

In the Matter of

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

and

**The *INSURANCE COUNCIL OF BRITISH COLUMBIA*
("Council")**

and

**NOEL FRANCINE SMITH
(the "Licensee")**

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

WHEREAS the Licensee holds an active life and accident and sickness insurance licence and an active Level 2 general insurance agent licence;

AND WHEREAS the Licensee is the subject of an intended decision by Council made on April 9, 2014 concerning the Licensee's suitability to continue to hold an insurance licence arising from alleged material misstatements made by the Licensee on applications for insurance licences with Council in 2010 and the Insurance Councils of Saskatchewan in 2013;

AND WHEREAS the Licensee has requested a hearing relating to Council's intended decision, which is scheduled for December 2014;

AND WHEREAS the Licensee was disciplined by the Financial Services Commission of Ontario ("FSCO") on June 25, 2014 for furnishing false, misleading, or incomplete information on her 2013 insurance licence renewal application with FSCO;

AND WHEREAS Council determined that the Licensee did not report to Council that she was disciplined by FSCO within five business days as required under Council Rules;

AND WHEREAS Council determined that the actions of the Licensee in the FSCO matter and the Licensee's failure to report the FSCO discipline to Council appears to be a furtherance of misrepresentation by the Licensee, which is the subject of Council's April 9, 2014 intended decision;

AND WHEREAS Council considers the length of time required to hold its hearing regarding these matters 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 both the Licensee's life and accident and sickness insurance licence and the Licensee's general insurance licence, pursuant to section 231(1)(g) of the Act;

NOW THEREFORE Council orders the Licensee's life and accident and sickness insurance licence and the Licensee's general insurance licence are both suspended, effective the date of this order, pursuant to sections 231 and 238 of the Act, until such time as the hearing into Council's April 9, 2014 intended decision is held and Council has had the opportunity to consider the resulting hearing report in accordance with section 223(4) of the Act.

TAKE NOTICE that pursuant to section 238 of the Act, the Licensee has the right to require 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 Financial Services Tribunal.

Dated in Vancouver, British Columbia, on the **23rd day of October, 2014.**



Ruth Hoyte
Chairperson, Insurance Council of British Columbia