



Consensual Agreement and Undertaking

Between

**The Complaints and Investigation Committee of the
General Insurance Council of Saskatchewan
(Bylaw 7, Subsection 5(b))**

and

**Percy Hunt Travel Group Inc.
a/o/a Marlin Travel Cornwall Centre**

**Percy Hunt Travel Group Inc. a/o/a Marlin Travel Cornwall Centre (Marlin Travel)
acknowledges and agrees that:**

1. Contrary to the Bylaw 8, Section 1, subsection(a), it:
 - a. between July 5, 2010 and August 5, 2011 permitted an individual to act in the sale of 63 insurance policies on travel products while unlicensed.
 - b. between September 1, 2010 and September 30, 2010 permitted seven (7) individuals to act in the sale of 563 insurance policies on travel products while unlicensed.

The use of unlicensed agents is not in the interest of consumers, licensed agents or insurers. Only through the licensing process can the GIC determine the suitability of a person to be licensed.

2. Contrary to Bylaw 8, Section 2, subsection (g), it:
 - a. violated Section 416 of *The Saskatchewan Insurance Act (the Act)* by allowing eight (8) staff members to act as an insurance agent without those staff members holding a subsisting license under the Act as an agent or as a salesman of a licensed agent.
 - b. violated Section 444 of the Act by allowing the payment of any commission or other compensation or anything of value to any person for acting or attempting or assuming to act as an insurance agent in respect of insurance in Saskatchewan unless that person holds at the time a subsisting licence under this Act as an agent or a salesman.
3. Its rights to appear before a Discipline Committee of the General Insurance Council (Council) have been explained to them and they understand their rights and obligations under the GIC Bylaw 10.

4. It waives its rights to appear before a Discipline Committee of the Council and undertakes not to exercise any appeal rights it may have under Council's Bylaw 10, Section 3 or Section 466.1 (7.1) of *the Act* as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
5. It has been advised by the Complaints and Investigations Committee (Committee) that it is in its interests to obtain independent legal advice before entering into this Agreement.
6. This Agreement does not preclude the Committee from pursuing any other investigation against it for activities not identified in this Agreement that may be in violation of Council's Bylaws or the Act.

Marlin Travel, having waived its rights undertakes to:

7. Pay a fine in the amount of \$5,000.00 for contraventions of Council Bylaw 8, Section 1 (a); and
8. Pay a fine in the amount of \$5,000.00 for contravention of Council Bylaw 8, Section 2 (g); and
9. Reimburse the Committee's investigation costs in the amount of \$1,320.00.

The Committee's Agreement:

12. The Committee agrees to accept as full and final resolution to the acknowledged violations of Council's Bylaws as set out in this Agreement, the following:
 - a. within 30 days of the date of this Agreement the payment of fines in the total amount of \$10,000.00; and
 - b. within 30 days the date of this Agreement payment of the costs of the investigation in the total amount of \$1,320 .00.

Dated at Regina, in the Province of Saskatchewan, this 11 day of December, 2011.

Originally signed by:

Kevin Percy, President
Percy Hunt Travel Group Inc. a/o/a Marlin Travel Cornwall Centre

Dated at Saskatoon, in the Province of Saskatchewan, this 15 day of December, 2011.

Originally signed by:

Dave Prociuk, Chair
Complaints and Investigation Committee
General Insurance Council of Saskatchewan