

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 Rishi Jaitley, Designated Representative  
(the “DR”)

DECISION  
OF  
The General Insurance Council  
(the “Council”)

This case involves an allegation pursuant to s. 481(2) of the Act. Specifically, it is alleged that the DR failed or refused to provide information requested by the Minister, through the AIC, by way of a formal demand for information (the “Demand”). In so doing, it is alleged that the DR, in his capacity as a designated representative, subsequently violated s. 480(1)(b) of the Act.

**Facts and Evidence**

This matter proceeded by way of a written Report to Council dated June 20, 2025 (the “Report”). The Report was forwarded to the DR for review, and to allow the DR an opportunity to provide the Council with any further evidence or submissions by way of addendum.

This matter arose due to the DR’s failure to respond to the Demand issued in the course of an investigation into a complaint made against an insurance agent that was an employee of the same agency the DR was employed with, [M.I.B.C.] [redacted] (the “Agency”).

The DR is the holder of a General Insurance – Level 3 Designated Representative certificate of authority with the Agency and has held such since April 15, 2021.

On October 16, 2024, the AIC investigator sent a request for information to the DR via email, with no response being received from the DR.

On January 8, 2025, the AIC investigator sent to the DR, via email, the request for information initially sent to the DR on October 16, 2024, now with a response deadline of January 23, 2025. In the same email, the AIC investigator also provided the DR with an *Investigation Notice* document which requested the same information.

On May 7, 2025, the AIC investigator sent the Demand to the DR via email and mail, with a response deadline of May 22, 2025.

On May 28, 2025, the DR provided the AIC investigator with the following information:

[...]

**From:** Rishi Jaitley <\*\*\*\*\*@m\*\*\*\*\*r.com> [redacted]  
**Sent:** May 28, 2025 10:13 PM  
**To:** [AIC investigator] [redacted]

[...]

Hi [AIC investigator] [redacted], trust this finds you well. Firstly, I would like to apologize for not meeting the assigned deadline. I don't know where the January correspondence were sent, however, I have no record for such communications. I assume it would have to do with this inaccurate email address:

**From:** [AIC investigator] [redacted]  
**To:** r\*\*\*\*\*3@gmail.com [redacted]  
**Subject:** AIC > [case number] [redacted]  
**Date:** October 16, 2024 5:12:00 PM

[...]

I apologize I missed the deadline for the respective correspondence. This is not normal as we take consumer complaints and regulatory compliance as the highest priority. I apologize if the reflection to date on this file is sub satisfactory but I hope to turn things around before any further escalation.

I would like to take a day to reference our records and align with our Alberta team. [...]

I will follow up today (May 29<sup>th</sup>, 2025) with an update for your reference. As we took over ownership in August of 2023, there are a number of operating modifications we have made to the consumers [sic] best interest. [...]

I will pursue as thorough an explanation, but as per the complaint details not recorded with confirmation of coverage issued are hard to gather due to the lack of appropriate administration and record keeping.

However, I shall do my best to respond with some details on the accounts which may have led to the complaint.

I will be in touch shortly and again thank you for your patience and understanding of the above.

[...]

[Emphasis added in original document]

On July 7, 2025, the DR provided the following additional information, via email, by way of addendum (the "DR Addendum 1"):

[...]

Firstly, I would like to thank you for the opportunity to review and submit an explanation of the finding from the [AIC investigator] [redacted]. Please note, that any communication is not to be adversarial or combative to the reviewed response. I personally acknowledge that the interest of the public is a serious matter, and we handled all compliance, complain, escalation, and remedial responsibilities at the highest regard.

With that said, I will address the items listed in the Investigation Report dated June 20<sup>th</sup>, 2025.

1. The communications on October 16<sup>th</sup>, 2024, January 8<sup>th</sup>, January 23<sup>rd</sup>, were all mailed to an email address which was no longer active. This was a personal email address used at the initial stages of licensing due to firewall issues related to the registration of accounts. Since, this issue was remedied and all correspondence with the AIC (which have been frequent) have always been handled through my formal and professional account \*\*\*\*\*@m\*\*\*\*\*r.com [redacted]. None of the aforementioned dated correspondence were received to that email which was communicated to [the AIC investigator] [redacted] back on May 28<sup>th</sup>, 2025.

2. The receipt of the May 7<sup>th</sup> email was to the professional email mentioned above, however, from May 4<sup>th</sup> – May 25<sup>th</sup> I was not in office and had my (newly appointed) Executive Assistant handling the flagging of all urgent emails and request. It was reference in the Investigation Report there was “no out of office reply” and rarely is this a tool I engage in with the attendance of an EA. She had flagged the notice for my return and was not familiar (nor licensed/instructed) at the time on reviewing regulatory matters.
3. My Email [sic] of May 28<sup>th</sup> indicated a review and delivery date of June 20<sup>th</sup>, unfortunately, with limited access from our Ontario office I needed to attend our Calgary office in person to investigate the matter further.
4. On June 23<sup>rd</sup>, 2025 I flew to Calgary to inquire of this and other pertinent matters in our Alberta office to ensure appropriate supervision.
5. On June 24<sup>th</sup>, a thorough review of material was completed.
6. On June 30<sup>th</sup>, 2025 an Investigation Report was completed which has been attached to this string in reference to the other complaint filed related matter with [K.E.] [redacted].

Conclusion:

I kindly ask that no penalty is imposed given that there has never been a complaint on any of my national licenses or disciplinary act. I act in good faith and persistent pursuit of public service, and apologize for any lack of communication due to the above.

I will ensure timely review and response and will update contact details to avoid any instance of this in the future.

Additional Notation:

If a judgement is intended to be imposed by a disciplinary committee, I prefer to be notified to ensure that I am able to retain qualified council in my defense.

[...]

[Emphasis added in original document]

On August 6, 2025, the AIC investigator provided the DR, via email, with additional information by way of addendum (the “AIC Addendum”):

[...]

This is an Addendum to the Investigation Report to the General Council # 75967, in response to the Respondent’s addendum dated July 7, 2025.

1. The D/R stated that the communications on October 16<sup>th</sup>, 2024, January 8<sup>th</sup>, 2025, and January 23<sup>rd</sup>, 2025, were all mailed to an email address which was no longer active.

*The AIC communicates with licensees through the addresses (email, mailing) and telephone number(s) recorded on the individual’s personal profile registered with the AIC. It is the licensee’s responsibility to ensure that the contact information logged remains correct. The D/R stated in his addendum of July 7, 2025, that he would update his AIC credentials however, as of this writing, the D/R still has not updated their contact information on their AIC profile.*

*The D/R’s failure to respond to the AIC’s prior email communications prompted the postal mailing of a Demand for Information, to the physical address noted on the D/R’s personal profile registered with the AIC on May 7, 2025. It was at this time that a search of the brokerage revealed an alternative email address, and a third attempt by electronic means to reach the D/R. No response was received prior to the deadline of May 22, 2025.*

2. In response to the AIC’s email to the brokerage of May 7, 2025, in his addendum dated July 7, 2025, the D/R stated that he was away from the office from May 4 to May 25, 2025 and had a newly appointed

Executive Assistant, handling the flagging of all urgent emails and requests. He further advised that [she] was not licensed or instructed to review regulatory matters and thus flagged the email from the AIC for the D/R to handle upon his return.

*The AIC may contact licensees and designated representatives at any time when a complaint is received. It is the responsibility of the D/R to ensure ongoing supervision of the agency, including timely responses to requests from the regulatory body.*

3. The D/R advised that in his email of May 28, 2025, he indicated a review and delivery date for the requested information of June 20, 2025.

*In contrast to the D/R's addendum stating that his May 28, 2025 email to the AIC indicated that he would provide a complete response to the Demand for Information on June 20, 2025, the actual correspondence received by the AIC on May 28, 2025 solely stated, "I will follow up today (May 29th, 2025) with an update for your reference."*

*This has previously been included as "Exhibit E" in the Investigative Report to Council.*

4. The D/R flew to the Agency's Calgary office on June 23, 2025 to inquire of this matter and other pertinent matters to ensure appropriate supervision.

*The D/R attended the Calgary office to satisfy the AIC's Demand for Information after multiple deadlines were afforded. His attendance in Calgary on June 23, 2025 is also after the June 20, 2025 delivery date the D/R previously mentioned as promised in his addendum.*

*There are concerns regarding the adequacy of the Agency's supervision, particularly if the duties and responsibilities of the Designated Representative cannot be effectively carried out in a remote setting.*

5. According to the D/R, on June 24, 2025, a thorough review of material was completed and on June 30, an [Agency] Investigation Report was completed.

*The D/R first stated he would follow up on May 29, 2025. He then indicated a delivery date of June 20, 2025, per his addendum. Subsequently per the D/R's addendum, a thorough review was completed on June 24, 2025 and an [agency] investigation report was completed on June 30, 2025.*

*If a report was completed on June 30, 2025, why was it not submitted to the AIC at that time? A reply to the AIC's Demand for Information was submitted on July 7, 2025; a delay of 39-days from the D/R's original commitment date of May 29, 2025 for delivery of documents.*

6. Although the D/R ultimately complied with the AIC's Demand for Information, this occurred only after a delay of nine months and following the issuance of a Report to Council indicating non-response. The AIC maintains that the D/R's conduct remains serious in nature and constituted a significant impediment to the investigation. Timely cooperation is essential for the AIC to effectively carry out its delegated responsibilities, and it is imperative that agents, designated representatives, and independent adjusters respond promptly and engage constructively with investigators.

[...]

[Emphasis added in original document]

On August 21, 2025, the DR provided further information, via email, by way of addendum (the "DR Addendum 2"):

**Investigation Report: 75967**

**Date: June 20th, 2025**

Please see comments related the [sic] listed items below:

1. The D/R flew to the Agency's Calgary office on June 23, 2025 to inquire of this matter and other pertinent matters to ensure appropriate supervision.

*The D/R attended the Calgary office to satisfy the AIC's Demand for Information after multiple deadlines were afforded. His attendance in Calgary on June 23, 2025 is also after the June 20, 2025 delivery date the D/R previously mentioned as promised in his addendum.*

*There are concerns regarding the adequacy of the Agency's supervision, particularly if the duties and responsibilities of the Designated Representative cannot be effectively carried out in a remote setting.*

This is not a valid reflection of the attention, supervision and engagement for our Western operations. [The Agency] [redacted] conducts the following activity on a regular and reoccurring basis:

- i. Weekly Team Meetings with the D/R and local teams
- ii. Involvement of the D/R in any urgent and escalated matters on an immediate basis at the request of the General Manager – [R.T.] [redacted]
- iii. Engagement with Carrier Partners on a Frequent and Monthly basis
- iv. Monthly visit

It should be also noted that our company has recently invested in a local physical address for personal use which will be used in the regular travel of the D/R – Rishi Jaitley to and from the province of Alberta. This investment would not be made if the supervision, commitment and importance of relationships with various stakeholders including public interest of Calgarians was short of interest, intent and importance.

[...]

We do not agree with the narrative of this report.

2. According to the D/R, on June 24, 2025, a thorough review of material was completed and on June 30, an [Agency] Investigation Report was completed.

*The D/R first stated he would follow up on May 29, 2025. He then indicated a delivery date of June 20, 2025, per his addendum. Subsequently per the D/R's addendum, a thorough review was completed on June 24, 2025 and an [agency] investigation report was completed on June 30, 2025.*

*If a report was completed on June 30, 2025, why was it not submitted to the AIC at that time? A reply to the AIC's Demand for Information was submitted on July 7, 2025; a delay of 39-days from the D/R's original commitment date of May 29, 2025 for delivery of documents.*

It is still my position, that of the date the matter was presented to myself as the D/R, immediate and timely action was taken. A priority and urgency was extended given the appreciation for the importance of the investigation.

That said, timelines and deadlines must remain flexible for the quality of the report. The submission was required to be reviewed by several management internally before issuance. Including our HR department – hence the gap in the report date and delivery date.

We do not agree with the narrative of this report.

[...]

[Emphasis added in original document]

**Discussion**

The President of Treasury Board and Minister of Finance has delegated their authority to the AIC to investigate complaints against holders, and former holders, of certificates of authority, pursuant to Ministerial Directive 01/2011. Section 481(1) of the Act states that “[t]he Minister may direct the holder or former holder of a certificate of authority to provide to the Minister within a reasonable period of time specified in the direction any information specified by the Minister relating to the matters in s. 480(1).” Section 481(2) states that “[a] person served with a direction...who has the information must provide the information in accordance with the direction.”

The ability to issue the Demand itself is derived from s. 481 of the Act:

**Demand for information**

**481(1)** The Minister may direct the holder or former holder of a certificate of authority to provide to the Minister within a reasonable period of time specified in the direction any information specified by the Minister relating to the matters in section 480(1).

**(2)** A person served with a direction under subsection (1) who has the information must provide the information in accordance with the direction.

[Emphasis added in original document]

Section 480 of the Act provides, in part:

**Sanctions affecting certificates**

**480(1)** If the Minister is satisfied that the holder or a former holder of a certificate of authority

[...]

(b) has contravened any provision of this Act or the regulations or similar legislation in another jurisdiction or legislation that is a predecessor of this Act or the regulations,

[...]

the Minister may revoke, suspend or refuse to renew or reinstate one or more of the certificates of authority held by the holder, impose terms and conditions provided for in the regulations on one or more of the certificates of authority held by the holder and impose a penalty on the holder or former holder.

[...]

[Emphasis added in original document]

In this regard, the act of failing to provide information in accordance with s. 481(2) of the Act, and the potential violation of s. 481(2) of the Act regarding the Demand, prompted the AIC to commence an investigation.

Regulatory offences such as these are strict liability offences. As such, the AIC has the onus to prove that the Demand was properly made upon the DR, and that the DR did not comply in accordance with the Demand. Once this has been established, the responsibility then shifts to the DR to establish that due diligence was exercised in meeting the statutory requirement to respond. To substantiate this due diligence defence, the DR must prove that all reasonable means were taken to avoid making the offence. There is nothing that requires the AIC to prove that the DR’s failure to respond was intentional.

In reviewing the evidence before it, the Council took note that the AIC had communicated with the DR using the information on the DR's personal profile with the AIC, with the contact information provided to the AIC from the DR, including the email address and mailing address on file. It is the responsibility of the individual to ensure that their contact information is up to date with the AIC. The Council also took note of the fact that the Demand was related to an investigation involving allegations of a serious nature and was sent to the DR using both email and mail, with the Demand being sent only after previous requests for information were sent to the DR and no response was received. Although the DR did eventually respond to the Demand, this was done only after the AIC investigator had made several attempts to obtain the information and after the Report was issued to the DR, as well as over a month past both the deadline provided in the Demand and the DR's original commitment date to respond.

A designated representative of an insurance agency holds a critical position of responsibility in ensuring the agency's compliance with regulatory requirements and the supervision of its agents. The regulator relies on timely, complete, and accurate responses to its requests for information in order to effectively carry out its mandate of protecting the public and maintaining confidence in the insurance industry. A failure to respond within prescribed timelines undermines the regulator's ability to perform its oversight function and raises concerns about the individual's understanding of and commitment to their regulatory obligations. It is particularly important that designated representatives, given their supervisory role and the trust placed in them, demonstrate a high level of diligence and responsiveness. Imposing discipline in these circumstances serves not only to address this individual's conduct but also to deter similar behaviour by others, reinforcing the expectation that designated representatives must always cooperate fully and promptly with the regulator.

In consideration of the evidence before it, and the appropriateness of the request to provide information under the Act, the Council is satisfied that the Demand met the requirements of s. 481(2) of the Act. The Council is in agreement that the DR was provided with a reasonable opportunity to respond to the Demand and that the DR failed to respond within the prescribed timeline, and therefore the DR has not met the burden of proof to establish a due diligence defence. As such, the Council finds the DR guilty of violating s. 481(2) of the Act, as alleged, and therefore also finds that the DR has subsequently violated s. 480(1)(b) of the Act.

In terms of the applicable sanction, the public relies on the AIC to investigate complaints, and the Act requires that all holders and former holders of certificates of authority provide the regulator with information when called upon. The Council is of the view that the public is not well served when insurance agents, and particularly designated representatives, do not respond to requests for information from the regulator, especially when it relates to an investigation involving serious allegations. Pursuant to s. 36.1(1)(b) of the *Insurance Agents and Adjusters Regulation*, A.R. 122/2001, the Council has the discretion to levy a civil penalty in an amount up to \$1,000.00. Given the facts in

their entirety, the Council is of the view that a significant penalty is warranted in the circumstances, and the Council orders that a civil penalty in the amount of \$1,000.00 be levied against the DR. The Council also orders that the DR's certificate of authority with the Agency be suspended for a period of one (1) year. The suspension shall commence thirty (30) days after the mailing of this Decision.

The civil penalty of \$1,000.00 must be paid within thirty (30) days of the mailing of this Decision. In the event that the civil penalty is not paid within thirty (30) days, interest will begin to accrue at the prescribed rate. If the Agent has active certificates of authority at the time that the civil penalty becomes due, and that civil penalty has not been duly satisfied, the Agent's active certificates of authority will be suspended in accordance with s. 480(4) of the Act. Pursuant to s. 482 of the Act (excerpt enclosed), the Agent has thirty (30) days in which to appeal this Decision by filing a notice of appeal with the Office of the Superintendent of Insurance.

This Decision was made by way of a motion made and carried at a properly conducted meeting of the General Insurance Council. The motion was duly recorded in the minutes of that meeting.

Date: October 29, 2025

[Original signed by]  
Amanda Sawatzky, Chair  
General Insurance Council

**Extract from the *Insurance Act, R.S.A. 2000, Chapter I-3*****Appeal**

482 A decision of the Minister under this Part to refuse to issue, renew or reinstate a certificate of authority, to impose terms and conditions on a certificate of authority, to revoke or suspend a certificate of authority or to impose a penalty on the holder or former holder of a certificate of authority may be appealed in accordance with the regulations.

**Extract from the *Insurance Councils Regulation, Alberta Regulation 126/2001*****Notice of appeal**

16(1) A person who is adversely affected by a decision of a council may appeal the decision by submitting a notice of appeal to the Superintendent within 30 days after the council has mailed the written notice of the decision to the person.

(2) The notice of appeal must contain the following:

- a) a copy of the written notice of the decision being appealed;
- b) a description of the relief requested by the appellant;
- c) the signature of the appellant or the appellant's lawyer;
- d) an address for service in Alberta for the appellant;
- e) an appeal fee of \$200 payable to the Provincial Treasurer.

(3) The Superintendent must notify the Minister and provide a copy of the notice of appeal to the council whose decision is being appealed when a notice of appeal has been submitted.

(4) If the appeal involves a suspension or revocation of a certificate of authority or a levy of a penalty, the council's decision is suspended until after the disposition of the appeal by a panel of the Appeal Board.

**Contact Information and Useful Links for Appeal:**

Email: [tbf.insurance@gov.ab.ca](mailto:tbf.insurance@gov.ab.ca)

Phone: 780-643-2237

Fax: 780-420-0752

Toll-free in Alberta: Dial 310-0000, then the number

Mailing Address: 402 Terrace Building, 9515 – 107 Street Edmonton, AB T5K 2C3

Link: [Bulletins, notices, enforcement activities | Alberta.ca](#) – *Interpretation Bulletin 02-2021 – Submitting Notices of Appeal of Insurance Council Decisions*