2012 Indexation Percentages under the Statutory Accidents Benefits Schedule and 2012 Indexation Percentage and Revised Deductibles/Monetary Amounts under Bill 164

Bulletin

No. A-08/11
Property & Casualty -Auto

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 releasing:

- the 2012 indexation percentage for the Optional Indexation Benefit under section 30 of the Statutory Accident Benefits Schedule – Effective September 1, 2010 (new SABS),
- the 2012 indexation percentage for the Optional Indexation Benefit under section 29 of the Statutory Accident Benefits Schedule – Accidents on or after November 1, 1996 (old SABS), and
- the 2012 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 SABS).

In accordance with sections 268.1(1) and 268.1(3) of the Insurance Act, the indexation percentage and revised deductibles/monetary amounts applicable to the Bill 164 SABS will appear in a forthcoming edition of The Ontario Gazette.

The indexation percentage for the new SABS,old SABSandBill 164 SABS reflects the year-over-year "Consumer Price Index for Canada (All Items)" from September 2010 to September 2011, as published by Statistics Canada.

NOTE: The bulletins that are posted on this website are provided for historical reference purposes. The information in these bulletins is accurate on the date the information is published, but is subject to change and may be replaced by more recent bulletins.

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-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.

Indexation under New SABS

The 2012 indexation percentage is 3.2per cent. It is applied in accordance with the Optional Indexation Benefit Guideline. Under the new SABS, 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 2012 indexation percentage applies to benefits that are required to be indexed pursuant to section 30 of the new SABS in respect of insured persons who were involved in accidents on or after September 1, 2010.

Indexation under Old SABS

The 2012 indexation percentage is 3.2per cent. It is applied in accordance with the Optional Indexation Benefit Guideline. Under the old SABS, 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 2012 indexation percentage applies to benefits that are required to be indexed pursuant to section 29 of the old SABS in respect of insured persons who were involved in accidents on or after November 1, 1996 and before September 1, 2010.

Indexation under Bill 164 SABS

The 2012 indexation percentage is 3.2 per cent. It applies to benefits that are required to be indexed pursuant to section 80 of the Bill 164 SABS, in respect of insured persons who were involved in accidents after December 31, 1993 and before November 1, 1996.
The 2012 indexation percentage, the revised deductibles and monetary amounts are listed on the enclosed chart, entitled 2012 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.
Also note that certain indexed amounts under the Bill 164 SABS 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 SABS to determine if these indexed amounts apply to your situation.

Philip Howell
Chief Executive Officer and
Superintendent of Financial Services

November 22, 2011

Attachments:

1. **2012 Indexation Percentage for Statutory Accident Benefits under the Statutory Accident Benefits Schedule – Effective September 1, 2010**
2. **2012 Indexation Percentage for Statutory Accident Benefits under the Statutory Accident Benefits Schedule – Accidents on or after November 1, 1996**
3. **2012 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**

Government of Ontario: Financial Services Commission of Ontario

2012 Indexation Percentage for Statutory Accident Benefits under the Statutory Accident Benefits Schedule – Effective September 1, 2010

The 2012 indexation percentage is 3.2%. This indexation percentage should be applied to the amounts to be indexed on January 1, 2012, in accordance with the Optional Indexation Benefit Guideline for insured persons in respect of whom the optional indexation coverage was purchased and who had accidents that occurred on or after September 1, 2010.

Government of Ontario: Financial Services Commission of Ontario

2012 Indexation Percentage for Statutory Accident Benefits under the Statutory Accident Benefits Schedule - Accidents on or after November 1, 1996

The 2012 indexation percentage is 3.2%. This indexation percentage should be applied to the amounts to be indexed on January 1, 2012, in accordance with the Optional Indexation Benefit Guideline for insured persons in respect of whom the optional indexation coverage was purchased and who had accidents that occurred after October 31, 1996 and before September 1, 2010.

Government of Ontario: Financial Services Commission of Ontario

2012 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 2011**	**Amount 2012**
268.1	indexation percentage	1.9%	3.2%

Deductible Amounts			
Section reference in the Insurance Act	**Description**	**Amount 2011**	**Amount 2012**
267.1(8)3	non-pecuniary loss deductible	$13,649.41	$14,086.19
	Family Law Act deductible	$6,824.72	$7,043.11

MONETARY AMOUNTS			
Section reference in the SABS	**Description**	**Amount 2011**	**Amount 2012**
10(9)	maximum weekly income replacement benefit **	$1,377.36	$1,421.44
15(5)	average Weekly Earnings for Ontario	$878.93	$893.46
16(1)(a)	lump sum benefit for each year of elementary school	$2,754.67	$2,842.82
16(1)(b)	lump sum benefit for each year of secondary school**	$5,509.35	$5,685.65
	lump sum benefit for each semester of secondary school**	$2,754.67	$2,842.82
16(1)(c)	lump sum benefit for each year of post-secondary school**	$11,018.72	$11,371.32
	lump sum benefit for each semester of post-secondary school**	$5,509.35	$5,685.65

18(5)	weekly caregiver benefit for first person	$344.32	$355.34
	weekly caregiver benefit for each additional person	$68.83	$71.03
28(4)	maximum weekly loss of earning capacity benefit	$1,377.36	$1,421.44
32(5)	maximum sum of weekly loss of earning capacity benefit and weekly supplement	$1,377.36	$1,421.44
46(1)	maximum limit on supplementary medical benefits and rehabilitation benefits**	$1,377,338.37	$1,421,413.20
47(4)	maximum monthly attendant care benefit (all insureds)	$4,132.02	$4,264.24
47(5)	maximum monthly attendant care benefit (catastrophic injuries)	$8,264.03	$8,528.48
47(6)	maximum monthly attendant care benefit (multiple, catastrophic injuries)	$13,773.37	$14,214.12
47(7)	maximum monthly attendant care benefit (severe brain injuries with violent behaviour)	$13,773.37	$14,214.12
50(10)	hourly rate for personal attendant care (when using Form 1)	$12.05	$12.44
	hourly rate for skilled attendant care (when using Form 1)	$19.27	$19.89
51(1)(b)	death benefit to spouse where insured would not have qualified for income replacement benefits	$68,866.90	$71,070.64
51(4)(a)	death benefit to dependant	$13,773.37	$14,214.12
51(4)(b)	death benefit to former spouse	$13,773.37	$14,214.12
51(5)	death benefit where insured was a dependent	$13,773.37	$14,214.12
51(8)	minimum death benefit to spouse	$68,866.90	$71,070.64
	maximum death benefit to spouse	$275,467.68	$284,282.65
52(2)	funeral benefit	$8,264.03	$8,528.48
54(4)	weekly dependant care expenses for first dependant	$103.29	$106.60
	weekly dependant care expenses for each additional dependant	$34.44	$35.54
54(5)	maximum for weekly dependant care expenses	$206.60	$213.21

**The Superintendent continues to index these amounts as required by law but some indexed amounts, as specified by a double 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.