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## THE ANNOTATED INSURANCE ACT OF ONTARIO

**John P. Weir**

**Release No. 7, August 2026**

This comprehensive four-volume service provides the entire *Insurance Act* of Ontario, with amendments, exhaustive case annotations, Schedules and Regulations as well as a wide range of annotated Related Statutes and Regulations. Other features include cross-referencing to legislation in other provinces, expert and informative commentaries, and bibliographies for selected key sections.

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## *HIGHLIGHTS*

This release features the addition of recent Licence Appeal Tribunal decisions in Appendix C15.

The applicant sought a "sealing order" and the use of a pseudonym to prevent personal physical and mental health details from appearing in public databases like CanLII. As a licensed legal professional and former adjudicator, the applicant argued that public disclosure would lead to incalculable financial losses and missed opportunities. The Tribunal applied the test from *Sherman Estate v. Donovan* and denied the request, finding that the applicant failed to demonstrate how his personal privacy concerns constituted a serious risk to an important public interest that would justify a departure from the open court principle: *Ravindra v. Aviva General Insurance*, 2025 CarswellOnt 20211.

In this preliminary issue hearing, the Tribunal considered whether an applicant was barred from proceeding with a catastrophic impairment (CAT) designation claim due to a failure to attend insurer's examinations (IEs) under section 44 of the Schedule. The Tribunal determined that the applicant was not barred under section 55(1)2. It ruled that the application could proceed to a hearing on substantive issues, pending the applicant's attendance at rescheduled psychiatric and occupational therapy assessments to be completed by a specific future deadline: *Chan v. Belair Insurance Company Inc.*, 2025 CarswellOnt 20208.

The applicant filed a Notice of Constitutional Question challenging section 268(1.1) of the *Insurance Act*, asserting that the provision is arbitrary and discriminatory toward commuters who rely on public transportation. The Tribunal found the Notice procedurally defective as it was filed late and failed to specify when the arguments would be heard to allow the Attorneys General to respond. Substantively, the Tribunal found that the applicant provided no case law or sufficient argument to establish a Charter breach and ruled that benefits were barred by the operation of the Act: *Villatoro v. TTC Insurance Company Limited*, 2025 CarswellOnt 21213.