

Consensual Agreement and Undertaking

Between

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

And

101195218 Saskatchewan Ltd. o/a Expedia CruiseShipCenters, Saskatoon

Monica Adele Mazzei
(Designated Representative)

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

101195218 Saskatchewan Ltd. o/a Expedia CruiseShipCenters, Saskatoon (Expedia) acknowledges and agrees that:

1. It violated Council Bylaws when:
 - A. Contrary to Bylaw 8, Section 1 (a) it acted contrary to the best interests of the consumer or licensees or insurance companies.
 - B. Contrary to Bylaw 8, section 2 (g) it violated provisions of the Act, the regulations or the bylaws when it:

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- i. Acted contrary to schedule A, Part IV, Section 3, subsection (1) when it failed to maintain registration with Corporate Registry of the Information Services Corporation.
 - C. Contrary to Bylaw 8, Section 2 (q) it:
 - i. Failed to follow sound business practices.
 - When it failed to maintain its registration on the Saskatchewan Corporate Registry but continued to maintain an in force insurance licence in Saskatchewan from October 19, 2017 to December 22, 2017, a total of 65 days.
 - D. Contrary to Bylaw 8, Section 2 (r) the designated representative:
 - ii. Failed to exercise reasonable and prudent oversight when acting in a supervisory capacity.
2. Its right to appear before a Discipline Committee of Council has been explained to it and it fully understands its rights and/or obligations under Council Bylaw 10;
3. It waives its right 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 Saskatchewan Insurance Act*, (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 further investigation against Expedia for future activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
5. Expedia has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement. Expedia has either:
 - a) Obtained such independent legal advice and is satisfied with the same, prior to executing this Agreement, or
 - b) Willingly chosen not to obtain such advice prior to executing this Agreement.
6. Expedia hereby affirms that it has read and understand the terms of this Agreement and is signing it voluntarily and of its own free will.

Expedia having waived its rights, undertakes to:

1. Pay a fine in the amount of \$1,000;

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2. Reimburse Council's cost of investigation in the amount of \$880;
3. Expedia will pay all fines within 30 days of receipt of this Agreement.
4. Upon completion of every Annual Reporting Form, Expedia must provide proof to Council that their corporate registration in Saskatchewan remains valid.

The Committee's Agreement:

1. The Committee agrees to accept from Expedia the payment of \$1,880 as full and final resolution of this violation of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Expedia for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Saskatoon, in the province of, Saskatchewan, this 18th day of December, 2018

Originally signed by

**Monica Adele Mazzei for 101195218 Saskatchewan Ltd. o/a Expedia
CruiseShipCenters, Saskatoon**

Dated at Saskatoon, in the province of, Saskatchewan, this 7th day of January, 2019

Originally signed by

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

Dated at Regina, in the province of, Saskatchewan, this 4th day of January, 2019

Originally signed by

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