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Bulletin

No. A-22/10
Property & Casualty
– Auto

Publication of Private Arbitration Decisions Involving Ontario Regulation 283/95: Disputes Between Insurers

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

With this Bulletin, the Financial Services Commission of Ontario (FSCO) is outlining the process for remitting private arbitration decisions that involve Ontario Regulation 283/95: Disputes Between Insurers.

Background

Property & Casualty – [Auto Bulletin A-07/10](#) outlined the recent changes to Ontario Regulation 283/95. This regulation sets out a mandatory process for private arbitration of all disputes between insurers over which insurer is liable to pay accident benefits to a claimant. Effective September 1, 2010, Ontario Regulation 283/95 was amended by Ontario Regulation 38/10.

Process for Reporting Arbitration Decisions to FSCO

Section 8(4) of Ontario Regulation 283/95, as amended, requires that if the decision relates to an accident that occurred on or after September 1, 2010, the decision must be made public (a) by the insurer that the arbitrator finds to be liable to pay the benefits, and (b) in a manner and form specified by the Superintendent.

FSCO is establishing and will be making available a centralized database that includes decisions of all privately arbitrated disputes between insurers pursuant to Ontario Regulation 283/95. Copies of the decisions will be available to interested parties through FSCO's web site at www.fSCO.gov.on.ca.

In accordance with section 8(4) of the regulation, FSCO requires that for accidents that occur on or after September 1, 2010, the insurer that is found by an arbitrator to be liable to pay the benefits to supply a copy of the arbitrator's decision to FSCO within 15 days of receipt from the arbitrator.

The decision is to be provided in electronic format (in Microsoft Word) and in PDF format (not scanned). The electronic documents are to be accompanied by an electronic copy of the

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These bulletins may include forms that are no longer up-to-date or accurate. Readers

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attached form of Insurer Remittance Form for Disputes Between Insurers Arbitration Decisions and sent to FSCO by e-mail at DBIDecisions@fSCO.gov.on.ca.

Insurers are also invited to forward appeal decisions to FSCO when they are received. This will assist FSCO in ensuring that its database contains both decisions and appeal decisions for the convenience of interested parties.

Electronic Version of the Form

To download an electronic version of the Insurer Remittance Form for Disputes Between Insurers Arbitration Decisions, visit FSCO's website at www.fSCO.gov.on.ca.

Philip Howell
Chief Executive Officer and
Superintendent of Financial Services

October 13, 2010

Attachment:

- [Insurer Remittance Form for Disputes Between Insurers Arbitration Decisions](#)



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