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FSRA is actively reviewing all FSCO regulatory direction, including but not limited to forms, guidelines and FAQs.

Until FSRA issues new regulatory direction, all existing regulatory direction remains in force.

Amendments to Automobile Insurance Regulations



Bulletin

No. A-07/16
Property & Casualty
- Auto

To the attention of all insurance companies licensed to transact auto insurance and service providers in Ontario

With this Bulletin, the Financial Services Commission of Ontario (FSCO) is highlighting a number of automobile insurance regulation changes that will become effective on April 1, 2016.

These regulation changes are the result of the announcements made in the 2015 Ontario Budget with respect to the new dispute resolution system at the Ministry of the Attorney General's Licence Appeal Tribunal (LAT).

They include amendments to R.R.O. 1990, Reg. 664 (Automobile Insurance), O.Reg. 34/10 (Statutory Accident Benefits Schedule – Effective September 1, 2010), O.Reg. 403/96 (Statutory Accident Benefits Schedule – Accidents on or After November 1, 1996) and O.Reg. 776/93 (Statutory Accident Benefits Schedule – Accidents After December 31, 1993 and Before November 1, 1996).

The amendments are briefly described and listed below:

R.R.O. 1990, Reg. 664 (Automobile Insurance)

This regulation has been amended to provide for the wind down of the dispute resolution system at FSCO, effective April 1, 2016, and includes the following changes:

- Applications for mediation, neutral evaluation, and the

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An order that is made regarding a licence holder reflects a situation at a particular point in time. The status of a licence holder can change. Readers should check the current status of a person's or entity's licence on the [Licensing Link](#) section of FSCO's website. Readers may also wish to contact the person or entity directly to get additional information or clarification about the events that resulted in the order.

These bulletins may include forms that are no longer up-to-

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appointment of an arbitrator for arbitration will not be accepted by FSCO after March 31, 2016.

- A mediation, arbitration, court proceeding, appeal, variation or revocation that was commenced before April 1, 2016 may be continued at FSCO after that date
- If a mediation commenced on or before March 31, 2016 fails, a court proceeding may not be commenced on or after April 1, 2016 but an application may be made to the LAT.
- Applications to the Director of Arbitrations for appeals, variation or revocation may only be made where the application for the appointment of an arbitrator was received by FSCO on or before March 31, 2016.
- The Office of the Director of Arbitrations will be continued, as will his power to amend the rules of practice and procedure for FSCO proceedings.

date or accurate. Readers should visit the **forms** section of the FSCO website, to ensure they are using the most recent version of a FSCO form.

Statutory Accident Benefits Schedule (O.Reg. 34/10, O.Reg. 403/96 and O.Reg. 776/93)

Also effective April 1, 2016, provisions in the Statutory Accident Benefits Schedule that apply to the dispute resolution process at FSCO will continue to apply to:


- all applications that were received by FSCO on or before March 31, 2016 but are not finally determined before that date,
- appeals, variations, and revocations of these matters.

The accident benefit forms previously set out in O.Reg. 403/96 and O.Reg. 776/93 have been amended to be forms approved by the Superintendent of Financial Services. These forms are anticipated to be posted on the FSCO website before April 1, 2016.

Effective Date

The changes that are referenced in this Bulletin come into effect on April 1, 2016. Please make sure that your claims and underwriting staff, and any other staff who may be affected by these amendments, are informed of these changes. Also ensure that you make any operational changes that are required to implement these reforms by the effective date.

Copies of Regulations and Legislation

The regulations can be downloaded from the e-laws website at www.e-laws.gov.on.ca . The proclamation order for the legislative amendment to the Insurance Act is expected to be published in a future edition of The Ontario Gazette.

Brian Mills
Chief Executive Officer and
Superintendent of Financial Services

March 23, 2016

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