Bulletin

No. A-07/08

Property & Casualty – Auto

2009 Indexation Percentage under Bill 59/198, 2009 Indexation Percentage and Revised Deductibles/Monetary Amounts under Bill 164, and Changes to the Conservative Mennonite Automobile Brotherhood Assistance Plan Exemption Identification Card

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

The Financial Services Commission of Ontario (FSCO) is releasing the 2009 indexation percentage for the Optional Indexation Benefit under Section 29 of the Statutory Accident Benefits Schedule - Accidents on or after November 1, 1996 (Bill 59/198). Also published are the 2009 indexation percentage and revised deductibles/monetary amounts applicable to claims under the Statutory Accident Benefits Schedule – Accidents after December 31, 1993 and before November 1, 1996 (Bill 164).

These amounts will appear in a forthcoming edition of The Ontario Gazette.

The indexation percentage for Bill 59/198 and Bill 164 claims reflects the year-over-year "Consumer Price Index for Canada (All Items)" from September 2007 to September 2008, as published by Statistics Canada.

Indexation under *Bill 59/198*

The 2009 indexation percentage is 3.4 per cent. It is applied in accordance with the "Optional Indexation Benefit Guideline" dated October 28, 1996. Under Bill 59/198, indexation applies to named insureds, spouses of named insureds, dependants of any of these and specified drivers, if the optional indexation benefit was purchased.

The 2009 indexation percentage applies to benefits that are required to be indexed pursuant to Section 29 of the Statutory Accident Benefits Schedule (Bill 59/198) in respect of insured persons who were involved in accidents on or after November 1, 1996.

Indexation under Bill 164

The 2009 indexation percentage is 3.4 per cent. It applies to benefits that are required to be indexed pursuant to Section 80 of the Statutory Accident Benefits Schedule (Bill 164), in respect of insured persons who were involved in accidents after December 31, 1993 and before November 1, 1996.

The 2009 indexation percentage, the revised deductibles and monetary amounts are listed on the enclosed chart, entitled 2009 Indexation Percentage, Revised Deductibles and Monetary Amounts for automobile Insurance under the Insurance Act and Statutory Accident Benefits Schedule – Accidents after December 31, 1993 and before November 1, 1996.

Please note that certain Bill 164 SABS indexed amounts have been identified in the indexation schedule as possibly no longer being relevant in certain cases. Please refer to the relevant provisions in the Bill 164 Statutory Accident Benefits Schedule to determine if these indexed amounts apply to your situation.

Changes to the Conservative Mennonite Automobile Brotherhood Assistance Plan Exemption Identification Card

Ontario Regulation 95 under the *Compulsory Automobile Insurance Act* provides that the Conservative Mennonite Automobile Brotherhood Assistance Plan (C.M.A.B.A.P.) Exemption Identification Card is a form approved by the Superintendent of Financial Services. Effective immediately, the new identification card shall be issued in the form attached, upon renewal.

Bob Christie

Chief Executive Officer and

Superintendent of Financial Services

December 1, 2008

Attachments:

- 2009 Indexation Percentage for Statutory Accident Benefits under the Statutory Accident Benefits Schedule – Accidents on or after November 1, 1996 (PDF)
- 2009 Indexation Percentage, Revised Deductibles and Monetary Amounts for Automobile Insurance under the Insurance Act and the Statutory Accident Benefits Schedule – Accidents After December 31, 1993 and Before November 1, 1996 (PDF)
- Exemption Identification Card – Conservative Mennonite Automobile Brotherhood Assistance Plan (PDF)

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2009 Indexation Percentage for Statutory Accident Benefits under the *Statutory Accident Benefits Schedule - Accidents on or after November 1, 1996*

The 2009 indexation percentage is 3.4%. This indexation percentage should be applied to the amounts to be indexed on January 1, 2009, in accordance with the “Optional Indexation Benefit Guidelines”, dated October 28, 1996, for insured persons in respect of whom the optional indexation coverage was purchased and who had accidents that occurred after October 31, 1996.

2009 Indexation Percentage, Revised Deductibles and Monetary Amounts for Automobile Insurance under the *Insurance Act* and the *Statutory Accident Benefits Schedule - Accidents After December 31, 1993 And Before November 1, 1996*

INDEXATION PERCENTAGE			
Section reference in the *Insurance Act*	**Description**	**Amount 2008**	**Amount 2009**
268.1	indexation percentage	2.5%	3.4%

DEDUCTIBLE AMOUNTS			
Section reference in the *Insurance Act*	**Description**	**Amount 2008**	**Amount 2009**
267.1(8)3	non-pecuniary loss deductible	$13,072.11	$13,516.56
	Family Law Act deductible	$6,536.06	$6,758.29

MONETARY AMOUNTS			
Section reference in the *SABS*	**Description**	**Amount 2008**	**Amount 2009**
10(9)	maximum weekly income replacement benefit *	$1,307.23	$1,351.68
15(5)	average Weekly Earnings for Ontario	$799.48	$826.66
16(1)(a)	lump sum benefit for each year of elementary school	$2,614.42	$2,703.31
16(1)(b)	lump sum benefit for each year of secondary school*	$5,228.84	$5,406.62
	lump sum benefit for each semester of secondary school*	$2,614.42	$2,703.31
16(1)(c)	lump sum benefit for each year of post-secondary school*	$10,457.71	$10,813.27
	lump sum benefit for each semester of post-secondary school*	$5,228.84	$5,406.62
18(5)	weekly caregiver benefit for first person	$326.79	$337.90
	weekly caregiver benefit for each additional person	$65.33	$67.55

MONETARY AMOUNTS			
Section reference in the *SABS*	**Description**	**Amount 2008**	**Amount 2009**
28(4)	maximum weekly loss of earning capacity benefit	$1,307.23	$1,351.68
32(5)	maximum sum of weekly loss of earning capacity benefit and weekly supplement	$1,307.23	$1,351.68
46(1)	maximum limit on supplementary medical benefits and rehabilitation benefits*	$1,307,211.69	$1,351,656.89
47(4)	maximum monthly attendant care benefit (all insureds)	$3,921.64	$4,054.98
47(5)	maximum monthly attendant care benefit (catastrophic injuries)	$7,843.27	$8,109.94
47(6)	maximum monthly attendant care benefit (multiple, catastrophic injuries)	$13,072.11	$13,516.56
47(7)	maximum monthly attendant care benefit (severe brain injuries with violent behaviour)	$13,072.11	$13,516.56
50(10)	hourly rate for personal attendant care (when using Form 1)	$11.44	$11.83
	hourly rate for skilled attendant care (when using Form 1)	$18.29	$18.91
51(1)(b)	death benefit to spouse where insured would not have qualified for income replacement benefits	$65,360.57	$67,582.83
51(4)(a)	death benefit to dependant	$13,072.11	$13,516.56
51(4)(b)	death benefit to former spouse	$13,072.11	$13,516.56
51(5)	death benefit where insured was a dependent	$13,072.11	$13,516.56
51(8)	minimum death benefit to spouse	$65,360.57	$67,582.83
	maximum death benefit to spouse	$261,442.35	$270,331.39
52(2)	funeral benefit	$7,843.27	$8,109.94
54(4)	weekly dependant care expenses for first dependant	$98.03	$101.36
	weekly dependant care expenses for each additional dependant	$32.69	$33.80
54(5)	maximum for weekly dependant care expenses	$196.08	$202.75

* The Superintendent continues to index these amounts as required by law but some indexed amounts, as specified by an asterisk in the chart, may no longer be relevant in certain cases. Please refer to the specific provisions in the Bill 164 *Statutory Accident and Benefits Schedule* to determine if these indexed amounts apply to your situation.

Exemption Identification Card

Conservative Mennonite Automobile
Brotherhood Assistance Plan

Name and Address of Member	
Effective Date:	Expiry Date:
Serial Number	
Vehicle Year	Vehicle Make

Self-Insurance Identification

The member named on this card is exempt from the *Compulsory Automobile Insurance Act,* in accordance with the regulations made thereunder.

Conservative Mennonite Automobile
Brotherhood Assistance Plan

Plan Administrator

R.R. 4 Bancroft, Ontario, KOL 1C0

(11/08)