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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.

Implementing Automobile Insurance Reforms Under Bill 198: Revised Ontario Automobile Policy (OAP 1) and related Policy and Endorsement Forms



Bulletin

No. A- 08/03
– Auto
Property & Casualty

[To the attention of all insurance companies licensed to transact automobile insurance in Ontario]

The Financial Services Commission of Ontario (FSCO) has revised and updated the *Ontario Automobile Policy (OAP 1)* and various related policy and endorsement forms, to reflect changes to the automobile insurance system introduced under Bill 198, the *Keeping the Promise for a Strong Economy Act (Budget Measures)* and amendments to the regulations.

Changes to these forms have been made in consultation with insurance industry stakeholders. Revisions also include form improvements requested by industry stakeholders.

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Insurance Certificate

A revised *Certificate of Automobile Insurance (Ontario)* form for the OAP 1 and Data Elements was previously released on March 21, 2003 (see Bulletin No. A- 02/03 - Property & Casualty - Auto for more details). This Certificate must be in use for policies effective on or after October 1, 2003.

Ontario Automobile Policy (OAP 1) and Endorsement Forms

The following forms have been updated and are enclosed:

1. OAP 1 - *Ontario Automobile Policy - Owner's Policy*
2. OPCF 3 - *Drive Government Automobiles*

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3. OPCF 25A - *Alteration*

4. OPCF 27 - *Liability for Damage to Non-owned Automobile(s) and Providing Other Coverages when Insured Persons Drive Other Automobiles*

5. OPCF 27B - *Business Operations - Liability for Damage to Non-Owned Automobile(s) in Your Care, Custody, or Control*

6. OPCF 28 - *Reducing Coverage for Named Person(s)*

7. OPCF 29 - *Additional Coverage for Named Person(s)*

8. OPCF 40 - *Fire and Theft Deductible*

Some of the changes to these forms include:

- Eliminating the mandatory pre-insurance requirements;
- Clarifying the application of the deductible on total loss claims;
- Introducing an optional appraisal process for physical damage disputes;
- Applying the comprehensive deductible on theft of an automobile;
- Clarifying the use of replacement and aftermarket parts;
- Time limits and procedures for informing insurers of an accident; and
- Responsibility of insured persons to provide additional information in connection with a claim, including attending an examination under oath.

Implementation

These forms will be effective on October 1, 2003. Changes clarifying the application of the deductible on total loss claims, will also be effective on October 1, 2003.

When a vehicle is stolen and not recovered, the comprehensive deductible will be applicable on all new policies issued on or after October 1, 2003. For existing in-force policies, the application of the comprehensive deductible for a vehicle that is stolen and not recovered will not be applicable until the next policy renewal.

Other Forms

The *Ontario Application for Automobile Insurance (Owner's Form) (OAF 1)* has also been updated and will be released under a separate Bulletin.

The *Ontario Garage Automobile Policy (OAP 4)* and related forms, are also being updated to reflect the automobile insurance reforms and will be released in a future Bulletin.

Use of the Forms

Please note that effective November 1, 2003, pursuant to Ontario Regulation 7/00, Unfair or Deceptive Acts or Practices, the use of a document in place of a form approved by the Superintendent constitutes an unfair or deceptive act or practice, unless none of the deviations in the document affects the substance or is calculated to mislead.





How to Obtain the Revised Forms

For your reference we are attaching a copy of the forms in English and French. You can also access the forms at FSCO's website at www.fSCO.gov.on.ca The revised OAP 1 will also be published in the August 9, 2003 edition of *The Ontario Gazette*.

If you have questions about these amended forms, please contact your rate analyst in the Automobile Insurance Division at FSCO.

Bryan P. Davies
Chief Executive Officer and
Superintendent of Financial Services
July 29, 2003

Attachments (PDF):

- **OAP 1 - Ontario Automobile Policy - Owner's Policy** 
- **OPCF 3 - Drive Government Automobiles** 
- **OPCF 25A - Alteration** 
- **OPCF 27 - Liability for Damage to Non-owned Automobile(s) and Providing Other Coverages when Insured Persons Drive Other Automobiles** 
- **OPCF 27B - Business Operations - Liability for Damage to Non-Owned Automobile(s) in Your Care, Custody, or Control** 
- **OPCF 28 - Reducing Coverage for Named Person(s)** 
- **OPCF 29 - Additional Coverage for Named Person(s)** 
- **OPCF 40 - Fire and Theft Deductible** 