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INSURANCE LAW IN CANADA

Craig Brown Release No. 4, July 2025

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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What's New

This release includes updates to Appendix IF and Appendix SLL.

Highlights

- APPENDIX IF The Issues in Focus memos have been updated, specifically IF 18, 19, and 22. IF 18, "What are the limits of the doctrine of subrogation in the context of the interplay between no-fault insurance benefits and tort damages?" speaks on subrogation and limitations. IF 19, "How has the definition of "incurred" expenses in the *Statutory Accident Benefits Schedule* affected claimants' entitlement to payment of benefits in Ontario?" speaks to the three-part test to determine whether expenses are "incurred". Finally, in IF 22, "Where an insured is a corporation and a misrepresentation is made by an authorized employee in the context of directors' and officers' insurance, is the corporation bound by the actions of its employee, and is there anything that can be done to protect the corporation?" speaks to reviewing applications and reviewing the severability language in the policy.
- APPENDIX SLL There have been 2 new entries added into the Appendix SLL; "Exclusion clause sinks homeowner's claim in subsidence dispute by Karen L. Weslowski and Lara Jung" and "Indemnities beware: B.C. Court of Appeal confirms that covenants to insure may supervene over a duty to indemnify by Michael Parrish, Tom A. Posyniak and Jessica Campbell".