

INDEX

All references are to section numbers of the Insurance Act of Ontario, unless a different Act or regulation is indicated. The applicable piece of legislation or its corresponding regulation is indicated using one of the following abbreviations:

AIRS — Automobile Insurance Rate Stabilization Act, 2003

Regulations under the Automobile Insurance Rate Stabilization Act, 2003

AIRSR 410/12 — *Ont. Reg. 410/12*

AIRSR 237/13 — *Ont. Reg. 237/13*

CAIA — Compulsory Automobile Insurance Act

Regulations under the Compulsory Automobile Insurance Act

CAIAR 95 — *Ont. Reg. 95*

CAIAR 239/10 — *Ont. Reg. 239/10*

CAIAR 409/12 — *Ont. Reg. 409/12*

CA — Corporations Act

Regulations under the Corporations Act

CAR 181 — *Ont. Reg. 181*

CAR 544/20 — *Ont. Reg. 544/20 [Revoked as of Oct. 1, 2023.]*

CAR 393/21 — *Ont. Reg. 393/21*

CIA — Corporations Information Act

Regulations under the Corporations Information Act

CIAR 400/21 — *Ont. Reg. 400/21*

FSRA — Financial Services Regulatory Authority of Ontario Act, 2016

Regulations under the Financial Services Regulatory Authority of Ontario Act, 2016

FSRAR 165/19 — *Ont. Reg. 165/19*

FSRAR 554/21 — *Ont. Reg. 554/21*

Regulations under the Insurance Act

IAR 664 — *Ont. Reg. 664*

IAR 668/90 — *Ont. Reg. 668*

IAR 669/90 — *Ont. Reg. 669*

IAR 121/08 — *Ont. Reg. 121/08 [repealed]*

IAR 122/08 — *Ont. Reg. 122/08*

IAR 123/08 — *Ont. Reg. 123/08*

IAR 127/08 — *Ont. Reg. 127/08*

IAR 128/08 — *Ont. Reg. 128/08*

IAR 129/08 — *Ont. Reg. 129/08*

Index

- IAR 130/08 — *Ont. Reg. 130/08*
- IAR 131/08 — *Ont. Reg. 131/08*
- IAR 674 — *Ont. Reg. 674*
- IAR 676 — *Ont. Reg. 676*
- IAR 677/90 — *Ont. Reg. 677*
- IAR 777/93 — *Ont. Reg. 777/93*
- IAR 283/95 — *Ont. Reg. 283/95*
- IAR 401/96 — *Ont. Reg. 401/96*
- IAR 408/12 — *Ont. Reg. 408/12*
- IAR 461/96 — *Ont. Reg. 461/96*
- IAR 132/97 — *Ont. Reg. 132/97*
- IAR 637/00 — *Ont. Reg. 637/00*
- IAR 259/04 — *Ont. Reg. 259/04*
- IAR 347/04 — *Ont. Reg. 347/04*
- IAR 534/06 — *Ont. Reg. 534/06*
- IAR 67/07 — *Ont. Reg. 67/07*
- IAR 69/07 — *Ont. Reg. 69/07*
- IAR 348/13 — *Ont. Reg. 348/13*
- IAR 349/13 — *Ont. Reg. 349/13*
- IAR 350/13 — *Ont. Reg. 350/13*
- IAR 89/14 — *Ont. Reg. 89/14*
- IAR 90/14 — *Ont. Reg. 90/14*
- IAR 279/15 — *Ont. Reg. 279/15*
- IAR 278/15 — *Ont. Reg. 278/15*
- IAR 160/16 — *Ont. Reg. 160/16*
- IAR 264/18 — *Ont. Reg. 264/18*
- SABS — *Statutory Accident Benefits Schedule — Accidents after December 31, 1993 and before November 1, 1996, Ont. Reg. 776/93 [repealed]*
- SABS94 — *Statutory Accident Benefits Schedule — Accidents before January 1, 1994, Ont. Reg. 672 [repealed]*
- SABS96 — *Statutory Accident Benefits Schedule — Accidents on or after November 1, 1996, Ont. Reg. 403/96 [repealed]*
- SABS10 — *Statutory Accident Benefits Schedule — Effective September 1, 2010, Ont. Reg. 34/10*
- MSVA — Motorized Snow Vehicles Act
 - Regulations under the Motorized Snow Vehicles Act
 - MSVAR 803 — *Ont. Reg. 803*
 - MSVAR 804 — *Ont. Reg. 804*
 - MSVAR 805 — *Ont. Reg. 805*
 - MSVAR 185/01 — *Ont. Reg. 185/01*

Index

- MSVAR 186/01 — *Ont. Reg. 186/01*
- MVACA — Motor Vehicle Accident Claims Act
 - Regulations under the Motor Vehicle Accident Claims Act
 - MVACAR 799 — *Ont. Reg. 799*
 - MVACAR 800 — *Ont. Reg. 800*
 - MVACAR 279/03 — *Ont. Reg. 279/03*
 - MVACAR 280/03 — *Ont. Reg. 280/03*
- ORVA — Off-Road Vehicles Act
 - Regulations under the Off-Road Vehicles Act
 - ORVAR 863 — *Ont. Reg. 863*
- RIBA — Registered Insurance Brokers Act
 - Regulations under the Registered Insurance Brokers Act
 - RIBAR 990 — *Ont. Reg. 990*
 - RIBAR 308/98 — *Ont. Reg. 308/98*
 - RIBAR 991 — *Ont. Reg. 991*
- CRP — Common Rules of Practice & Procedure — Licence Appeal Tribunal, Animal Care Review Board, Fire Safety Commission

A

**ACCIDENT AND SICKNESS
INSURANCE**

- actions, *see PRACTICE AND PROCEDURE*
- agency, presumption against, IA 329
- agents, *see agents*
- application, IA 291
- beneficiaries, *see BENEFICIARIES*
- definitions, IA 290
- forfeiture, relief from, IA 328
- group insurance, IA 292
- enforcing rights, IA 318
- policy, contents of, IA 296, IA 298, IAR 90/14, IAR 4, IAR 6
- information, insurer's liability for giving, IA 326
- payment, *see BENEFICIARIES*
- policy
 - confinement clauses void, IA 295
 - contents, IA 294(2), IAR 90/14, IAR 3(1), IAR 4, IAR 6
 - exceptions or reduction, insurer's obligation to set forth, IA 299
 - insurable interest
 - generally, IA 305, IAR 90/14, IAR 9
 - lack of, IA 306
 - issuance, IA 293, IAR 90/14, IAR 2
 - minors, *see MINORS*
 - simultaneous deaths, IA 319
 - statutory conditions
 - fraternal society, contract by, IA 301(8)
 - generally, IA 300, IAR 90/14, IAR 7
 - notice of, IA 302, IAR 90/14, IAR 8
 - omission or variation, IA 301
 - termination
 - continuation of coverage, IA 297(1), IAR 90/14, IAR 5
 - for non-payment, IA 303
 - rights where contract replaced, IA 297(2), IAR 90/14, IAR 5

Index

ACCIDENT AND SICKNESS

INSURANCE (*cont'd*)

- rights where premium unpaid, IA 304
- undue prominence, IA 327

ACCOUNTANT

- audits, IA 102(3)–(4)
- defined, IA 1

ACTUARY

- application, IA 121.20
- appointment of, IA 121.4–121.5
 - ceasing to hold office, IA 121.9
 - by Chief Executive Officer, IA 121.14
 - filling vacancy, IA 121.10
 - limitations on, IA 121.6–121.7
 - replacement actuary, IA 121.13
 - revocation, IA 121.8
 - statements upon resignation or revocation, IA 121.11
- defined, IA 1
- officers not to be appointed, IA 121.6
 - chief financial officer, limitations on appointment, IA 121.7
 - report
 - fraternal societies, IA 355
 - qualified privilege, IA 121.19
 - to directors, IA 121.17
 - exemptions, IA 121.21–121.22
 - to officers, IA 121.18
 - to shareholders and policyholders, IA 121.16
 - right to information, IA 121.15
 - valuation by, IA 121.13
 - exemption, IA 121.22

ADJUSTER

- acting without authority, IA 401
- defined, IA 1
- licence
 - application for, IA 397(2)

- corporations, IA 400
- expiration, IA 397(3)
- generally, IA 397(1)
- limited or conditional, IA 407
- offence, IA 397(7)
- partnerships, IA 399
- renewal of, IA 397(4)
- revocation, IA 397(5)
- term of, IA 397(3)
- public adjuster
 - exemption, IAR 664, IAR 18
 - prohibition against, IA 398

ADMINISTRATIVE PENALTIES

- Administrative penalties, IA 441.2, *IAR 408/12*, CAIA 14.3, *CAIAR 409/12*, AIRS 11.2
- Definitions, IA 441.1
- Enforcement of administrative penalties, IA 441.6, CAIA, 14.7, AIRS 11.6
- General administrative penalties, IA 441.3, CAIA 14.4, AIRS 11.3, *AIRSR 410/12*
- Maximum administrative penalties, IA 441.5, CAIA 14.6, AIRS 11.5
- Summary administrative penalties, IA 441.4, CAIA, 14.5, AIRS 11.4

AGENT

- accident and sickness insurance
- licenses, IAR 347/04
- presumption against agency
- acting without authority, IA 401
- automobile insurance
 - information from agents, IA 230
 - persons forbidden to act as agent, IA 231
- compliance system of insurer, IAR 347/04, IAR 12
- contact information, change in, IAR 347/04, IAR 5.1
- defined, IA 1
- definitions, IAR 347/04, IAR 1

Index

AGENT (*cont'd*)

- fraudulent representations, IA 395
- liability for unlawful contracts, IA 396
- licence
 - accident and sickness insurance, IAR 347/04, IAR 23
 - application for, IAR 347/04, IAR 3
 - appointment, IAR 347/04, IAR 10
 - corporations, IA 400, IAR 347/04, IAR 23
 - exemptions, IAR 347/04, IAR 9
 - expiration of, IAR 347/04, IAR 6
 - limited or conditional, IA 407
 - no compensation to be paid where unlicensed, IA 403
 - partnerships, IA 399
 - qualifications for, IAR 347/04, IAR 4
 - renewal, application for, IAR 347/04, IAR 7
 - requirement, IAR 347/04, IAR 2
 - suspension or revocation, IA 393(8), IAR 347/04, IAR 8
 - termination
 - return of licence, IAR 347/04, IAR 11
- life insurance
 - conflicts of interest, IAR 347/04, IAR 16
 - continuing education, IAR 347/04, IAR 14
 - disclosure of insurers, IAR 347/04, IAR 15
 - duties generally, IAR 347/04, IAR 13–17
 - errors and omissions insurance, IAR 347/04, IAR 13
 - presumption against agency, IA 222
 - prohibited conduct, IAR 347/04, IAR 17
 - transitional provisions, IAR 347/04, IAR 18–22
- money held in trust for payee, IA 402(2)

- premiums
 - held in trust for insurer, IA 402(1)
 - receiving, IA 394–395

AGRICULTURAL PROPERTY

- fire insurance
 - definition, IA 142
 - mutual insurance corporations, CA, 148–149
 - mutual weather insurance corporations, CA, 151

AMALGAMATIONS AND TRANSFERS

- amalgamation
 - compliance with law where incorporated, IA 420(2)
- transfer
 - agreements, IA 421
 - approval by Chief Executive Officer
 - appeal, IA 426(4)
 - application for, IA 422
 - decision, IA 426(1)
 - documents to be filed, IA 425
 - notice, IA 426(2)–(3)
 - submissions, IA 426(1)
 - defined, IA 419
 - insurer leaves Ontario, IA 431
 - reinsurance, IA 420(1)

APPRAISEMENT

- investments of insurer, other, IA 36(6)
- investments of insurer, real property, IA 36(4)–(5)

ARBITRATORS, *see also* DIRECTOR OF ARBITRATIONS; and STATUTORY ACCIDENT BENEFITS

- appointment, IA 8
- exclusive jurisdiction, IA 20
- testimony in civil proceeding, IA 11(7)

ASSESSMENT OF HEALTH SYSTEM COSTS, IA 14.1

Index

ASSETS OF INSURER, *see also* APPRAISEMENT

- real property
- • powers of insurer to hold, IA 107
- report on share transfers, IA 100
- segregated funds, variable contracts based on, IA 109
 - • creation of fund, IA 109(2)
 - • segregation of assets, IA 109(5)
 - • surplus, IA 109(4)
 - • transfers to fund, IA 109(3)
 - • value of, IA 109(6)
- variable insurance contract
 - • defined, IA 110(1)
 - • form of, IA 110(3)
 - • information folders, IA 110(4)–(6)
 - • prohibition, IA 110(2), IA 110(7)
 - • regulations, IA 110(8)
- where Chief Executive Officer takes control of, IA 62(1)
 - • application by Chief Executive Officer to court to wind up, IA 62(2)
 - • appointment of managers, IA 62(3)
 - • rehabilitation of insurer, IA 62(5)
 - • • expenses, IA 62(6)–(7)
 - • relinquishing control, IA 62(4)

AUTOMOBILE

- defined, IA 1, IA 224(1)

AUTOMOBILE INSURANCE

- application and exclusions, IA 225–226.1
- court proceedings, *see also* *AUTOMOBILE INSURANCE RATES STABILITY ACT, 1996, ACCIDENTS AFTER*; and *COURT PROCEEDINGS*
 - • deductible amounts, IAR 461/96, IAR 5.1
 - • deemed amounts in respect of income loss, IAR 461/95, IAR 5.2
 - • gross income loss, determination of, IAR 461/96, IAR 4.0.1

- • information before action, IAR 461/96, IAR 2
- • livery vehicle, IAR 461/96, IAR 7
- • mediation, IAR 461/96, IAR 3
- • net income loss, determination of, IAR 461/96, IAR 4
- • permanent serious impairment of important physical, mental or psychological function, IAR 461/96, IAR 4.1–4.3
- • structured judgments, IAR 461/96, IAR 6
- definitions, IA 224(1), IAR 664, IAR 1
- direct compensation, property damage, IA 263, IAR 664, IAR 6–8.1
- forms
 - • application, IA 228
 - • approval by Chief Executive Officer, IA 227
- information
 - • deemed part of application, IA 229(2)
 - • for applicants, IA 229(1)
 - • from agents, IA 230(2)
 - • from brokers, IA 230(1)
 - • Ministry of Community and Social Services, etc., to, IA 273.1
 - • request for, IA 230(3)
- licence of insurer
 - • conditions on, IA 45(1)
 - • penalty for breach, IA 45(2)
- limited accident insurances
 - • deductible amounts
 - • • determination of, IA 267.2(2)
 - • • publication of, IA 267.2(1)
 - • uninsured automobile coverage, IA 265, *see also* *UNINSURED AUTOMOBILE COVERAGE*
 - • • application of section, IA 265(9)
 - • • definitions, IA 265(2)
 - • • exclusion from coverage, IA 265(3)–(4)
 - • • payment into court, IA 271

Index

- AUTOMOBILE INSURANCE (*cont'd*)
- regulations, IA 265(5)
 - release, IA 265(8)
 - restriction on recovery, IA 265(7)
 - rights of unnamed insured, IA 270
 - subrogation, IA 265(6)
 - terms under s. 265, IA 276
 - motor vehicle liability policies
 - action for damages occasioned by automobile
 - duty to disclose insurance, IA 259(2)
 - notice of action by insured, IA 259(1)
 - additional agreements, IA 245
 - advance payments and release by claimant, IA 256
 - application of insurance money under, *see INSURANCE MONEY*
 - claim for loss or damage from bodily injury or death, IA 258.2–258.6
 - duty of insurer re settlement of claim, IA 258.5
 - duty to disclose limits, IA 258.4
 - mediation, IA 258.6
 - notice and disclosure before action, IA 258.3
 - claims to be adjusted with insured, IA 262
 - defence where more than one contract, IA 257
 - excess insurance, IA 253
 - insurer made third party, IA 258(14)–(16)
 - liability from ownership
 - contamination of property carried in automobile, IA 246
 - exclusions, IA 249–250(1)
 - limitation period, IA 259.1
 - minimum liability
 - minimum liability, IA 251(1)
 - minimum liability outside Ontario, IA 252
 - minimum limits where separate limits designated, IA 251(3)
 - priorities, IA 251(2)
 - variation of limits, IA 251(4)
 - non-owner's policy, IA 241
 - notice of accident, IA 258.1
 - “nuclear energy hazard”
 - defined, IA 255(1)
 - liability when nuclear energy contract also in force, IA 255(2)
 - when contract deemed in force, IA 255(3)
 - owner's policy
 - death of person named in, IA 239(4)
 - excluded driver, IA 240
 - other automobiles, coverage of, IA 239(3)
 - persons deemed not owners, IA 242
 - saving, statutory accidentence benefits, IA 239(2)
 - specific automobile, coverage of, IA 239(1)
 - partial payment by insured, IA 254
 - partial payment of loss clause, IA 261
 - physical damage cover, stipulations in, IA 260
 - territorial limits, IA 243
 - unnamed insured, rights of, IA 244
 - other insurance, IA 277
 - out-of-province insurers, IA 226.1
 - policy
 - certificate of, IA 232(5)–6
 - copy, insured entitled to, IA 232(3), (5.2)
 - effect of certificate, IA 232(5.1)
 - copy, insured entitled to, IA 232(3)
 - copy of application in, IA 232(1)

Index

- AUTOMOBILE INSURANCE (*cont'd*)
 - • endorsement, IA 232(8)
 - • form of, IA 232(4)
 - • issued where no signed application, IA 232(2)
 - • misrepresentation, effect of, IA 233(1)
 - • • not invalidating benefits under SABS, IA 233(2)
 - • • used in defence of claim, IA 233(3)–(4)
 - • notice of expiry or variation, IA 236
 - • • exemption, IAR 664, IAR 4
 - • proof of terms of, IA 232(7)
 - • statutory conditions, IA 234
 - • termination
 - • • grounds to terminate, IA 238
 - • • • affiliated insurers, IA 238.1
 - • • • effective date, IA 238(4.1)
 - • • • filing, IA 238(2)
 - • • • material required, IA 238(3)–(3.1)
 - • • • notice, IA 238(5)
 - • • • prohibition from using grounds, IA 238(4)–(4.1)
 - • • limitation on, IA 237(1)
 - • • • exemption, IA 237(3)–(5)
 - • • • information required by Chief Executive Officer, IA 237(2)
 - • • • non-application of limitation, IA 237(6)
 - • • • refusal to issue contracts, IAR 664, IAR 5
 - • • • Tribunal
 - • • • • appeal to, IA 238(6)
 - • • • • hearing, IA 238(9)–(11)
 - • • • • powers of, IA 238(12)–(13)
 - • • • • prohibition by, IA 238(7)
 - • • • • reconsideration, IA 238(8)
 - • premium
 - • • monthly premium payments, IAR 664, IAR 3
 - • statutory accident benefits, *see* **STATUTORY ACCIDENT BENEFITS**
 - • subrogation of insurer, IA 278
 - • withdrawal from business
 - • • authority withdraw, IA 65.1(6)
 - • • information requested by Chief Executive Officer, IA 65.1(5)
 - • • procedure
 - • • • generally, IA 65.1(1)–(2)
 - • • • notice, IA 65.1(3)–(4)
 - • • Chief Executive Officer's powers, IA 65.1(5), (7)–(8)
- AUTOMOBILE INSURANCE RATE STABILITY ACT, 1996, ACCIDENTS AFTER**
 - application, IA 267.4
 - collateral benefits, IA 267.8
 - costs, IA 267.5(9)
 - definitions, IA 267.3
 - income tax, no gross-up for, IA 267.11
 - liability
 - • joint and several with other tortfeasors, IA 267.7
 - • of lessors, IA 267.12
 - • of other persons, IA 267.5(10)
 - • vicarious, IA 267.5(10.1)
 - non-pecuniary loss
 - • amount of damages, IA 267.5(7)–267.5(8.2)
 - • determination if threshold met, at trial, IA 267.5(15)
 - • determination if threshold met, motion, IA 267.5(12)–(13)
 - proceedings by action, IA 267.9
 - protection from liability
 - • health care expenses, IA 267.5(3)
 - • income loss and loss of earning capacity, IA 267.5(1)–(2)
 - • non-pecuniary loss, IA 267.5(5)
 - • public transport vehicles, IA 267.5(6.1)

Index

AUTOMOBILE INSURANCE RATE STABILITY ACT, 1996, ACCIDENTS

AFTER (cont'd)

- undertakings, IA 267.5(6)
- statutory accident benefits, IA 268–269, IA 274–275, *see also* *STATUTORY ACCIDENT BENEFITS*
- structured judgments, IA 267.10, IAR 461/96, IAR 6
- uninsured owner or lessee, no action by, IA 267.6

B

BENEFICIARIES

- accident and sickness insurance
- assignments, IA 316(3)–(5)
- death of, IA 314(2)
- designation of
 - definition of “heirs”, etc., IA 314(1)
 - generally, IA 313(1)
 - invalid will, in, IA 313(2)
 - priorities, IA 313(3)
 - revocation, IA 313(4)–(5)
 - disability, under, IA 322
 - payment
 - amounts not exceeding \$2,000, IA 323
 - beneficiaries under disability, IA 322
 - court, into, IA 320
 - creditors, free from, IA 317(1)
 - documents affecting title, IA 316(1)–(2)
 - personal representative, to, IA 324(5)
 - place of, IA 324(1)–(4)
 - seizure, exemption from, IA 317(2)
 - right to sue, IA 314(3)
 - trustee for, IA 315
 - life insurance
 - assignments, IA 197, IA 200(2)

- death of, IA 194(1)
- designation of
 - change in, IA 190(2)
 - definition of “heirs”, etc., IA 190(3)
 - electronic declaration, IA 190(1.1), IA 313(1.0.1)
 - generally, IA 190(1)
 - irrevocable designations, IA 191
 - invalid will, in, IA 192(1)
 - priorities, IA 192(2)
 - revocation, IA 192(3)–(4)
 - irrevocable designations, IA 191
- disability, under, IA 221
- for value, IA 172(2)
- group insurance, IA 173, IA 201
- minors, IA 202
- multiple beneficiaries, IA 194(2)
- payment
 - beneficiaries under disability, IA 221
 - court, into, IA 214
 - creditors, free from, IA 196(1)
 - documents affecting title, IA 203, IA 207, IA 208–213
 - installments, in, IA 216
 - insurer holding, IA 217
 - place of, IA 204
 - seizure, exemption from, IA 196(2)
 - simultaneous deaths, IA 215
 - trustee, to, IA 193(2)
- multiple beneficiaries, IA 194(2)
- preferred beneficiary, IA 172(3)
- right to sue, IA 195
- trustee for, IA 193

BROKER

- defined, IA 1
- liability for unlawful contracts, IA 396
- money held in trust for payee, IA 402(2)

Index

BROKER (*cont'd*)

- premiums
- held in trust for insurer, IA 402(1)
- receiving, IA 394–395

C

CASH-MUTUAL CORPORATION

- defined, IA 1
- power of attorney of, IA 54
- service of notice of process on, IA 35

CHIEF AGENCY

- defined, IA 1

CHIEF EXECUTIVE OFFICER

- annual report, IA 36
- appeals from decision of, IA 17
- decision of, IA 28
- defined, IA 1
- exclusive jurisdiction, IA 20
- license, right to, determining, IA 27
- official documents as evidence, IA 26
- orders, IA 15, AIRS 11
- power of, upon taking control of insurer, IA 62(1)
 - application to court, IA 62(2)
 - appointment of managers, IA 62(3)
 - rehabilitation of insurer, IA 62(5)
 - expenses, IA 62(6)–(7)
 - relinquishing control, IA 62(4)
- practice and procedure before, IA 16
- publication of list of licensed insurers, IA 25
- records of, IA 23
- service of documents, IA 33–35
- Superintendent's report, IA 58
 - hearing, IA 58(4)
 - request for hearing, IA 58(3)
 - where no request, IA 58(5)
 - interim order, IA 58(6)–(7)
 - notice to insurer, IA 58(2)
 - powers of tribunal, IA 58(8)

- appeal, IA 63(1)
 - documents to be filed, IA 63(3)
 - further decision, IA 63(6)
 - order, IA 63(5)
 - stay, IA 63(2)
- when made, IA 58(1)

CLAIM FOR INDEMNITY

- not rendered unenforceable by violation of law, IA 118

CLASSES OF INSURANCE

- conditions, IA 43(4)
- defined by Chief Executive Officer, IA 43(1)
- determination of, IA 43(3)
- licence to carry on insurance business, IA 43(2)
- publication in *Ontario Gazette*, IA 43(1.2)

COLLATERAL SECURITY, INSURANCE AS, IA 137–138

COMMISSION, *see also FINANCIAL SERVICES COMMISSION OF ONTARIO*

- defined, IA 1

COMMITTEES

- appointment, IA 7(1), FSRA 9(1)(g), 10.1, 10.2
- duties, IA 7(3)–(4)
- names of, IA 7(2)

COMMON RULES OF PRACTICE & PROCEDURE, *see LICENCE APPEAL TRIBUNAL RULES OF PRACTICE AND PROCEDURE*

COMPENSATION ASSOCIATION

- agreements with, IA 120
- assessments and levies, IA 44(2)
- defined, IA 1
- exclusion from, IA 44(3)
- generally, IAR 67/07
- membership, IA 44(1)

Index

COMPULSORY AUTOMOBILE INSURANCE

- Administrative penalties, CAIA 14.3, CAIAR 409/12
- agents, obligations of, CAIA, 5
- contravention of Act
 - Faculty Association, by, IA 14
 - general penalty, CAIA, 14(2)
 - restitution, CAIA, 14(7)
 - suspension or cancellation of licence, CAIA, 14.1
- definitions, CAIA, 1
- driver's licence, securing possession of, CAIA, 2(4)–(5)
- exemptions
 - government of Canada, CAIAR 95, CAIAR 1
 - Mennonite Church members, CAIAR 95, CAIAR 2
 - TTC Insurance Company Limited, CAIAR 95, CAIAR 3
- Facility Association, CAIA, 7–11, CAIA, 14
- impounding motor vehicle, CAIA, 2(7)–(9)
- insurance card
 - misrepresentation on, CAIA, 6(2)
 - obligation to carry, CAIA, 3
 - obligation to issue, CAIA, 6(1)
 - possession, use or sale of invalid card, CAIA, 13.1
- mandatory insurance of all automobiles, CAIA, 2
- offences, CAIA, 2(3), (6), CAIA, 3(3), CAIA, 4(3), CAIA, 13.1(2), CAIA, 14
- particulars of insurance to be disclosed upon accident, CAIA, 4
- prosecutions, IA 13.2
- termination of contract, CAIA, 12
- validation or transfer of permits, CAIA, 13, CAIAR 239/10

CONTRACT

- actions
 - consolidation
 - apportionment of sums to be paid, IA 133(3)
 - generally, IA 133(1)
 - minors, IA 133(2)
 - payee abroad, IA 133(4)
 - insurer fails to satisfy judgment, IA 132
 - timing of, IA 136
- title insurance, IA 139, *see also* TITLE INSURANCE
- application for insurance to be given to insured, IA 125
- application of Part III, IA 122
- appraisals, IA 128
- defined, IA 1
- forms, insurer to furnish, IA 135
- forfeiture, relief from, IA 129
- inconsistency with Act prohibited, IA 126
- made in Ontario, deemed, IA 123
- policy
 - contents, IA 127
 - effect of delivery, IA 134(1)
 - payment under, IA 130
 - unpaid premiums, IA 134
- recovery by innocent persons, IA 129.1, IAR 264/18, IAR 1
- terms
 - set out in full, IA 124
 - waiver of, IA 131

CORPORATE GOVERNANCE

- affiliated individuals, IA 121.23
- audit committee, IAR 123/08, IAR 3
- committees, IA 121.24(2)–(3)
- conduct review committee, IAR 123/08, IAR 4
- definitions, IAR 123/08, IAR 1–2
- directors, duties of, IA 121.24(1)–(2)

Index

CORPORATE GOVERNANCE (*cont'd*)

- exemption, IAR 123/08, IAR 5

COURT PROCEEDINGS

- automobile insurance
- • deductible amounts, IAR 461/96, IAR 5.1
- • deemed amounts in respect of income loss, IAR 461/96, IAR 5.2
- • gross income loss, determination of, IAR 461/96, IAR 4.0.1
- • information before action, IAR 461/96, IAR 2
- • livery vehicle, IAR 461/96, IAR 7
- • mediation, IAR 461/96, IAR 3
- • net income loss, determination of, IAR 461/96, IAR 4
- • permanent serious impairment of important physical, mental or psychological function, IAR 461/96, IAR 4.1–4.3
- • structured judgments, IAR 461/96, IAR 6

D

DEBT OBLIGATION

- defined, IA 1

DEPOSITS

- appeal, IA 66(2.1)
- application to court, IA 66(14)
- claims, IA 66(11)
- failure to comply, IA 66(4)
- interest, IA 66(6)
- order to fix amount, IA 66(10)
- out-of-province insurer, IA 66(12)
- • notice to insured, IA 66(13)
- purpose of, IA 66(9)
- reciprocal deposits, IA 66(8)
- required by Chief Executive Officer of insurer, IA 66(1)
- substitution, IA 66(7)
- vesting, IA 66(5)

- when to be made, IA 66(2)
- withdrawal, IA 66(3)

DIRECTOR OF ARBITRATIONS

- appointment, IA 6
- defined, IA 1
- exclusive jurisdiction, IA 20
- immunity, FSRA 32.1
- proceedings before, IA 22
- rules by, IA 21
- statutory accident benefits, resolving, IA 279–288

DISCRIMINATION

- racial or religious, prohibited, IA 140

DISPUTES BETWEEN INSURERS, IAR 283/95

DISPUTES RESOLUTION

- assessment of costs, IAR 160/16, IAR 2

DUE APPLICATION

- defined, IA 1

E

EMERGENCY VEHICLES

- definitions, IA 417.0.1(2), IA 417.0.1(5)
- limitation, IA 417.0.1(4)
- rates, IA 417.0.1(3)
- risk classification system, IA 417.0.1

ENTITY

- defined, IA 1

EXAMINATION AND ENFORCEMENT

- definitions, IA 442, IA 447(1)
- generally, IA 443
- liability of person who makes statement or disclosure, IA 446
- offences, IA 447(2)
- • director, officer, chief agent, liability of, IA 447(4)
- • limitation period, IA 449
- • penalty, IA 447(3)

Index

EXAMINATION AND ENFORCEMENT (*cont'd*)

- • restitution, IA 447(5)
- order for compliance, IA 448
- powers of, IA 444
- reports, IA 445
- • auditor, by, IA 445(1)
- • others, by, IA 445(2)
- • privilege, IA 445(3)
- • others, by, IA 445(2)

EXCHANGE or RECIPROCAL INSURANCE EXCHANGE, *see also* RECIPROCAL INSURANCE EXCHANGES

- defined, IA 1

F

FAULT DETERMINATION RULES

- backing up and u-turns, IAR 668/90, IAR 19
- chain reactions, IAR 668/90, IAR 9
- conflicting rules, IAR 668/90, IAR 4
- defined, IA 224(1)
- definition, IAR 668/90, IAR 1
- degree of fault, determination of, IAR 668/90, IAR 2–3
- degree of fault where incident outside rules, IAR 668/90, IAR 5
- direct compensation, IA 263(3)–(4)
- driver charged with driving offence, IAR 668/90, IAR 20
- driver failing to obey sign or officer's direction, IAR 668/90, IAR 18
- entrance lane, IAR 668/90, IAR 8
- intersections
- • traffic signs, IAR 668/90, IAR 14
- • traffic signals, IAR 668/90, IAR 15
- • traffic signals or signs, none, IAR 668/90, IAR 13
- • traffic signs, IAR 668/90, IAR 14
- parked automobile, IAR 668/90, IAR 17

- parking lots, IAR 668/90, IAR 16
- parking place, IAR 668/90, IAR 7(2)
- pile up, IAR 668/90, IAR 11
- private road or driveway, IAR 668/90, IAR 7(3), IAR 10(6)–(7), IAR 12(6)
- sideswipes, IAR 668/90, IAR 10(2)–(3), IAR 12(2)–(3)
- statutory accident benefits, IA 275(2)
- travelling in opposition directions
- • adjacent lanes, IAR 668/90, IAR 12
- travelling in same direction
- • adjacent lanes, IAR 668/90, IAR 10
- • same lane, IAR 668/90, IAR 6

FINANCIAL INSTITUTION

- defined, IA 1, IAR 127/08, IAR 1

FINANCIAL SERVICES COMMISSION OF ONTARIO

- transfer to FSRA, FSRA 29

FIRE INSURANCE

- agricultural property, defined, IA 142
- contract, form of, IA 146
- coverage, extent of, IA 144(1)
- • extended insurance, IA 144(4)
- • “lightning” in livestock contracts, IA 144(5)
- • radio-active contamination, IA 144(2)
- • where property removed, IA 144(3)
- generally, IA 143
- liability, limitation of, IA 149
- rateable contribution, IA 150
- • identified articles, IA 150(6)
- • postponement of policy, IA 150(2)
- • proportions, ascertainment of, IA 150(4)–(5)
- • restrictions, IA 150(3)
- renewal, IA 145
- special stipulations, IA 151
- statutory conditions, deemed, IA 148
- subrogation, IA 152

Index

- FIRE INSURANCE** (*cont'd*)
- where loss payable to other than insured, IA 147
- FIRE MUTUALS GUARANTEE FUND**
- assessment, relief from, IA 169(5)
 - assets of fund, IA 169(4)
 - administration, IA 169(3.3)
 - investment and lending activities, IAR 128/08
 - establishment of, IA 169(1)
 - general reinsurance agreement, IA 153
 - application of act, IA 169(9)
 - members, IA 169(2)
 - cessation of membership, IA 169(7)
 - premium note plan, ceasing to issue contracts, IA 169(8)
 - withdrawal of approval, IA 169(7.1)
 - passing of accounts, IA 169(10)–(11)
 - powers of fund, IA 169(3.2)
 - purpose of fund, IA 169(3)–(3.1)
 - Superintendent's interest in fund, IA 169(6)
- FOREIGN JURISDICTION**
- defined, IA 1
- FORMS**, IA 121.2
- FRATERNAL SOCIETY**
- accident and sickness insurance contract, IA 301(8)
 - actuary's report, IA 355
 - amalgamation, CA, 180–181
 - annual statement, IA 370
 - assets of society, where insufficient, IA 356
 - by-laws and rules, IA 346–348
 - central body for Ontario, IA 345
 - conditions
 - abstinence, IA 352(2)
 - forfeiture, IA 352(1)
 - default in complying with request of Commissioner, IA 358
 - defined, IA 1
 - definitions, IA 339
 - distribution of endowment and expectancy funds, CA, 225
 - documents forming life insurance contract, IA 174(3)
 - foreign society, incorporation of, CA, 178
 - general or expense fund, IA 362
 - head offices, IA 354
 - incorporation, CA, 176–181
 - licence requirements, IA 341–342
 - guarantee and endowment insurance, exception for, IA 344
 - local branch, incorporation of, CA, 179
 - members
 - liability, limitation of, IA 350
 - notice to, IA 353
 - policy disclosures to, IA 371
 - special assessment where epidemic or unforeseen contingency affects funds of society, IA 361
 - readjustment committee
 - appointment of, IA 358(1)
 - report filed by, IA 358(2)–(4)
 - reduction of benefits, IA 357
 - separate accounts for each class of insurance, IA 359
 - societies not deemed to be, IA 343
- G**
- GOVERNING EXECUTIVE AUTHORITY**
- defined, IA 1
- GROUP MARKETING PLANS**
- automobile insurance, IAR 664, IAR 17
- GUARANTEE INSURANCE**, *see* **TITLE INSURANCE**

Index

H

HEAD OFFICE

- defined, IA 1

HEALTH SYSTEM COSTS

- assessment of, IA 14.1, IAR 401/96

I

INCOME REPLACEMENT BENEFIT

- after Sept. 1/10
 - adjustment after age 65, SABS10, 8
 - amount of benefit, SABS10, 7
 - definitions, SABS10, 4
 - eligibility criteria, SABS10, 5
 - employment, temporary return to, SABS10, 11
 - entitlement arising on or after 65th birthday, SABS10, 9
 - *Human Rights Code*, SABS10, 10
 - period of benefit, SABS10, 6
- after Nov. 1/96
 - adjustment after age 65, SABS96 9
 - amount of benefit, SABS96 6–7
 - collateral payments and maximum amount of benefit, SABS96, 7
 - eligibility criteria, SABS96, 4
 - employment, temporary return to, SABS96, 11(1)
 - entitlement arising after age 65, SABS96, 10
 - *Human Rights Code*, SABS96, 10.1
 - gross income calculations, SABS96, 8
 - period of benefit, SABS96, 5
- between Jan. 1/94 and Oct. 31/96
 - amount of benefit, SABS, 10
 - benefits after age 65, SABS, 12
 - employment
 - responsibility to seek, SABS, 13
 - temporary return to, SABS, 14
 - entitlement to, SABS, 7
 - gross annual income, SABS, 9

- period of benefit, SABS, 8

- withdrawal from workforce, SABS, 11

INDUSTRIAL CONTRACT

- defined, IA 1

INSURANCE CARD, *see* COMPULSORY AUTOMOBILE INSURANCE

INSURANCE CORPORATIONS, *see also* FRATERNAL SOCIETY, JOINT STOCK INSURANCE COMPANIES, MUTUAL BENEFIT SOCIETY

- amalgamation, CA, 146–147
- application of *Corporations Act*, CA, 141–141.1
- auditor's report, CA, 205
- authorized capital, CA, 143
- balance sheets and statements, CA, 207
- board of directors of insurer, CA, 141.2–141.4, CA, 145
- by-laws, delivery to Chief Executive Officer, IA 51, CA, 206
- definitions, CA, 140
- forfeiture of charter, CA, 196
- incorporation
 - joint stock insurance companies, CA, 142, *see also* JOINT STOCK INSURANCE COMPANIES
 - mutual and cash-mutual insurance corporations, CA, 148, CA, 152
 - mutual fire insurance corporations, CA, 149
 - mutual livestock insurance corporations, CA, 150
 - mutual weather insurance corporations, CA, 151
- life insurance
 - information before annual meetings, CA, 198–199
 - balance sheet, CA, 201
 - notes to financial statement, CA, 203
 - reduction of capital, CA, 144

Index

- INSURANCE CORPORATIONS** (*cont'd*)
- reserves, CA, 204
 - statement of revenue and expenditure, CA, 199
 - statement of surplus, CA, 200
 - surplus to policyholders, CA, 144(1)
 - mutual and cash-mutual insurance companies
 - amalgamation, CA, 175
 - annual meeting, CA, 159(1), CA, 161(1)
 - annual statement, CA, 159(2), CA, 161(2)–(5)
 - directors
 - failure to elect, CA, 160
 - generally, CA, 164–173
 - distribution of assets, when permitted, CA, 156
 - membership, CA, 158
 - voting, CA, 162–163
 - security, CA, 174
 - special general meeting, CA, 161(6)–(7)
 - vesting of assets and preservation of liabilities, CA, 155
 - when cash-mutual company may become joint stock company, CA, 154
 - when mutual company may become cash-mutual corporation, CA, 153
 - pension fund or mutual benefit society, *see* **MUTUAL BENEFIT SOCIETY**
 - winding up, CA, 212–224
- INSURANCE MONEY**
- accident and sickness insurance
 - payment
 - beneficiary under disability, IA 322
 - creditors, not subject to claims of, IA 317
 - documents affecting title, IA 316
 - enforcing rights, group person, IA 318
 - in Canadian dollars, IA 324(3)
 - into court, IA 320, IA 321
 - not exceeding \$2000, IA 323
 - outside Ontario, IA 324(4)–(5)
 - place of, IA 324
 - simultaneous deaths, IA 319
 - automobile insurance
 - application of, under motor vehicle liability policy, IA 258(1)
 - contribution among insurers, IA 258(6)
 - defences
 - instrument not motor vehicle liability policy, IA 258(5)
 - ss. 247, 248 coverage, IA 258(10)
 - s. 250 coverage, IA 258(9)
 - where excess limits, IA 258(11)
 - where vehicle used in business of carrying passengers, IA 258(12)
 - insured's liability to reimburse insurer, IA 258(13)
 - insurer absolutely liable, IA 258(4)
 - insurer made third party, IA 258(14)–(16)
 - other creditors excluded, IA 258(3)
 - payment into court, IA 258(7)–(8)
 - life insurance
 - insurer giving information, liability of, IA 223
 - payment
 - appeal, IA 212
 - beneficiary under disability, IA 221
 - court ordered payment, IA 218–291
 - creditors, not subject to claims of, IA 196
 - documents affecting title, IA 207
 - in Canadian dollars, IA 204(2)
 - in instalments, IA 216

Index

- INSURANCE MONEY** (*cont'd*)
- insurer holding insurance money, IA 217
 - into court, IA 210, IA 214, IA 218–220
 - minors, IA 220
 - outside Ontario, IA 204(3)–(4)
 - place of, IA 204(1)
 - presumption of death, declaration as to, IA 209
 - proof of claim, IA 203
 - simultaneous deaths, IA 215
 - stay of proceedings, IA 211
 - sufficiency of proof, declaration as to, IA 208
 - right to sue, IA 195
- INSURANCE OMBUDSMAN**
- appointment of, IA 5.1(1)
 - authority of, IA 5.1(5)
 - complaints, IA 5.1(3)
 - response, IA 5.1(4)
 - duties, IA 5.1(2)
- INVESTMENTS**
- control
 - corporations, IA 432(3)
 - deemed, IA 432(6)–(7)
 - limited partnership, IA 432(5)
 - subsidiary, IA 432(8)
 - unincorporated entities, IA 432(4)
 - definitions, IA 431.1, IA 432, IAR 131/08, IAR 1
 - exemptions, IAR 131/08, IAR 2
 - interpretation and application, IA 431.1(2)–(11), IA 433, IA 436
 - investment standards, IA 434
 - portfolio and lending limits
 - aggregate investment limit, IA 435.12
 - asset transactions, IA 435.14, IAR 122/08, IAR 18
 - divestment order, IA 435.13
 - equity acquisitions, IA 435.11, IAR 122/08, IAR 16(2)
 - exclusion from limits, IA 435.8, IAR 122/08, IAR 14
 - life insurers, IA 435.9(1)
 - other insurers, IA 435.9(2)
 - property and casualty insurers
 - restrictions and limits on insurer's business activities, IAR 122/08, IAR 9–16
 - total assets, IAR 122/08
 - real property, IA 435.10, IAR 121/08, IAR 122/08, IAR 12–16
 - restrictions on loans, IA 435.7
 - property and casualty insurers
 - commercial loan, IAR 122/08, IAR 3
 - definitions, IAR 122/08, IAR 2
 - interests in real property, IAR 122/08, IAR 17
 - investments outside control of insurer, IAR 122/08, IAR 8
 - prescribed subsidiary, IAR 122/08, IAR 4
 - substantial investments
 - exceptions, IAR 122/08, IAR 6
 - permitted entities, IAR 122/08, IAR 5
 - Superintendent's approval, IAR 122/08, IAR 7
 - shares or ownership interests, acquiring through loan workouts and realization of security interest, IA 435.3–435.4
 - substantial investment, IA 432(9)
 - acquiring, holding or increasing
 - authorized investments, IA 435.6
 - generally, IA 435
 - indirectly, IA 435.2
 - loan workouts, IA 435.3
 - permitted entities, in, IA 435.1
 - realization of security interest, on, IA 435.4
 - specialized financing, IA 435.5

Index

INVESTMENTS (*cont'd*)

- • fraternal societies, IAR 122/08, IAR 5–6
- • property and casual insurers, IAR 122/08, IAR 5–6
- transitional, IA 431.1(2)–(11), IA 436
- value of assets retained in Canada, IA 437

J

JOINT STOCK INSURANCE

COMPANIES, *see also* INSURANCE CORPORATIONS

- amalgamation, CA, 147
- auditor's report, CA, 205
- capital requirements for, IA 48
- cash mutual company becoming, CA, 154
- conversion into mutual company, CA, 211
- directors, CA, 210
- incorporation, CA, 142
- distribution of part of profits, IA 112

L

LICENCE

- application and interpretation to insurers, IA 39
- automobile insurance, IA 45
- capital requirements, IA 48
- classes of insurance, *see* CLASSES OF INSURANCE
- conditions on licence, IA 43(4), IA 45(1), IA 55(2)–(5)
- conditions precedent to issuance, IA 52(3)
- documents to be filed by applicant, IA 50
- extra-provincial corporation, IA 48(11)
- fire and life combined, restrictions on, IA 48(9)
- form of, IA 55(1)
- fraternal societies, IA 341–342

- head office outside Ontario, IA 48(10)
- • power of attorney of chief agent where head office outside Ontario, IA 54
- life insurance, scope of licence, IA 46
- necessity for, IA 40
- notice of application to be published in *Ontario Gazette*, IA 49
- notice of suspension or cancellation, published in *Ontario Gazette*, IA 65
- privilege concerning licensed person, IA 116
- revival of licence, IA 64
- revocation, of licence, IA 63.1
- right to, IA 53
- statement of expenses of applicant, IA 52
- Superintendent's report, IA 58
 - • hearing, IA 58(4)
 - • interim order, IA 58(6)–(7)
 - • notice to insurer, IA 58(2)
 - • power of tribunal, IA 58(8)–(9)
 - • • appeal of tribunal order, IA 63
 - • request for hearing, IA 58(3)–(5)
 - • when made, IA 58(1)
- suspension of, where undisputed claim unpaid, IA 56
- who may be licensed, IA 42

LICENCE APPEAL TRIBUNAL RULES OF PRACTICE AND PROCEDURE

- AABS claims, CRP, 20
- accommodation, human rights, CRP, 7
- adjournments, CRP, 16
- case conferences, CRP, 14
- • oral or written, CRP, 12
- constitutional question, CRP, 11
- communications, CRP, 4
- costs, CRP, 19
- definitions, CRP, 2
- disclosure, CRP, 9

Index

- LICENCE APPEAL TRIBUNAL RULES OF PRACTICE AND PROCEDURE (*cont'd*)
- errors, minor, CRP, 17
 - expert witnesses, CRP, 10
 - filing, CRP, 6
 - hearings
 - public access, CRP, 13
 - recording, CRP, 13
 - in writing, CRP, 12
 - *Highway Traffic Act* appeals, CRP, 23
 - liquor license conditions, CRP, 21
 - motions, CRP, 15
 - oral hearings and case conferences, CRP, 12
 - public interest proceedings, CRP, 22
 - reconsideration, CRP, 18
 - recording hearings, CRP, 13
 - service, CRP, 6
 - summons, CRP, 8
 - time, CRP, 5
 - written hearings and case conferences, CRP, 12
- LIFE INSURANCE**
- age
 - exception, IA 186(1)
 - limitation of, IA 186(3)
 - misstatement of
 - group, IA 187
 - individual, IA 186(2)
 - agency, presumption against, IA 222
 - annuity deemed life insurance, IA 171(2)
 - beneficiaries, *see BENEFICIARIES*
 - claim
 - evidence of death, IA 203(2)–(3), IA 208–213
 - insurer holding insurance money, IA 217
 - payment, *see also INSURANCE MONEY*
 - actions for, IA 205
 - beneficiary under disability, IA 221
 - court-ordered, IA 218
 - costs, IA 219
 - in instalments, IA 216
 - into court, IA 214
 - costs, IA 219
 - documents affecting right to, IA 207
 - place of, IA 204
 - to minors, IA 220
 - power of court where evidence not sufficient, IA 213
 - proof of claim, IA 203(1)
 - contract
 - actions, *see PRACTICE AND PROCEDURE*
 - assignment, IA 200
 - dividends, entitlement to, IA 198
 - enforcing rights of group life insured, IA 201
 - insured dealing with, IA 197
 - minors, capacity of, IA 202
 - replacement of, IAR 674, IAR 1–4
 - transfer of ownership on death of insured, IA 198
 - when effective, IA 180(1)
 - definitions, IA 171(1)
 - disclosure
 - duty of applicant, IA 183, IA 184, IAR 278/15, IAR 6
 - duty of insurer, IA 185
 - group insurance, IA 173
 - information, insurer giving, IA 223
 - insurable interest
 - contract void for lack of, IA 178
 - defined, IA 179, IAR 278/15, IAR 5
 - insurance money, *see INSURANCE MONEY*

Index

LIFE INSURANCE (*cont'd*)

- joint stock company, capital requirements, IA 48(1)
- • distribution of profits, IA 112
- policy
- • contents of, IA 175, IAR 278/15, IAR 2
- • • group certificate, IA 177, IAR 278/15, IAR 4
- • • group policy, IA 176, IAR 278/15, IAR 3
- • copy of application, IA 174(4)
- • documents forming contract, IA 174(2)
- • • contract of fraternal society, IA 174(3)
- • issuance, IA 174(1)
- premiums
- • default in payment, IA 181(1)
- • grace period, IA 182(2)–(3)
- • registered letter, payment by, IA 181(2)
- • who may pay, IA 182(1)
- reinstatement of lapsed policy, IA 189
- scope of licence, IA 46
- separate accounts required of insurer, IA 111
- simultaneous deaths, effect of, IA 215
- suicide, effect of, IA 188

M

MEDIATION

- automobile accidents
- • bodily injury or death, IA 258
- • statutory accident benefits, IA 280

MEDIATORS

- appointment, IA 9
- testimony in civil proceeding, IA 11(5)

MINORS

- accident and sickness insurance
- • payment into court, IA 321

- • policies on the lives of minors
- • • capacity, IA 307
- • • duty to disclose, IA 308, IAR 90/14, IAR 10
- • • incontestability, IA 309, IAR 90/14, IAR 11
- • • misstatement of age, IA 312
- • • pre-existing conditions, IA 311, IAR 90/14, IAR 12
- • • reinstatement, application to incontestability to, IA 310
- life insurance
- • capacity, IA 202
- statutory accident benefits
- • payment into court, IA 271
- un insured automobile coverage
- • payment into court, IA 271

MOTOR VEHICLE ACCIDENTS CLAIMS ACT

- application for payment
- • designated insurer, MVACA, 5
- • where cause of action exists, MVACA, 7–8, MVACAR 800, MVACAR 2
- • where cause of action exists, MVACA, 4
- assessment, MVACA, 2(6), MVACAR 280/03
- definitions, MVACA, 1
- designated insurers, MVACAR 799
- Director
- • action against where driver's identity cannot be established, but owner known, MVACA, 15
- • added as party where identity of driver cannot be established, MVACA, 13
- • denial of allegations, MVACA, 16
- • Minister may require information where cause of action against, MVACA, 27.1, MVACAR 279/03
- • non-jury action where Director is party, MVACA, 14

Index

MOTOR VEHICLE ACCIDENTS

CLAIMS ACT (*cont'd*)

- not personally liable, MVACA, 21
- disclosure of information, IA 27.1 MVACAR 279/03
- driver
- all reasonable efforts to ascertain identity as condition to granting judgment, MVACA, 17
- order as to, MVACA, 20
- where identity cannot be established, MVACA, 12, MVACA, 13
- where identity cannot be established, but owner known, MVACA, 15
- forms, MVACA, 28
- judgment
- assignment to Minister, MVACA, 9
- licence
- cancellation or suspension, MVACA, 2(10)
- restoration upon instalment payments, MVACA, 11, MVACAR 800, MVACAR 3–6
- suspension on default of payment, MVACA, 4(8)
- suspension where payment made out of Fund, MVACA, 4(7), MVACA, 10
- fee on issue or renewal, MVACA, 2(2), MVACAR 800, MVACAR 1
- revival of, MVACA, 2(11)
- Motor Vehicle Accident Claims Fund
- generally, MVACA, 2
- payment from Fund
- costs, MVACA, 26–27
- limits payable, MVACA, 23
- partial discharge of judgment debt, MVACA, 23(5)
- limits payable re designated insurer, MVACA, 24
- additional payment, MVACA, 24(6)

- partial discharge of judgment debt, MVACA, 24(7)
- no payment made where policy of insurance exists, MVACA, 22
- payment against Director, MVACA, 19
- payments to non-residents, MVACA, 25
- solicitor's fee, MVACA, 26(3)–(4)
- settlement of amounts owing, MVACA, 11.1
- offences, MVACA, 29
- owner
- order as to, MVACA, 20
- where identity cannot be established, MVACA, 12, MVACA, 13
- where identity cannot be established, but owner known, MVACA, 15
- regulations, MVACA, 30
- statutory accident benefits, MVACA, 6
- where winding-up order made, MVACA, 6.1
- uninsured vehicles
- Director as agent, MVACA, 3

MOTOR VEHICLE LIABILITY POLICIES, *see* **AUTOMOBILE INSURANCE**

MOTORIZED SNOW VEHICLES

- definitions, MSVA, 1
- designated highway, MSVAR 803
- fines, MSVA, 25
- highway, permission to drive upon, MSVA, 5, MSVA, 9, MSVAR 803
- insurance
- deemed motor vehicle under *Insurance Act*, Part VI, MSVA, 12(6)
- evidence of insurance, production on request, MSVA, 12(2)
- offences, MSVA, 12(3), (4)
- owner's land exemption, MSVA, 12(5)

Index

MOTORIZED SNOW VEHICLES (*cont'd*)

- requirement to insure under motor vehicle liability policy, MSVA, 12(1)
- licence
 - driver's licence, MSVA, 1, MSVA, 9, MSVA, 16
 - operator's licence, MSVA, 9, MSVA, 10, MSVA, 16; MSVAR 805
- offences, MSVA, 25
- permit
 - trail permit, MSVA, 3, MSVAR 185/01
 - required for driving, MSVA, 2
 - validation, MSVAR 804 MSVAR 18, MSVAR 24, MSVAR 25
- registration, MSVA, 2(2), (7), MSVA, 4, MSVAR 804, MSVAR 22, MSVAR 23, MSVAR 24
- speed limit, MSVA, 14
- trail grooming, MSVAR 186/01

MUTUAL BENEFIT SOCIETY

- audit, special, CA, 194
- by-laws, CA, 189–190
- charter by letters patent, CA, 185
- forfeiture for non-user or discontinuance, CA, 196
- definitions, CA, 184
- director, CA, 187
- first meeting, CA, 186
- members, prohibition against assigning interest, CA, 193
- parent corporation, contribution by, CA, 192
- power and objects of society, CA, 188–189
- return to Minister, CA, 195
- revenue, CA, 191

N

NON-OWNER'S POLICY

- coverage of, IA 241
- defined, IA 1

NUCLEAR ENERGY HAZARD, *see* AUTOMOBILE INSURANCE

O

OFFICER

- defined, IA 1
- duties of directors, IA 121.24

OFFICIAL DOCUMENTS

- defined, IA 26(1), FSRA 20.2
- evidence, as, IA 26(2)–(3), FSRA 20.2

OFF-ROAD VEHICLES

- application of *Off-Road Vehicles Act*, ORVA, 2
- definitions, ORVA, 1
- exempt vehicles, ORVAR 863, ORVAR 2
- fines, ORVA, 21
- insurance
 - evidence of insurance, production of, ORVA, 15(3)–(5)
 - offences, ORVA, 15(6)–(8)
 - owner's land exemption, ORVA, 15(9)
 - requirement for, ORVA, 15(1), (2)
- number plate, ORVA, 9–11, ORVAR 863, ORVAR 10
- offences, ORVA, 21
- owner
 - liability of, ORVA, 12, ORVA, 14
 - ownership transfer, ORVA, 8
- permit
 - issuance of, ORVA, 5, ORVA, 7
 - requirement, ORVA, 3
 - termination of, ORVAR 863, ORVAR 9
- prescribed vehicles, ORVAR 863, ORVAR 3

OWNER'S POLICY

- coverage, IA 239, IA 277
- defined, IA 1

Index

P

PAID IN

- defined, IA 1

PAID UP

- defined, IA 1

PARTICIPATING SHARE

- defined, IA 1

**PAYMENT INTO COURT, *see*
PRACTICE AND PROCEDURE**

POLICY

- defined, IA 1
- form of, IA 117(1)
- prohibition of certain policies, IA 117(2)
 - appeal, IA 117(2.1)
 - offence, IA 117(3)

POWER OF ATTORNEY

- chief agent, where office outside Ontario, IA 54
- motor vehicle liability policy, stipulation in, IA 252
- reciprocal insurance exchange, IA 380
- reciprocal insurance exchange, IA 380

PRACTICE AND PROCEDURE

- action in Ontario
 - accident and sickness insurance, IA 325
 - life insurance, IA 205
- payment into court
 - accident and sickness insurance, IA 320
 - beneficiary is a minor, where, IA 321
 - life insurance, IA 214, IA 218
 - beneficiary is a minor, where, IA 220
 - costs, IA 219
- service of documents, IA 33–35

PREMIUM

- defined, IA 1

PREMIUM NOTE

- agents holding, IA 402
- defined, IA 1
- return on termination of contract, IA 138
- unpaid premiums
 - accident and sickness insurance, IA 303–304
 - generally, IA 134
 - life insurance, IA 180–182

PRIVILEGE

- information concerning licensed person, IA 116

PROPERTY

- defined, IA 1

PUBLIC TRANSIT VEHICLES

- automobile insurance
 - definition, IA 224(1)
 - protection from liability, IA 267.5(6.1)

R

**RATES, *see also* RATING BUREAUS;
and RISK CLASSIFICATION SYSTEM**

- changes in, IA 409(2)
- defined, IA 1
- deviation from filed rate, offence of, IA 409(4)
- inquiry into, IA 418
- return of rates, IA 409(2)

RATING BUREAUS

- constitution by-laws, IA 409(1)
- defined, IA 408
- duties, IA 409

**RECIPROCAL INSURANCE
EXCHANGES**

- assets
 - cash or investments, IA 386(1), IAR 637/00, IAR 3
 - deficiency, IA 386(5)–(6)

Index

RECIPROCAL INSURANCE

EXCHANGES (*cont'd*)

- divestment order, IA 389.1
- investment of funds, IA 387
- surplus, IA 386(2), IAR 637/00, IAR 4
- authority for, IA 378
- contract
 - action, who may maintain, IA 380(2)
 - execution of, IA 380(1)
 - for subscribers only, IA 388
- defined, IA 1 (under “exchange”)
- definitions, IA 377
- exchange agreement, required elements of, IA 380.1, IAR 637/00, IAR 1
- filings
 - by exchange, IA 381(2)
 - by members, IA 381(1)
- prescribed information, IAR 637/00, IAR 1
- fire insurance in unlicensed exchanges, IA 392
- licence
 - issuance of, IA 382, IAR 637/00, IAR 2
 - not to act until granted, IA 389
 - suspension or revocation, IA 390
- service where office not in Ontario, IA 384
- subscriber not insurer, IA 379

RECORDS AND RETURNS

- annual and interim statements, IA 102
- financial statements, IAR 669/90
- minimum capital test, IAR 259/04
- annual return, CIA 3.1, *CIAR 400/21*
- information on claims, IA 101.1
 - prescribed information, IAR 534/06
- application to register under *Canadian and British Insurance Companies Act*, IA 119
- financial statements, preparation, IA 104

- initial return, CIA 2, 3, *CIAR 400/21*
- published statements re financial condition of insurer, IA 105–106
- report on share transfers, IA 100
- required by Chief Executive Officer, IA 101
 - notice of requirements, IA 103

REFERENCE HEARINGS, IA 19

REGISTERED INSURANCE BROKERS

- definitions, RIBA, 1
- exemption of Risk Management Consultants, RIBAR 990, RIBAR 1
- notice, RIBA, 29
- offence, RIBA, 34
- Registered Insurance Brokers of Ontario
 - annual report, RIBA, 10
 - board of inquiry, reference to, RIBA, 20
 - by-laws, RIBA, 11
 - certificate of coverage to be provided by member, RIBAR 991, RIBAR 9
 - code of conduct, RIBAR 991, RIBAR 14
 - Complaints Committee
 - duties, RIBA, 16
 - generally, RIBA, 15
 - council, RIBA, 6
 - committees, establishment of, RIBA, 12
 - composition of, RIBAR 308/98
 - executive, RIBA, 8
 - Discipline Committee
 - appeal to court, RIBA, 21
 - duties, RIBA, 18
 - generally, RIBA, 17
 - proceedings before, RIBA, 19
 - powers, RIBA, 18(5)
- equity capitalization, RIBAR 991, RIBAR 19

Index

REGISTERED INSURANCE

BROKERS (*cont'd*)

- errors and omissions insurance required, RIBAR 991, RIBAR 20
- fees, RIBAR 991, RIBAR 12
- generally, RIBA, 4
- membership
 - former member, continuing jurisdiction, RIBA, 5.1
 - generally, RIBA, 5
 - investigation of members, RIBA, 25
 - matters confidential, RIBA, 26
 - mailing address, RIBA, 28, RIBAR 991, RIBAR 24
 - position reports, RIBAR 991, RIBAR 21
 - suspended member, continuing jurisdiction, RIBA, 5.1
 - voting, IA 7
- misconduct, RIBAR 991, RIBAR 15
 - maximum fine, RIBAR 991, RIBAR 22
- Qualification and Registration Committee
 - appeal to court, RIBA, 21
 - decision, copies of, RIBAR 991, RIBAR 23
 - falsification of certificates, RIBA, 33
 - hearing, RIBA, 20(3)–(6)
 - issuance of certificate, IA 13
 - notice of proposal to refuse registration, RIBA, 14
 - referral to discipline, RIBA, 22(2)
 - registration required, RIBA, 2
 - generally, RIBAR 991, RIBAR 5–7.2
 - refusal of registration, RIBAR 991, RIBAR 8
 - restoration of registration or certificate, RIBA, 22(1)
- stop-orders, RIBA, 24

- trust funds, RIBA, 32, RIBAR 991, RIBAR 16–18
- regulations, RIBA, 35
- restraining orders, RIBA, 23
- Superintendent's interest in, RIBA, 7
- title, use of, RIBA, 3
- transitional provisions, RIBA, 36
- unlicensed insurer, placing insurance with, RIBAR 991, RIBAR 10

REGULATIONS

- defined, IA 1
- under *Insurance Act*, IA 121

REINSURANCE

- amalgamation, effect of, IA 420(1)
- application of Regulation, IAR 129/08, IAR 2
- definitions, IAR 129/08, IAR 1
- fire insurance, IA 153
- maximum level of risk subject to reinsurance, IAR 129/08, IAR 3
- reciprocal insurance exchange, IA 388(2)
- reinsurance by unlicensed insurers, IA 41, IAR 129/08, IAR 4
- reinsurance not in ordinary course of business, IAR 129/08, IAR 5

RELATED PARTY TRANSACTIONS

- approval of transaction not subject to Part XVII.1 of Act, criteria for, IAR 130/08, IAR 2
- definitions, IA 437.12–437.14
- determining if related party involved, IA 437.21
- exclusions, IA 437.15(2), IAR 130/08, IAR 3(2)
- indirect transaction rules, exception, IAR 130/08, IAR 3
- prescribed holding company, exemption, IAR 130/08, IAR 1
- rules
 - contravention, IA 437.22

Index

RELATED PARTY

TRANSACTIONS (*cont'd*)

- directors, senior officers, transactions with, IA 437.19, IAR 130/08, IAR 8–10
- exemptions, IA 437.20
- permitted transactions, IA 437.18, IAR 130/08, IAR 3(2), IAR 4–7
- subsidiary's transactions deemed to be those of insurer, IA 437.17, IAR 130/08, IAR 3(1)

RISK CLASSIFICATION SYSTEM

- application, IA 410, IAR 664, IAR 15, AIRS 3
- by affiliates, IA 414, AIRS 3(8)
- expedited, IA 411, IAR 664, IAR 15.1
- other applications, IA 412
- approval process
- appeal, IA 412.1
- exemptions, IA 413
- reconsideration, IA 415, AIRS 7.1
- defined, IA 1
- emergency vehicles, IA 417.0.1, *see also EMERGENCY VEHICLES*
- policy statements by Minister, IA 413.1
- prescribed elements, IAR 664, IAR 14.1
- prohibition, IA 417, IAR 664, IAR 16
- rate determination regulations and, IA 413.1

S

SALESPERSON

- defined, IA 1

SECURITY

- defined, IA 1

SECURITY INTEREST

- defined, IA 1

SERVICE PROVIDERS

- licensing, IAR 348/13
- listed expenses, IAR 89/14

- principal representatives, IAR 349/13
- public registry, IAR 350/13
- standards, IAR 90/14

SPOUSE

- defined, IA 1

STATEMENTS, *see also RECORDS AND RETURNS*

- annual and interim, IA 102
- financial
- preparation of, IA 104
- published, IA 105
- where financial standing guaranteed, IA 106

STATUTORY ACCIDENT BENEFITS

- defined, IA 224(1)
- dispute resolution, *see also LICENCE APPEAL TRIBUNAL RULES OF PRACTICE AND PROCEDURE*
- arbitration, IA 280, IA 281, IA 282
- appeal, IA 283
- assessment of costs, IA 282, IAR 160/16
- Licence Appeal Tribunal, application to, IA 280
- limits on proceedings, IA 280
- protection of benefits after Tribunal resolution, IA 281
- procedure, IA 280
- generally, IA 268
- guidelines, IA 268.3
- immunity, IA 268.4
- indemnification in certain cases, IA 275, IAR 664, IAR 9
- interpretation, rules of, IA 268.2
- out-of-province insurers, IA 226.1
- particulars of insurance, IA 269, IA 273
- payment into court, IA 271
- public transit vehicles, IA 268(1.1)
- publication of indexation percentage, IA 268.1
- release, IA 274

Index

STATUTORY ACCIDENT

BENEFITS (*cont'd*)

- rights of unnamed insured, IA 270
- settlements, IAR 664, IAR 9.1–9.2
- winding-up orders, IA 268.0.1

STATUTORY ACCIDENT BENEFITS SCHEDULE — ACCIDENTS ON/AFTER NOV. 1/96 [repealed]

- accidents outside Ontario, SABS96, 57
- application of benefits schedule, SABS10, 68.1, SABS96, 3
- assignment of benefits, SABS96, 65
- attendant care benefit
 - duration, SABS96, 18
 - generally, SABS96, 16
 - maximum limits, SABS96, 19
 - procedures for claiming benefits, SABS96, 39
- automobiles, company and rental, SABS96, 66
- caregiver benefit
 - determination of continuing entitlement, IA 37
 - election, SABS96, 36
 - generally, SABS96, 13
 - procedures for claiming benefit, SABS96, 35
- case manager services, SABS96, 17
- catastrophic impairment
 - determination of catastrophic impairment, SABS96, 40
 - generally, SABS96, 2(1.1)–(3)
- clothing, glasses, hearing aids, damage to, SABS96, 23
- death benefit
 - generally, SABS96, 25
 - procedures for claiming benefit, SABS96, 41
- definitions, SABS96, 2
- dependant care benefit, SABS96, 28
- designated assessment centres
 - assessments, SABS96, 43
 - establishment of, SABS96, 52–52.2
 - generally, SABS96, 53–54
- disability benefit, SABS96, 60
- employment, responsibility to seek, SABS96, 56
- examinations by health practitioner, cost of, SABS96, 24–24.1
- exclusions, SABS96, 30
- forms, SABS96, 69–69.1
- funeral benefit
 - generally, SABS96, 26
 - procedures for claiming benefit, SABS96, 41
- housekeeping and home maintenance
 - determination of continuing entitlement, IA 37
 - generally, SABS96, 40
 - procedures for claiming benefit, SABS96, 35
- income calculation
 - income from self-employment, SABS96, 62
 - income tax calculations, SABS96, 63
 - net weekly income formula, SABS96, 61
 - severance or termination pay, SABS96, 64
 - unreported income, SABS96, 64.1
- income replacement benefit
 - adjustment after age 65, SABS96, 9
 - amount of benefit, SABS96, 6–7
 - collateral payments and maximum amount of benefit, SABS96, 7
 - determination of continuing entitlement, IA 37
 - election, SABS96, 36
 - eligibility criteria, SABS96, 4
 - employment, temporary return to, SABS96, 11
 - entitlement arising after age 65, SABS96, 10
 - gross income calculations, SABS96, 8

Index

- STATUTORY ACCIDENT BENEFITS
 SCHEDULE — ACCIDENTS ON/AFTER
 NOV. 1/96 [repealed] (*cont'd*)
- payments, deductions from, SABS96, 60
 - period of benefit, SABS, 5
 - procedures for claiming benefit, SABS96, 35
 - indexation benefit, SABS96, 29
 - lost education expenses, SABS96, 20
 - medical benefit
 - duration, SABS96, 18
 - generally, SABS96, 14
 - maximum limits, SABS96, 19
 - procedures for claiming benefit, SABS96, 38–38.1
 - non-earner benefit
 - determination of continuing entitlement, IA 37
 - election, SABS96, 36
 - generally, SABS96, 12
 - payments, deductions from, SABS96, 60
 - procedures for claiming benefit, SABS96, 35
 - notice requirements, SABS96, 68
 - optional benefits
 - dependant care benefit, SABS96, 28
 - generally, SABS96, 27
 - indexation benefit, SABS96, 29
 - payment
 - explanation of, SABS96, 45
 - method of, SABS96, 44–44.1
 - overdue, SABS96, 46
 - repayments to insurer, SABS96, 47
 - right to dispute refusal to pay, SABS96, 49
 - procedures for claiming benefits
 - application for approval of assessment or examination, SABS96, 38.2
 - attendant care benefit, SABS96, 39
 - conflict of interest, SABS96, 38.3
 - death or funeral benefit or other expenses, SABS96, 41
 - definition, SABS96, 35
 - denial of benefits, assessment or examination after, SABS96, 42.1
 - designated assessments, SABS96, 43
 - determination of catastrophic impairment, SABS96, 40
 - determination of continuing entitlement, SABS96, 37
 - duty of applicant to provide information, SABS96, 33
 - election, SABS96, 36
 - examination required by insurer, SABS96, 42
 - medical benefit, SABS96, 38–38.1
 - notice and application for benefits, SABS96, 32
 - payment
 - explanation of, SABS96, 45
 - method of, SABS96, 44–44.1
 - overdue, SABS96, 46
 - repayments to insurer, SABS96, 47
 - right to dispute refusal to pay, SABS96, 49
 - pre-approved framework guidelines, SABS96, 37.1–37.3
 - pre-claim examination, SABS96, 32.1
 - rehabilitation benefit, SABS96, 38–38.1
 - termination of benefits for material misrepresentation, SABS96, 48
 - time limits for claims, SABS96, 31
 - transitional rules, SABS96, 41.1
- rehabilitation benefit
 - duration, SABS96, 18
 - generally, SABS96, 15
 - maximum limits, SABS96, 19
 - procedure for claiming benefit, SABS96, 38–38.1
- social assistance payments, SABS96, 58

Index

- STATUTORY ACCIDENT BENEFITS SCHEDULE — ACCIDENTS ON/AFTER NOV. 1/96 [repealed] (*cont'd*)**
- substitute decision-makers, SABS96, 68.1
 - termination of benefits for material misrepresentation, SABS96, 48
 - transitional provisions, SABS96, 70–70.1
 - treatment and rehabilitation, responsibility to obtain, SABS96, 55
 - visitors' expenses, SABS96, 21
 - workers' compensation benefits, SABS96, 59
- STATUTORY ACCIDENT BENEFITS SCHEDULE — SEPT. 1/10**
- accidents outside Ontario, SABS10, 59
 - application of benefits schedule, SABS10, 2
 - assignment of benefits, SABS10, 62
 - attendant care benefit
 - duration of, SABS10, 20
 - generally, SABS10, 19
 - liability of insurer to pay, SABS10, 14
 - maximum limits, SABS10, 19
 - procedures for claiming benefit, SABS10, 42
 - caregiver benefit
 - election, IA 35
 - generally, SABS10, 13
 - procedures for claiming benefit, SABS10, 36–37
 - case manager services, SABS10, 17
 - catastrophic impairment, determination of, SABS10, 45, SABS10, 45.1
 - clothing, glasses, hearing aids, damage to, SABS10, 24
 - death benefit
 - generally, SABS10, 26
 - procedures for claiming benefit, SABS10, 43
 - definitions, SABS10, 3, SABS10, 4
 - dependant care benefit, SABS10, 29
 - determination of continuing entitlement, SABS10, 36
 - educational expenses, lost, SABS10, 21
 - exclusion, SABS10, 31
 - employment, responsibility to seek, SABS10, 58
 - examinations by health practitioner, cost of, SABS10, 25
 - exclusions, SABS10, 31
 - forms, SABS10, 66–67
 - funeral benefit
 - generally, SABS10, 27
 - procedures for claiming benefit, SABS10, 43
 - housekeeping and home maintenance
 - exclusion, SABS10, 31
 - generally, SABS10, 23
 - procedures for claiming benefit, SABS10, 36–37, SABS10, 43
 - income replacement benefits
 - adjustment after age 65, SABS10, 8
 - amount of benefit weekly, SABS10, 7
 - definitions, SABS10, 4
 - election, SABS10, 35
 - eligibility, SABS10, 5
 - employment, temporary return to, SABS10, 11
 - entitlement arising on or after 65th birthday, SABS10, 9
 - exclusions, SABS10, 31
 - Human Rights Code, SABS10, 10
 - period of benefit, SABS10, 6
 - procedures for claiming benefit, SABS10, 36–37
 - medical benefit
 - duration of, SABS10, 20
 - generally, SABS10, 15
 - liability of insurer to pay, SABS10, 14

Index

- STATUTORY ACCIDENT BENEFITS
SCHEDULE — SEPT. 1/10 (*cont'd*)
- maximum limits, SABS10, 18
 - procedures for claiming benefit, SABS10, 38–39
 - minor injury, procedures for, SABS10, 40–41
 - restriction on application to the Licence Appeal Tribunal, SABS 10, SABS 55
 - non-earner benefit
 - election, SABS10, 35
 - exclusions, SABS10, 31
 - generally, SABS10, 18
 - procedures for claiming benefit, SABS10, 36–37
 - notice requirements, SABS10, 64
 - optional benefits
 - dependant care benefit, SABS10, 29
 - generally, SABS10, 28
 - indexation benefit, SABS10, 30
 - payment
 - amounts payable under Guideline, SABS10, 49
 - deduction of collateral benefits, SABS10, 47
 - explanation of, SABS10, 50
 - information by provider, SABS10, 46.2
 - method of, SABS10, 48
 - overdue, SABS10, 51
 - provider, defined, SABS10, 46.1
 - refusal to pay, right to dispute, SABS10, 54
 - repayments to insurer, SABS10, 52
 - procedures for claiming benefits
 - attendant care benefit, SABS10, 42
 - caregiver benefit, SABS10, 36–37
 - catastrophic impairment, SABS10, 45, SABS10, 45.1
 - conflict of interest, SABS10, 46
 - death benefit, SABS10, 43
 - duty of applicant to provide information, SABS10, 33
 - election, SABS10, 35
 - examination required by insurer, SABS10, 44
 - funeral benefit, SABS10, 43
 - housekeeping and home maintenance, SABS10, 36–37, SABS10, 43
 - medical benefit, SABS10, 38–39
 - minor injury guideline, SABS10, 40–41
 - non-earner benefits, SABS10, 36–37
 - notice and application for benefits, SABS10, 32
 - rehabilitation benefit, SABS10, 38–39
 - time limits, failure to comply with, SABS10, 34
 - rehabilitation benefit
 - duration of, SABS10, 20
 - generally, SABS10, 16
 - liability of insurer to pay, SABS10, 14
 - maximum limits, SABS10, 18
 - procedures for claiming benefit, SABS10, 38–39
 - minor injury, procedures for, SABS10, 40–41
 - restriction on application to the Licence Appeal Tribunal, SABS10, 55
 - social assistance payments, SABS10, 60
 - substitute decision-makers, SABS10, 65
 - termination of benefits for material misrepresentation, SABS10, 53
 - transitional provisions, SABS10, 68
 - treatment and rehabilitation, responsibility to obtain, SABS10, 57
 - *Workplace Safety and Insurance Act, 1997*, SABS10, 61
 - visitors' expenses
 - exclusion, SABS10, 31
 - generally, SABS10, 22

Index

STATUTORY CONDITIONS

- automobile insurance, IA 234, IAR 777/93, Schedule
- • authority to drive, IAR 777/93, Schedule, IAR 4
- • benefits protected, IAR 777/93, Schedule, IAR 13
- • deductible amount, IAR 777/93, Schedule, IAR 10.1
- • incorrect classification of insured, IAR 777/93, Schedule, IAR 2
- • inspection of automobile, IAR 777/93, Schedule, IAR 8
- • loss or damage to automobile, IAR 777/93, Schedule, IAR 6
- • loss or damage to persons or property, IAR 777/93, Schedule, IAR 5
- • material change in risk, IAR 777/93, Schedule, IAR 1
- • monthly payments of premiums, IAR 777/93, Schedule, IAR 3
- • notice requirements, IAR 777/93, Schedule, IAR 7, IAR 12
- • payment of insurance money, IAR 777/93, Schedule, IAR 9
- • proof of claim, IAR 777/93, Schedule, IAR 10
- • termination, IAR 777/93, Schedule, IAR 11

T

TITLE INSURANCE

- limitation and condition, IAR 69/07, IAR 1
- requirements, IA 139(1)
- validity of title, IA 139(2)

TRAFFICKING

- in life insurance, IA 115

TRANSFERS, *see* AMALGAMATIONS AND TRANSFERS

TRIBUNAL

- defined, IA 1
- exclusive jurisdiction, IA 20

U

UNFAIR AND DECEPTIVE ACTS AND PRACTICES

- definitions, IA 438
- investigation by Chief Executive Officer, IA 440
- • appeal, IA 441(10)
- • hearing, IA 441(3)–(8)
- • notice, IA 441(2)
- • order
- • • modification of, IA 441(9)
- • • revocation of, IA 441(11)
- • report, IA 441(1)
- prohibition, IA 439

UNINSURED AUTOMOBILE COVERAGE

- application of section, IA 265(9), IAR 676, Schedule, IAR 1, IAR 10–11
- definitions, IA 265(2)
- generally, IA 265
- liability and amount of damages, determination of, IAR 676, Schedule, IAR 1, IAR 4
- limit on amount payable, IAR 676, Schedule, IAR 1, IAR 9
- limitations, IAR 676, Schedule, IAR 1, IAR 8
- limits and exclusions, IAR 676, Schedule, IAR 1, IAR 2
- • exclusion from coverage, IA 265(3)–(4)
- medical examinations, IAR 676, Schedule, IAR 1, IAR 7
- notice
- • legal action, IAR 676, Schedule, IAR 1, IAR 5
- • proof of claim, IAR 676, Schedule, IAR 1, IAR 6

Index

UNINSURED AUTOMOBILE COVERAGE (*cont'd*)

- payment into court, IA 271
- regulations, IA 265(5)
- release, IA 265(8)
- restriction on recovery, IA 265(7)
- rights of unnamed insured, IA 270
- subrogation, IA 265(6)
- unidentified automobiles, accidents involving, IAR 676, Schedule, IAR 1, IAR 3

UNLICENSED INSURER

- acting for, prohibition against, IA 40(4)
- fire insurance with, IA 113
- reinsurance with, IA 41

UPON PROOF

- defined, IA 1

V

VARIABLE INSURANCE CONTRACT

- audited statements, IAR 132/97, IAR 10
- definitions, IA 110(1), IAR 677, IAR 1, IAR 132/97, IAR 1
- filings with Chief Executive Officer, IAR 132/97, IAR 2–3

- fundamental change, IAR 132/97, IAR 9.1
- information folder
 - delivery, IA 110(5)
 - form, IA 110(3)–(4)
 - new folders, IA 110(6)
 - prohibition orders, IA 110(7)
 - appeal, IA 110(7.1)
 - regulations regarding, IA 110(8)
 - requirement for, IA 110(2)
 - time period for, IAR 132/97, IAR 4
- issued before July 1/97
- statement of insurer, IAR 677, IAR 7
- unfair or deceptive acts, IAR 132/97, IAR 9.1

VOTING SHARE

- defined, IA 1