



## **Consensual Agreement and Undertaking**

**Between**

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

**and**

**Jerome Anthony Meckelborg**

**And**

**Meckelborg Financial Group Ltd.**

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 above are reported on the Insurance Councils of Saskatchewan website and the Canadian Insurance Regulators Disciplinary Actions ("CIRDA") database.

### **Jerome Anthony Meckelborg ("Meckelborg") acknowledges and agrees that:**

1. Meckelborg violated Council Bylaws when:
  - A. Contrary to Bylaw 8, Section 2 (d) he made a material mis-statement in an application for licence or report to continue a licence;
    - i. When he failed to disclose on his July 2014 Transfer of Sponsorship Form ("Transfer Form") that he was under investigation for a regulatory offence. The Financial and Consumers Affairs Authority ("FCAA") had

issued the Statement of Allegation against him dated November 26, 2013.

- ii. When on July 4, 2014 he declared all statements and answers on his Transfer Form were true and correct; and
- B. Contrary to Bylaw 8, Section 2 (g) a licensee may be guilty of misconduct if the licensee: violates any provisions of the Act, the Regulations or the Bylaws;
- i. When he failed to notify Council within 30 days of commencement of the 2013 regulatory body proceedings initiated against him by the FCAA on November 28, 2013.
    - As per Bylaw 2, Section 1, subsection (4)(c)(ii) he failed to notify Council within 30 days of commencement of any professional, occupational or regulatory body proceedings.

**Meckelborg Financial Group Ltd. ("MFG") acknowledges and agrees that:**

2. MFG violated Council Bylaws when:

- A. Contrary to Bylaw 8, Section 2 (d) it made a material mis-statement in an application for licence or report to continue a licence;
  - i. When it failed to disclose on the July 2014 Transfer Form that Meckelborg as an officer, partner or director of MFG was under investigation for a regulatory offence. The Financial and Consumers Affairs Authority ("FCAA") had issued the Statement of Allegation against Meckelborg dated November 26, 2013.
  - ii. When on July 4, 2014 it declared all statements and answers on the Transfer Form were true and correct.
  - iii. When it failed to disclose on the 2014 Annual Reporting Form ("ARF") that Meckelborg as an officer, partner or director of MFG had been the subject of an investigation by the FCAA.
  - iv. When on September 24, 2014 it declared all statements and answers on the 2014 ARF for were true and correct; and
- B. Contrary to Bylaw 8, Section 2 (g) a licensee may be guilty of misconduct if the licensee: violates any provisions of the Act, the Regulations or the Bylaws;
  - i. When it failed to notify Council within 30 days of commencement of the 2013 regulatory body proceedings initiated against Meckelborg by the FCAA on November 28, 2013.

- As per Bylaw 2, Section 1, subsection (4)(c)(ii) it failed to notify Council within 30 days of commencement of any professional, occupational or regulatory body proceedings.
3. Meckelborg and MFG's rights to appear before a Discipline Committee of Council have been explained to them and they fully understand their rights and/or obligations under Council Bylaw 10;
  4. They 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 or *The Saskatchewan Insurance Act*, (the Act) as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
  5. This Agreement does not preclude the Life Council from pursuing any other investigation against Meckelborg and/or MFG for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
  6. They have been advised by the Committee that it is in their interests to obtain independent legal advice before entering into this Agreement.
    - a. Meckelborg and MFG have obtained such independent legal advice and are satisfied with the same, prior to executing this Agreement, or
    - b. Meckelborg and MFG have willingly chosen not to obtain such advice prior to executing this Agreement.
  7. Meckelborg and MFG hereby affirm that they have read and understood the terms of this Agreement, and are signing it voluntarily and of their own free will.

**Meckelborg, having waived his rights, undertakes to:**

1. Pay a fine in the amount of \$500.00

**MFG, having waived it's rights, undertakes to:**

1. Pay a fine in the amount of \$500.00

**Meckelborg & MGF, jointly or severally agree to:**

1. Reimburse Council's investigation costs in the amount of \$550.00
2. 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 Meckelborg and MFG either jointly and/or severally the payment of \$1,550.00 as full and final resolution of their violation of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Meckelborg and MFG for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Saskatoon, in the Province of Saskatchewan, this 10<sup>th</sup> day of December, 2015.

*Originally Signed by*  
**Jerome Anthony Meckelborg**

Dated at Saskatoon, in the Province of Saskatchewan, this 10<sup>th</sup> day of December, 2015.

*Originally Signed by*  
**Jerome Anthony Meckelborg for Meckelborg Financial Group Ltd.**

Dated at Saskatoon, in the Province of Saskatchewan, this 16<sup>th</sup> day of December, 2015.

*Originally Signed by*  
**Ian Colborne, Chair, Complaints and Investigation Committee**  
**Life Insurance Council of Saskatchewan**