



DECISION

IN THE MATTER OF THE LIFE INSURANCE COUNCIL OF SASKATCHEWAN ("Council")

MARKET PRACTICES COMMITTEE ("the Committee")

RESPECTING

STEVEN LYLE KING ("the licensee")

The Committee is authorized under Council's Bylaw 2, section 2-3, to investigate complaints and adjudicate or mediate disputes respecting alleged non-compliance with *The Insurance Act* (the "Act"), *The Insurance Regulations* (the "regulations") or the Life Insurance Council's Bylaws by applicants, licensees or persons who are required to be licensees pursuant to clause 5-31(3)(i) of the regulations, and to make decisions respecting penalties and other charges pursuant to clause 5-31(3)(k) of the regulations.

In review of the licensee's Annual Reporting Form ("ARF") for the reporting period of July 9, 2019, Council determined that he failed to disclose on his ARF that he was the subject of a civil action. The licensee also failed to disclose to Council within 30 days that he was the subject of a Federal Government regulatory action. An investigation was undertaken, the outcome of which was submitted to the Committee on December 3, 2020.

A Notice of Proposed Action dated December 4, 2020 by way of a Consensual Agreement and Undertaking ("the Agreement") was served on the licensee on December 8, 2020.

The licensee did not provide written representations or request a hearing to advise the Committee why the licensee felt that the actions identified in the Agreement should not be taken, pursuant to section 10-11(3) of the Act within the required time.



As the licensee failed to meet the requirements of section 10-11(3), of the Act within the required time, the Committee pursuant to section 10-11(6) of the Act, has taken the actions outlined in the December 4, 2020 Agreement.

MISCONDUCT AND BYLAW VIOLATIONS BY THE LICENSEE:

Bylaw 4-1(2)(k) Without limiting the generality of subsection 4-1 (1), a licensee may be guilty of misconduct if the licensee:

- (k) makes a material misstatement in an application for licence or report to continue a licence, pursuant to clauses 5-39(1)(a) and 5-64(1)(a) of the Act

Bylaw 3-1(4) A licence imposes on the licensee, and if a business, the designated representative, obligations including but not limited to, the following:

- (c) to notify LICs within 30 days of:
 - (ii) the commencement of any professional, occupational or regulatory body proceedings against the licensee or the licensee's directors or officers anywhere in the world...;
 - (iii) the commencement of any other type of legal action, including but not limited to class action lawsuits or civil actions respecting the business of insurance

REASON FOR THE DECISION:

As the licensee failed to provide written representations or request a hearing, the Committee pursuant to section 10-11(11) of the Act, considers the Agreement appropriate and makes the following order.

THE COMMITTEE HEREBY ORDERS THAT:

1. The licensee pay the following fines:

Bylaw 4-1(2)(k) Pay a fine of:	\$230.00
Total:	<u>\$230.00</u>

Costs of investigation: 3 hours at \$110.00 per hour	\$330.00
Total:	<u>\$560.00</u>

2. The licensee must pay the fine within 30 days of his receipt of this Decision, pursuant to section 5-39(3) of the Act.



5-39(3) of the Act

If a penalty imposed against a holder of an insurance intermediary's licence pursuant to subsection (2) is not paid within 30 days after the holder is served with the written notice of the penalty and the decision of the Superintendent is not appealed, the licence is automatically suspended immediately following the last date for paying the penalty or appealing the decision, whichever is later, and remains suspended until the penalty is paid or the licence expires.

Dated at Regina, in the Province of Saskatchewan, this 28 day of January, 2021.

Originally signed by:

Grant Laube, Chair
Market Practices Committee