penalty specified in Schedule 1 must be paid within the time frames set out in section 480(4) of the Act.
- 6.0 The Agency is also aware of and acknowledges that by entering into this Agreed Statement of Facts and Joint Submission, the Agency waives it’s right to appeal this decision as set out in section 482 of the Act.
- 7.0 The Agency waives any existing right it may have under the Act or otherwise to a hearing, review, judicial review or appeal of this matter.
- 8.0 The Agency acknowledges that this Agreed Statement of Facts and Joint Submission may be referred to in this or any other proceeding under the Act, and in regulatory proceedings in other jurisdictions.

9.0 The Agency recognizes that this Agreed Statement of Facts and Joint Submission resolves all issues involving the Agency in this matter only, as the matter is described above.

Dated at the City of Edmonton, in the Province of Alberta this 17th day of August, 2015.

ALBERTA INSURANCE COUNCIL
PER:

Original Signed by
Trisha Lunt, Investigator

Dated at Slave Lake, in the Province of Alberta, this 24th day of August, 2015.

Original Signed By
Rita Robinson, Designated Individual

In the presence of:

Original Signed by Witness
Signature of Witness

Witness Name
Name of Witness (please print)

SCHEDULE 1ALBERTA INSURANCE COUNCIL
(the "AIC")In the Matter of the *Insurance Act*, R.S.A. 2000, Chapter I-3 (the "Act")

And

In the Matter of Great Escapes 2012 Inc.
(the "Agency")As represented by
Rita Robinson, Designated Individual
(the "DI")DECISION OF
The Life Insurance Council
(the "Council")

WHEREAS the Investigator of the Alberta Insurance Council ("AIC") made a request for information in relation to an investigation being conducted by the AIC into the compensation of an unlicensed restricted insurance agent, from June 29, 2014 to and including November 18, 2014;

AND WHEREAS as a result of information received, the Investigator and the DI entered into an Agreed Statement of Facts and Joint Submission, a copy of which is attached hereto;

AND WHEREAS pursuant to the Agreed Statement of Facts and Joint Submission, the DI has agreed that the Agency will pay a civil penalty in the amount of THREE HUNDRED DOLLARS (\$300.00) in relation to the Agency being compensated for acting as a restricted insurance agent during the period of time it was unlicensed and has acknowledged that the Council has the discretion to accept or reject that recommendation;

AND WHEREAS the Council considers that it would be in the public interest to approve the said Agreed Statement of Facts and Joint Submission;

IT IS ORDERED that:

1. The Agreed Statement of Facts and Joint Submission be accepted and is hereby approved;
and
2. The Agency pay a fine of THREE HUNDRED DOLLARS (\$300.00) in accordance with the terms and conditions set out in this Agreed Statement of Facts and Joint Submission.

The attached Agreed Statement of Facts and Joint Submission was reviewed by the Council and a motion to approve this decision was made and carried at a properly conducted meeting of the Life Insurance Council. The motion was duly recorded in the minutes of that meeting.

Date: October 20, 2015

Original Signed By _____

Kenneth Doll, Chair
Life Insurance Council