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INSURANCE LAW IN CANADA Craig Brown Release No. 2024-2, March 2024

This work provides an extensive treatment of insurance law in Canada, combining a scholarly treatment of general principles with a practical treatment of the issues arising in specific types of insurance practice. Chapters 1 through 15 contain the established text on the subject, Insurance Law in Canada. Chapters 16 through 20 are authored by practitioners who are experts in their respective fields: accident and sickness insurance; automotive insurance; liability insurance; marine insurance; and property insurance. The service gives you practical coverage of the issues arising in practice, combined with trusted coverage of first principles, all at your fingertips. The authors deal with legislation and case law from all across Canada. The work is published in a looseleaf format, ensuring currency through regular updates.

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This release includes updates to caselaw and commentary to the following chapters: 1 (Insurance and Insurance Law); 3 (Agents and Other Insurance Intermediaries); 4 (Insurable Interest); 6 (Creating, Renewing and Terminating Insurance Contracts); 7 (Form and Content of Insurance Contracts); 8 (Interpretation of Policies and Related Coverage Issues); 9 (Notice and Proof of Loss); 10 (Disposal of Claim); 11 (Partial and Total Loss of Property); 12 (Waiver and Estoppel); 13 (Subrogation); 14 (Claims Against More than One Insurer); 15 (Claims Against More than One Insurer); 17 (Automobile Insurance) and 18 (Liability Insurance).

Highlights

- AirBnB renter held to have an insurable interest for duration of occupation: *Strata Plan VR 2213 v. Schappert*, 2023 BCSC 2080 (B.C. S.C.).
- A subcontractor held to have an insurable interest in respect of the liability insurance of the main contractor: *Duri Homes Ltd. v. Quest Coatings Ltd.*, 2023 ABCA 276 (Alta. C.A.).
- An application to convert a term life policy to a universal one allowed to be cancelled within the 10-day cancellation period despite the death, during that period, of the life insured: *Thomson v. Ivori*, 2023 ABCA 369 (Alta. C.A.).
- A binder signed by the broker held to be part of the factual matrix relating to a policy which could be used to interpret the policy but not to modify or impair its effect: *SIR Corp. v. Aviva Insurance Company of Canada*, 2023 ONCA 778 (Ont. C.A.).
- A request for relief from forfeiture does not constitute a new claim for limitation purposes: *Shwaluk v. HSBC Bank of Canada*, 2023 ONCA 538 (Ont. C.A.).
- **Issues in Focus** — Business interruption insurance that requires “damage to property” does not cover business losses caused by government ordered shut-downs during a pandemic: *SIR Corp. v. Aviva Insurance Company of Canada*, 2023 ONCA 778 (Ont. C.A.).

ProView Developments

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