



## CONSENSUAL AGREEMENT AND UNDERTAKING

("Agreement")

Between

### THE MARKET PRACTICES COMMITTEE

("Committee")

of

### THE GENERAL INSURANCE COUNCIL OF SASKATCHEWAN

("Council")

And

### Westland Insurance Group Ltd. o/a Westland MyGroup

("Agency")

The Agency, through its designated representative Ren de Mossaic ("DR") acknowledges and agrees that it received the Notice regarding a Proposed Action pursuant to Section 10-11 of *The Insurance Act* (the "Act"), and the reasons therefor, from Council, dated February 14, 2023.

**The Agency acknowledges and agrees that it is guilty of misconduct by violating the following sections of the Act and Council Bylaws:**

The Agency employed and compensated an unlicensed individual to act as insurance agent in Saskatchewan during the period of June 8, 2022 to October 11, 2022 when she did not hold a licence through Council to do so, which is a violation of the Act, section 5-4(3) and Bylaw 4-1(1) (c) which state:

#### **The Act: Insurance agent's licence required**

**5-4(3)** No business that holds an insurance agent's license, other than restricted insurance agent's licence, shall employ or appoint an individual to act as an insurance agent unless the individual holds a valid insurance agent's licence.

**Bylaw 4-1 (1)** For the purposes of the Act, the regulations and these bylaws, professional

misconduct is a question of fact but includes any matter, conduct or thing, whether or not disgraceful or dishonorable that:

(c) is a breach of the Act, the regulations or these bylaws.



**The Agency acknowledges and agrees that:**

- a. Its right to make a written submission to, or appear before the Committee at an oral hearing, as to why this action should not be taken, has been explained to the DR and that he fully understands the Agency’s rights and/or obligations.
- b. The Agency waives its right to make a written submission to the Committee or to appear before the Committee at an oral hearing and chooses to resolve this matter by way of this Agreement and accordingly waives any right of appeal with respect to this action.
- c. This Agreement does not preclude the Council from pursuing any other investigation and/or sanctions against the Agency for activities not identified in this Agreement that may be in violation of the Act, *The Insurance Regulations* (“the regulations”) or Council Bylaws.
- d. The Agency has been advised that it is in its best interest to obtain independent legal advice before entering into this Agreement, and the Agency has either:
  - i. obtained such independent legal advice prior to executing this Agreement; or
  - ii. has willingly chosen not to obtain such advice prior to executing this Agreement.
- e. The DR hereby affirms that he has read and understands the terms of this Agreement and is signing, on behalf of the Agency, voluntarily and of his own free will.

**The Agency having waived its rights, accepts and undertakes to fulfill the sanctions imposed by the Committee as follows:**

- 1. The Agency enter into a Consensual Agreement and Undertaking (“Agreement”).
- 2. The Agency pay the following fine:
 

<b>Bylaw 4-1(1)(c)</b>	\$500 for violating Bylaw 5-4 (2)(a)	\$500
		For a total of: <b>\$500</b>
- 3. Costs of investigation: 4 hours at \$110 per hour = \$440
- 4. Total fines and costs of investigation: \$500 + \$440 = **\$940**
- 5. Fines and costs of investigation must be paid within 30 days of the acceptance of the Agreement.



**The Committee's Agreement:**

Upon fulfillment of the sanctions imposed, the Committee agrees this to be the full and final resolution of the violations of Council's Bylaws by the Agency as outlined in this Consensual Agreement and Undertaking

Originally signed by: \_\_\_\_\_ February 24, 2023  
DR Ren de Moissac, on behalf of the Agency \_\_\_\_\_ Date

Originally signed by Laureen Major for: \_\_\_\_\_ March 7, 2023  
THE MARKET PRACTICES COMMITTEE \_\_\_\_\_ Date  
General Insurance Council of Saskatchewan

**Penalties affecting insurance intermediary's licence**

**5-39(3)**

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.