

CONSENSUAL AGREEMENT AND UNDERTAKING

("Agreement")

Between

THE MARKET PRACTICES COMMITTEE

("Committee")

of

THE LIFE INSURANCE COUNCIL OF SASKATCHEWAN

("Council")

And

Ivyanne (Ivy) Francisco

("licensee")

The licensee acknowledges and agrees that she received the Notice regarding a Proposed Action pursuant to Section 10-11 of *The Insurance Act* (the "Act"), and the reasons therefore, from Council, dated June 11, 2024.

The licensee acknowledges and agrees that she is guilty of misconduct by violating the following sections of the Council Bylaws:

Bylaw 9-1 Rules for qualifying for continuing education

- (1) Licensees are required to earn a minimum of fifteen credit hours of continuing education in each annual reporting period

Bylaw 3-1 Licences and obligations

- (4) A licence imposes on the licensee, and if a business, the designated representative, obligations including but not limited to, the following:
 - (h) to retain continuing education certificates issued by course provider(s) for a minimum of four years, for inspection by LICS in the event of an audit of licensee records.



Bylaw 4-1 Professional misconduct

- (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 licensee acknowledges and agrees that:

- a. Her right to make a written submission to or appear before the Committee at an oral hearing to make representations as to why this action should not be taken has been explained to her and that she fully understands her rights and/or obligations.
- b. The licensee waives her 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 Council from pursuing any other investigation and/or sanctions against the licensee for activities not identified in this Agreement that may be in violation of the Act, the regulations or Council Bylaws.
- d. The licensee has been advised that it is in her best interest to obtain independent legal advice before entering into this Agreement. The licensee has either:
 - a. obtained such independent legal advice prior to executing this Agreement;
or
 - b. has willingly chosen not to obtain such advice prior to executing this Agreement.
- e. The licensee hereby affirms that she has read and understands the terms of this Agreement and is signing it voluntarily and of her own free will.



Consensual Agreement and Undertaking Ivyanne (Ivy) Francisco

The licensee, having waived her rights, accepts and undertakes to fulfill the sanctions imposed by the Committee as follows:

- a. Pay a penalty in the amount of \$300.00
- b. Pay the costs of investigation in the amount of 3 hours x \$110.00 = \$330.00
- c. Pay the fine and costs, in the total amount of \$630.00 within thirty (30) days from the date of this 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 licensee as outlined in this Agreement.

Originally Signed By:

Ivyanne (Ivy) Francisco

July 8, 2024

Date

Originally Signed By:

**THE MARKET PRACTICES COMMITTEE
Life Insurance Council of Saskatchewan**

July 15, 2024

Date

Penalties affecting insurance intermediary's licence

Section 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.