Consensual Agreement and Undertaking

Between

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

Global Warranty (West Coast) Corporation

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 General 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.

Global Warranty (West Coast) Corporation (Global) acknowledges and agrees that:

1. It violated Council Bylaws when:

    A. Contrary to Bylaw 8, Section 2 (g) a licencee may be guilty of misconduct if the licencee: violates any provision of the Act, the regulations or the bylaws;

        i. When contrary to Schedule A, Part VI, Section 4, subsection (1) it failed to maintain a valid policy of errors and omissions insurance (E&O);

            a) When on October 25, 2014 it allowed its E&O insurance to lapse while the licence remained active,

            b) E&O was not re-established until March 12, 2015,

          c) Global was without E&O coverage for 138 days; and

      ii. When contrary to Bylaw 2, Section 1, Subsection 4 (d) it failed to immediately notify Council of cancellation or non-renewal of its E&O insurance.

2. Its rights to appear before a Discipline Committee of Council have been explained to it and it fully understands its rights and/or obligations under Council Bylaw 10;

3. It waives its rights 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 other investigation against Global for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.

5. It has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement.

    a. Global has obtained such independent legal advice and is satisfied with the same, prior to executing this Agreement, or

    b. Global has willingly chosen not to obtain such advice prior to executing this Agreement.

6. Global hereby affirms that it has read and understood the terms of this Agreement, and is signing it voluntarily and of its own free will.

Global, having waived its rights, undertakes to:

1. Pay a fine in the amount of $5,000.00; and

2. Reimburse Council's investigation costs in the amount of $330.00.

3. Global will pay all fines and investigative costs within 30 days of receipt of this Agreement.

4. Global will ensure E&O insurance is in place while Global continues to hold an insurance licence.

The Committee's Agreement:

1. The Committee agrees to accept from Global the payment of $5,330.00 as full and final resolution of its violation of Council's Bylaws as outlined in this Agreement; and

2. The Committee further agrees to take no further action against Global for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at London, in the Province of Ontario, this 31st day of August, 2015.

Originally Signed by
Roy Neufert for Global Warranty (West Coast) Corporation

Dated at Moosomin, in the Province of Saskatchewan, this 5th day of October, 2015.

Originally signed by
Darryl McKay, Chair, Complaints and Investigation Committee
General Insurance Council of Saskatchewan