

You are here: [Home](#) > [Automobile Insurance](#) > [Property and Casualty - Auto Bulletins](#) > [2016](#) > A-10/16

Amendment to Catastrophic Impairment Definition

Bulletin

No. A-10/16

Property & Casualty

– **Auto**

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

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With this Bulletin, the Financial Services Commission of Ontario (FSCO) is highlighting an amendment to the catastrophic impairment definition under the Statutory Accident Benefits Schedule – Effective September 1, 2010 (O.Reg. 34/10) that will become effective on June 1, 2016.

The amendment under paragraph 2 of subsection 3.1 (1), "severe impairment of ambulatory mobility or use of an arm, or amputation," clarifies the requirement that only one of the three listed provisions must be met for an insured person to have sustained a catastrophic impairment as a result of an automobile accident. The provision is amended by adding the language "one of" and now reads:

"Severe impairment of ambulatory mobility or use of an arm, or amputation that meets **one of** the following criteria:"

Effective Date

This amendment comes into effect on June 1, 2016. Please make sure that your claims staff and any other staff who may be affected by this amendment are informed of this change. Also ensure that you make any operational changes that are required to implement this change by the effective date.

Copies of Regulations and Legislation

The Insurance Act and regulations can be downloaded from the e-laws website at www.e-laws.gov.on.ca . The filed regulation making this amendment is O.Reg.116/16 and is expected to be published in a future edition of The Ontario Gazette.

Brian Mills
Chief Executive Officer and
Superintendent of Financial Services

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