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 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 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

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
         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 Reg. 403/96 [repealed]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
         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

Α

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
- ••• 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

ACTUARY (cont'd)

- • 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
- 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
- fraudulent representations, IA 395
- liability for unlawful contracts, IA 396
- licence
- • accident and sickness insurance, IAR 347/04
- • application for, IAR 347/04, IAR 3
- • appointment, IAR 347/04, IAR 10
- • corporations, IA 400, IAR 347/04
- • 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

AGENT (cont'd)

- • 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
- · 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
- • errors and omissions insurance, IAR 347/04, IAR 13
- • presumption against agency, IA 222
- • prohibited conduct, IAR 347/04, IAR
- • transitional provisions, IAR 347/04, IAR 18
- 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

- · exclusive jurisdiction, IA 20
- testimony in civil proceeding, IA 11

ASSESSMENT OF HEALTH SYSTEM COSTS, IA 14.1

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)

ASSETS OF INSURER (cont'd)

- • 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 5.2–8.1
- 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
- • 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

AUTOMOBILE INSURANCE (cont'd)

- • 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 accidence 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)
- • 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

AUTOMOBILE INSURANCE (cont'd)

- ••• 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)
- • 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

В

BENEFICIARIES

- · accident and sickness insurance
- • assignments, IA 316(3)–(5)

BENEFICIARIES (cont'd)

- • 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
- • 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)
- 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

CHIEF EXECUTIVE OFFICER (cont'd)

- 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)

COMPULSORY AUTOMOBILE INSURANCE

- Administrative penalties, CAIA 14.3, *CAIAR 409/12*
- agents, obligations of, CAIA, 5
- contravention of Act
- • Faculty Association, by, CAIA, 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)

ndex

Index

COMPULSORY AUTOMOBILE INSURANCE (cont'd)

- · 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
- term
- • 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)
- 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

COURT PROCEEDINGS (cont'd)

- • 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
- rules by, IA 21
- statutory accident benefits, resolving, IA 279–283

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

Е

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)
- • 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
- 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)

ndex

FIRE MUTUALS GUARANTEE FUND (cont'd)

- 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

н

HEAD OFFICE

· defined, IA 1

HEALTH SYSTEM COSTS

• assessment of, IA 14.1, IAR 401/96

ī

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

INCOME REPLACEMENT BENEFIT (cont'd)

- • 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
- • 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

INSURANCE CORPORATIONS (cont'd)

- • 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
- • 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
- • 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
- • 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)

INSURANCE OMBUDSMAN (cont'd)

- 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 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,
- • 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
- • fraternal societies, IAR 122/08, IAR 5–6
- • property and casual insurers, IAR 122/08, IAR 5-6
- transitional, IA 431.1(9)-(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

JOINT STOCK INSURANCE COMPANIES (cont'd)

- 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
- 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
- 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
- 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

LICENCE APPEAL TRIBUNAL RULES OF PRACTICE AND

PROCEDURE (cont'd)

- 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
- 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)

LIFE INSURANCE (cont'd)

- · 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

• testimony in civil proceeding, IA 11

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
- • 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

MOTOR VEHICLE ACCIDENTS CLAIMS ACT (cont'd)

- • 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)
- • 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

MOTORIZED SNOW VEHICLES (cont'd)

- 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

Ν

NON-OWNER'S POLICY

- · coverage of, IA 241
- defined, IA 1

NUCLEAR ENERGY HAZARD, see AUTOMOBILE INSURANCE

0

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

Р

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)

POLICY (cont'd)

- • 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
- • life insurance, IA 214, IA 218
- ••• beneficiary is a minor, where, IA
- ••• 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)
- • divestment order, IA 389.1
- • investment of funds, IA 387
- • surplus, IA 386(2), IAR 637/00, IAR 4
- authority for, IA 378
- contrac
- • 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

ndex

RECIPROCAL INSURANCE EXCHANGES (cont'd)

- · 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
- • 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,
- • 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
- 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,
- •••• matters confidential, RIBA, 26
- ••• mailing address, RIBA, 28, RIBAR 991, RIBAR 24
- ••• position reports, RIBAR 991, RIBAR 21

REGISTERED INSURANCE BROKERS (cont'd)

- • 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, RIBA, 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
- 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

RISK CLASSIFICATION SYSTEM (cont'd)

- · 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
- 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

ndex

Index

STATUTORY ACCIDENT BENEFITS SCHEDULE — ACCIDENTS ON/AFTER NOV. 1/96 [repealed] (cont'd)

- • 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,
- • 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
- • 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

STATUTORY ACCIDENT BENEFITS SCHEDULE — ACCIDENTS ON/AFTER NOV. 1/96 [repealed] (cont'd)

- • 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
- 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
- • 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
- non-earner benefit
- • election, SABS10, 35
- • exclusions, SABS10, 31
- • generally, SABS10, 18
- • procedures for claiming benefit, SABS10, 36–37
- notice requirements, SABS10, 64

STATUTORY ACCIDENT BENEFITS SCHEDULE — SEPT. 1/10 (cont'd)

- · 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
- • examination expenses, SABS10, 25
- • 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

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

STATUTORY CONDITIONS (cont'd)

- loss or damage to persons or property, IAR 777/93, Schedule, IAR
- • 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

Т

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

. .

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
- 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

dex

UPON PROOF

• defined, IA 1

ν

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