



Consensual Agreement and Undertaking

(“Agreement”)

Bylaw 7(5)(3)(b)

between

The Complaints and Investigation Committee

(“Committee”)

of

The Hail Insurance Council of Saskatchewan

(“Council”)

and

Wayne S. Durksen o/a Kids Matter Hail Insurance

(“Kids Matter”)

Misconduct

1. Kids Matter acknowledges and agrees that it violated Council Bylaws when:

- a) contrary to Bylaw 8(2)(g), it failed to maintain registration with ISC Corporate Registry, pursuant to Schedule A, Part II(6)(1).
- b) contrary to Bylaw 8(2)(q), it failed to follow sound business practices by failing to maintain corporate registration.

Rights and Obligations

1. Kids Matters’ right to appear before a Discipline Committee of Council has been explained and it fully understands its rights and/or obligations under Council Bylaw 10;
2. Kids Matter waives its right to appear before a Discipline Committee and undertake(s) not to exercise any appeal rights it may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act*, (“Act”) as it relates to matters set out in this Agreement.
3. This Agreement does not preclude Council from pursuing any further investigation against Kids Matter for future activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
4. Kids Matter has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement. It has either:



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- 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.
5. Kids Matter hereby affirms that it has read and understood the terms of this Agreement and is signing it voluntarily and of its own free will.

Kids Matter, having waived its rights, undertakes to:

1. Pay a fine in the amount of \$1000.
2. Reimburse Council's investigation costs in the amount of \$330.
3. Pay all fines and investigative costs, totaling \$1330, within 30 days of receipt of this Agreement.

The Committee's Agreement:

1. The Committee agrees to accept from Kids Matter the payments of \$1330 as full and final resolution of this violation of Council's Bylaws as outlined in this Agreement.
2. The Committee further agrees to take no further action against Kids Matter for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Warman, in the province of, Saskatchewan, this 14th day of January, 2020
(Town/City) (Month) (Year)

Originally signed by Wayne Durksen

Signature

Print name and title

On behalf of Wayne S. Durksen o/a Kids Matter Hail Insurance.



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Wayne S. Durksen o/a Kids Matter Hail Insurance

Dated at Regina, in the province of, Saskatchewan, this 23rd day of January, 2020
(Town/City) (Month) (Year)

Originally signed by

**Rodney Schoettler, Chair, Complaints and Investigation Committee
Hail Insurance Council of Saskatchewan**

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 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.