

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 Just Travel Inc.
(the "Agency")

As represented by
Designated Individual
Joyce Jewell
(the "DI")

AGREED STATEMENT OF FACTS AND JOINT SUBMISSION

WHEREAS the Alberta Insurance Council (the "AIC") undertook a review of the Agency's records, during which review information indicated that the Agency had operated without a valid and subsisting Certificate of Authority and acted as travel agent from July 1, 2017 to July 4, 2018 ("unlicensed period");

AND WHEREAS the review established that the Agency issued 148 insurance policies and was compensated in the amount of \$13,337.37 in commission for those policies during the unlicensed period;

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 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 (3-10946843) to transact business as a travel agent and has been licensed since at least April 24, 2015;
 - 1.1.2 Joyce Jewell is named as the DI of the Agency, and has been licensed since at least April 24, 2015;
 - 1.1.3 In response to an email from the AIC dated August 2, 2018, the DI sent an email dated August 15, 2018, confirming that the Agency had been compensated for acting as travel agent during the unlicensed period;
 - 1.1.4 The DI confirmed to the investigator that the Agency issued 148 policies during the unlicensed period and earned \$13,337.37 in commissions. Manufacturers Life Insurance Company (The) also confirmed the number of policies sold by the Agency and the commission earned during the unlicensed period.

- 1.1.5 The DI stated that she did not receive a reminder email to renew the Agency's license. The DI will have her "license renewed at the appropriate time".
 - 1.1.6 This is the first occurrence of unlicensed activity for this Agency.
 - 1.1.7 The DI is aware that any similar future occurrences may result in a potential fine as high as \$1,000.00 per policy sold when unlicensed.a
- 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 travel agent when unlicensed.
 - 3.0 The DI and the investigator jointly recommend to the 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 \$450.00, 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 DI recognizes that the acceptance of the decision set out in Schedule 1 shall be at the unfettered discretion of the Council.
 - 5.0 The DI 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 DI is also aware of and acknowledges that by entering into this Agreed Statement of Facts and Joint Submission, the Agency waives its right to appeal this decision as set out in section 482 of the Act.
 - 7.0 The DI 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 DI 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 DI 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 Calgary, in the Province of Alberta this 19th day of November 2018.

ALBERTA INSURANCE COUNCIL

PER:

[Original signed by]

Crystal Ellis, Investigator

Dated at the City of Calgary, in the Province of Alberta this 15th day of November 2018.

[Original signed by]

Joyce Jewell, Designated Individual

In the presence of:
[Original signed by]
Signature of Witness

[L.S.]
Name of Witness (please print)

SCHEDULE 1

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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 Agency acting as a restricted travel agent while unlicensed;

AND WHEREAS as a result of information received, the investigator and the DI of the Agency 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 FOUR HUNDRED FIFTY DOLLARS (\$450.00) 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 FOUR HUNDRED FIFTY DOLLARS (\$450.00), in accordance with the terms and conditions set out in the 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 The Life Insurance Council. The motion was duly recorded in the minutes of that meeting.

Date: December 12, 2018

[Original signed by]
Michael Bibby
Chair Life Insurance Council