

**In the Matter of**

**The *FINANCIAL INSTITUTIONS ACT*  
(RSBC 1996, c.141)  
(the “Act”)**

**and**

**The INSURANCE COUNCIL OF BRITISH COLUMBIA  
 (“Council”)**

**and**

**ASHISH KULKARNI  
(the “Licensee”)**

**DECISION AND ORDER  
UNDER SECTIONS 231 & 238 OF THE ACT**

**WHEREAS** the Licensee holds an active general insurance licence;

**AND WHEREAS**, on January 14, 2014, Council ordered the Licensee’s general insurance licence be suspended after it determined the Licensee had improperly accessed the Insurance Corporation of British Columbia (“ICBC”) database to obtain personal information about an individual;

**AND WHEREAS** the Licensee appealed Council’s order to the Financial Services Tribunal (the “Tribunal”), and Council’s order is stayed pending a review by the Tribunal;

**AND WHEREAS** Council has recently obtained information indicating the Licensee accessed ICBC’s databases on numerous other occasions between October 2011 and December 2013, to obtain personal information of various individuals without these individuals’ consent or without any intention of conducting an ICBC Autoplan transaction;

**AND WHEREAS** Council has initiated an investigation pursuant to section 232 of the Act into these alleged improper accesses of ICBC’s databases by the Licensee;

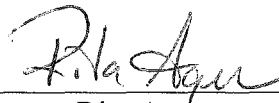
**AND WHEREAS** Council determined that further investigation is necessary to establish the scope of the Licensee’s alleged misconduct, but considers the length of time required to complete an investigation and make a decision pursuant to section 231 of the Act, would be detrimental to the due administration of the Act;

**AND WHEREAS** Council considers it to be in the public's interest to suspend the Licensee's general insurance licence pursuant to section 231(1)(g) of the Act;

**NOW THEREFORE** Council orders the Licensee's general insurance licence is suspended, effective the date of this order, pursuant to sections 231 and 238 of the Act, until such time as the investigation is complete and has been considered by Council;

**TAKE NOTICE** that pursuant to section 238 of the Act, the Licensee has the right to request a hearing on this order before Council by delivering written notice within 14 days of receipt of this order to Council at Suite 300, 1040 West Georgia Street, Vancouver, British Columbia, V6E 4H1; alternatively, the Licensee may appeal this order to the Tribunal.

Dated in Vancouver, British Columbia, on **16<sup>th</sup> day of April 2014**.



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Rita Ager, CFP, CLU, CHS, CPCA, FEA  
Chairperson, Insurance Council of British Columbia