



Consensual Agreement and Undertaking (Agreement)

Between

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

and

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

and

Ricky Theodore Peter William Omelchenko (Omelchenko)

Omelchenko acknowledges and agrees that:

1. Contrary to the General Insurance Council of Saskatchewan (GIC) Bylaw 8 Section 2(g) he contravened a provision of the Bylaws.

As a licensee he has an obligation to within 30 days notify the GIC of certain actions involving him and those actions are set out in Bylaw 2 Section 4.

The offence occurred when he failed to notify the GIC of the commencement of criminal proceedings against him.

2. Contrary to the Hail Insurance Council of Saskatchewan (HIC) Bylaw 8 Section 2(g) he contravened a provision of the Bylaws.

As a licensee he has an obligation to within 30 days notify the HIC of certain actions involving him and those actions are set out in Bylaw 2 Section 4.

The offence occurred when he failed to notify the HIC of the commencement of criminal proceedings against him.

3. Contrary to the GIC Bylaw 8 Section 2(d) he made a material misstatement in his annual reporting form to the GIC which he signed on May 21, 2010 and solemnly declared that the information was true.

The offence occurred when he failed to disclose that he was under investigation and/or had been charged with a criminal offence.

4. Contrary to the HIC Bylaw 8 Section 2(d) he made a material misstatement in his annual reporting form to the HIC which he signed on April 13, 2010 and solemnly declared that the information was true.

The offence occurred when he failed to disclose that he was under investigation and/or had been charged with a criminal offence.

5. His rights to appear before a Discipline Committee of the GIC and/or the HIC have been explained to him and he fully understands his rights and obligations under the GIC Bylaw 10 and the HIC Bylaw 10.
6. He waives his rights to appear before a Discipline Committee of the GIC and/or the HIC and undertakes not to exercise any appeal rights he may have under the GIC Bylaw 10, Section 3 or the HIC Bylaw 10, Section 3 or *The Saskatchewan Insurance Act (The Act)*, Section 466.1 (7.1), as it relates to matters set out in this Agreement.
7. He has been advised by the GIC Committee and the HIC Committee that it is in his interests to obtain independent legal advice before entering into this Agreement.
8. This Agreement does not preclude the GIC Committee or the HIC Committee from pursuing any other investigation against him for activities not identified in this Agreement that may be in violation of Council Bylaws or The Act.
9. The GIC Committee and the HIC Committee agree that Omelchenko has been given a conditional discharge by the court and therefore he has not been convicted of any criminal offence.

Omelchenko having waived his rights undertakes to:

10. Pay a fine in the amount of \$500.00 for contravention of the GIC Bylaw 8 Section 2(g) and the HIC Bylaw 8 Section 2(g);
11. Pay a fine in the amount of \$2,000.00 for contravention of the GIC Bylaw 8 Section 2(d) and the HIC Bylaw 8 Section 2(d); and
12. Reimburse the GIC Committee investigation costs and the HIC Committee investigation costs in the total amount of 1,280.00

The Committee's Agreement:

13. The GIC Committee and the HIC Committee agree to accept as full and final resolution to the acknowledged violations of the GIC Council Bylaw and the HIC Council Bylaw as set out in this Agreement the following:

- a. payment to the GIC and the HIC fines in the total amount of \$2,500.00; and
- b. payment of the GIC Committee investigation costs and the HIC Committee investigation costs in the total amount of \$1,280.00.

Dated at Saskatoon in the Province of Saskatchewan, this 4 day of July, 2011.

Originally signed by:

Ricky Theodore Peter William Omelchenko

Dated at Regina, in the Province of Saskatchewan, this 7 day of July, 2011.

Originally signed by:

**Dave Prociuk, Chairman
Complaints and Investigation Committee
General Insurance Council of Saskatchewan**

Originally signed by:

**Dwayne Mitchell, Chairman
Complaints and Investigation Committee
Hail Insurance Council of Saskatchewan**