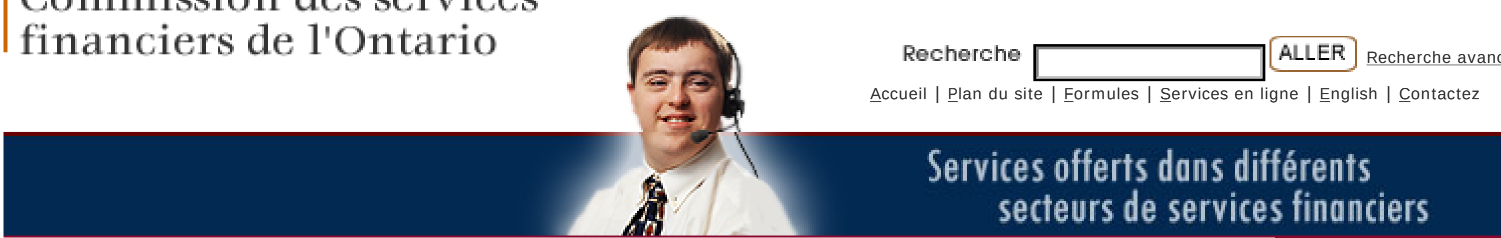

Assurance multirisques - Bulletins - Auto

Bulletins sur les régimes de retraite

Bulletins de contrôle et de mise en application

Bulletins sur les changements à la délivrance de permis

Bulletins par secteur

NOTE: Les bulletins affichés sur ce site Web vous sont offerts comme références historiques seulement. Les informations qu'ils renferment sont exactes à la date de publication, mais sont sujettes à changement et peuvent avoir été remplacées par un bulletin ultérieur. Les utilisateurs sont encouragés à vérifier ces informations avant de prendre toute décision.

Les bulletins affichés peuvent contenir des formules périmées. Pour la version actuelle des formules de la CSFO, veuillez consulter la section formules de ce site Web.

Bulletin

No. A-14/92

I.A.R.D.

- Auto

Obligation d'accepter tous les demandeurs et dépôt des nouveaux documents sur les règles de souscription, les tarifs et les catégories d'exposition aux risques ayant fait l'objet de modifications

Les compagnies d'assurance de l'Ontario vont être touchées par les changements apportés récemment au plan d'exploitation de la Facility Association (FA). Par exemple, l'obligation d'accepter tous les demandeurs réduira sensiblement le nombre de voitures de tourisme ne faisant pas partie d'un parc qui seront assurées par la FA; ces clients seront désormais desservis par des assureurs.

Le présent bulletin présente les exigences en matière de dépôt en ce qui concerne:

- **les règles de souscription et les formulaires connexes révisés;**
- **pour les voitures de tourisme, les changements aux tarifs et aux catégories d'exposition aux risques**.

Toutes les compagnies d'assurance titulaires d'un permis les autorisant à faire souscrire de l'assurance-automobile en Ontario doivent déposer les documents nécessaires au plus tard le 23 octobre 1992; l'obligation d'accepter tous les demandeurs s'applique à tous les contrats à compter du 1 er janvier 1993. La présentation de ces documents et de ceux concernant les règles de souscription modifiées à venir doit être conforme aux directives figurant aux annexes A et B. Nous avons aussi joint à la présente des exemplaires des formulairesC et D sur les changements aux tarifs et aux catégories d'exposition aux risques.

Exigences concernant les règles de souscription

En vertu de l'obligation d'accepter tous les demandeurs, les compagnies d'assurance devraient offrir des garanties optionnelles pour les risques qui étaient couverts par une protection optionnelle de la Facility Association; la souscription des seules garanties obligatoires n'est pas suffisante.

Pour préparer les documents à déposer concernant les règles de souscription modifiées, consultez l'annexe A pour les voitures de tourisme et l'annexeB en ce qui concerne toutes les autres catégories d'assurance-automobile.

Si votre manuel des tarifs contient actuellement des règles de souscription, veuillez l'actualiser et nous le faire parvenir. Vous n'êtes pas tenu de déposer les règles internes que vous utiliserez, le cas échéant, pour céder des risques au pool de partage des risques de la FA.

Tarifs et catégories d'exposition aux risques

Les changements apportés au plan d'exploitation de la Facility Association concernent également les dépôts de tarifs applicables aux voitures de tourisme:

- provisoirement, vous ne pouvez appliquer des tarifs supérieurs au tarif approuvé de la FA (plus la commission) pour tout risque du marché ordinaire qui était couvert par la FA. Vous devrez déposer le formulaire C;
- vous devez avoir des tarifs et des catégories d'exposition aux risques pour **tous** les risques du marché ordinaire, à moins que vous ne soyez exempté de l'obligation d'accepter tous les demandeurs. Cette règle s'applique aux tarifs correspondant à chacun des territoires, des véhicules et des groupes tarifaires de véhicules, ainsi qu'aux catégories de risques du marché ordinaire. Veuillez déposer le formulaire D si vous n'avez pas de tarifs et de catégories d'exposition aux risques pour tous les risques du marché ordinaire.

Important

1. Toutes les compagnies d'assurance titulaires d'un permis les autorisant à faire souscrire de l'assurance-automobile en Ontario doivent déposer les documents suivants:

   - le formulaire A1, A2 ou A3 et, le cas échéant, les règles de souscription applicables aux voitures de tourisme, tel que le stipule l'annexeA;

   - le formulaire B1 ou B2 et, le cas échéant, les règles de souscription applicables aux autres catégories, tel que le stipule l'annexeB.

2. Si vous faites souscrire de l'assurance-automobile pour des voitures de tourisme **ne faisant pas partie d'un parc,** vous devez également déposer:

   - le formulaire C.

3. Si vous n'avez pas déposé les tarifs et les catégories d'exposition aux risques pour tous les risques du marché ordinaire et si vous n'êtes pas exempté de l'obligation d'accepter tous les demandeurs, vous devez déposer:

   - le formulaire D et les documents à l'appui.

Communiquez avec la Direction des taux d'assurance et de la classification des risques de la Commission au (416) 590-7123 si vous avez des questions.

Le commissaire,

Donald C Scott

Le 2 octobre 1992

Pièces jointes :

- Directives relatives au dépôt des règles de souscription applicables à l'assurance-automobile pour voitures de tourisme en vertu du paragraphe238(l) de la Loi sur les assurances L.R.O. 1990, CHAP. L8 (anglais seulement)
- Directives relatives au dépôt des règles de souscription applicables aux catégories de véhicules autres que les voitures de tourisme (anglais seulement)

Pour visualiser les fichiers PDF, vous devez avoir la version 7.0 d'Adobe Acrobat® Reader. Vous pouvez télécharger ce logiciel gratuit à partir du site Web d'Adobe.

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Commission des services financiers de l'Ontario
5160, rue Yonge
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1 800 668-0128
416 250-7250

ONTARIO INSURANCE COMMISSION

Guidelines for filing underwriting rules

for private passenger automobile insurance

under Section 238(l) of the *INSURANCE ACT*

R.S.O. 1990, CHAP. L8

Section 238(l) of the *Insurance Act,* R.S.O. 1990, Chap. 1.8 requires every insurer to file with the Commission a list of grounds (underwriting rules) for which the insurer declines to issue, terminates or refuses to renew a contract or refuses to provide or continue a coverage or endorsement.

The attached forms are designed to provide insurers with a standard format for filing underwriting rules for private passenger automobile (PPA) risks. As an insurer, you must refile a complete list of rules each time you change a rule. Your filing must also include the appropriate form. If your rate manual includes your underwriting rules, you should update the rate manual and file it with the Commission.

For categories other than PPA, follow the *Guidelines for filing underwriting rules for categories other than private passenger automobile insurance* (Appendix B).

All insurers are required to submit one of Form Al, A2, **or** A3, and underwriting rules if applicable.

Form Al - Underwriting rules not required

Submit Form **Al** if you are licensed for auto and if either

- you do not write contracts of automobile insurance for PPA, or
- you write contracts of automobile insurance for PPA, but only on a fleet basis.

Form A2 - Insurer exempt from the TAC requirement

Complete Form A2 if you

- write contracts of automobile insurance for non-fleet PPA, and
- are exempt from the TAC requirement as specified in the Facility Association Plan of Operation.

Attach to Form A2 the underwriting rules you use to decline to issue, terminate or refuse to renew a contract, or refuse to provide or continue a coverage or endorsement. These may be rules you use currently.

Include in your rules, at a minimum, your reasons for

- declining compulsory coverages, i.e., third party liability (BI, PD-DC, PD-Tort), accident benefits, uninsured automobile
- declining any optional coverages, i.e., collision, comprehensive
- upon renewal, offering different deductible levels and/or limits of liability

based on any of the following factors:

- territory
- vehicle types
- driving records
- driver classes
- accident history
- convictions
- other features

Form A3 - Underwriting rules for non Residual Market Risks and Residual Market Risks

Complete Form A3 if you write PPA and are not exempt from the TAC requirement. By filing Form A3, you agree to accept any risk that does not meet the definition of a Residual Market Risk as specified in the Facility Association Plan of Operation. You may also choose to accept Residual Market Risks.

Attach to Form A3 your underwriting rules for non Residual Market Risks (marked Exhibit 1) for optional coverages that include, at a minimum, your reasons for

- declining any optional coverages, i.e., collision, comprehensive
- upon renewal, offering different deductible levels and/or limits of liability

based on any of the following factors:

- territory
- vehicle types
- driving records
- driver classes
- accident history
- convictions
- other features

If you write Residual Market Risks, you must also attach to Form A3 the underwriting rules (marked Exhibit 2) you will use to decline compulsory and optional coverages to Residual Market Risks, or offer different deductible levels and/or limits of liability, based on the factors noted above.

Cross out paragraph 3 from Form A3 if you will not be writing any Residual Market Risks.

FORM A1 - Underwriting rules not required

I, ____, ________________________________
(Name of Officer) (Office held)

of ____ (the "Insurer")
(Full name of company)

CONFIRM THAT (circle appropriate paragraph)

1. The Insurer does not write contracts of automobile insurance for private passenger automobiles.

2. The Insurer writes contracts of automobile insurance for private passenger automobiles, but only on a fleet basis.

______________________ ____________________________________
Date Signature of Officer

FORM A2 - Insurer exempt from the TAC requirement

I, ______________________________, ______________________________
(Name of Officer) (Office held)

of ____ (the "Insurer")
(Full name of company)

CONFIRM THAT

1. The Insurer writes contracts of automobile insurance for non-fleet private passenger automobiles but is exempt from the TAC requirement as set out in the Facility Association Plan of Operation.

2. The Insurer's grounds for declining to issue, terminating or refusing to renew a contract, or refusing to provide or continue a coverage or endorsement are set out in the attached exhibit.

____________________ ______________________________
Date Signature of Officer

FORM C

Confirmation of maximum rates charged

I, ______________________________________, ______________________________
(Name of Officer) (Office held)

of ____ (the "Insurer")
(Full name of company)

CONFIRM THAT effective on the start date of the Facility Association Risk Sharing Pool

the total rate including commission charged for all coverages applied for will not exceed the total rate plus commission that would have been charged for all such coverages if insured by the Facility Association. (This confirmation applies to any risk that is not a Residual Market Risk as defined in the Facility Association Plan of Operation, but which was insured by the Facility Association in the period immediately preceding the date of the application for coverage.)

____________________ ______________________________
Date Signature of Officer

FORM D

Additional rates and classes of risk exposure for non Residual Market Risks

I, ______________________________, ______________________________
(Name of Officer) (Office held)

of ______________________________ (the "Insurer")
(Full name of company)

CONFIRM THAT

1 The information and all documents contained in the filing accompanying this form are complete and correct.

2. The information provided in the filing accompanying this form includes the following:

   (a) description of proposed changes
   (b) current base rates and proposed base rates
   (c) current differentials and proposed differentials
   (d) revised manual pages.

3. This filing is made only for the purposes of amending the Insurer's rates and classes of risk exposure to include rates and classes of risk exposure for any risk that does not meet the definition of a Residual Market Risk as defined in the Facility Association Plan of Operation.

______________________ ______________________________
Date Signature of Officer

ONTARIO INSURANCE COMMISSION

Guidelines for filing underwriting rules

for categories other than private passenger automobile insurance under

Section 238(l) of the *INSURANCE ACT*

R.S.O. 1990, CHAP. I.8

Section 238(l) of the *Insurance Act,* R.S.O. 1990, Chap. 1.8 requires every insurer to file with the Commission ' a list of grounds (underwriting rules) for which the insurer declines to issue, terminates or refuses to renew a contract or refuses to provide or continue a coverage or endorsement.

The attached forms are designed to provide insurers with a standard format to file underwriting rules for risks in vehicle categories other than private passenger automobile (PPA) that comprise the following:

a.	Personal Vehicles	- Motorcycles
b.	Personal Vehicles	- Motor Homes
C.	Personal Vehicles	- Off-road Vehicles
d.	Personal Vehicles	- Motorized Snow Vehicles
e.	Commercial Vehicles	- Trailers
f.	Commercial Vehicles	- Other than Trailers
9.	Public Vehicles	- Taxis and Limousines
h.	Public Vehicles	- Other than Taxis and Limousines

For the purposes of this submission, these categories are defined as *Other Categories.*

For the PPA category follow the *Guidelines for filing underwriting rules for private passenger automobile insurance* (Appendix A).

As an insurer, you must refile a complete list of rules each time you change a rule. Your filing must include the appropriate form. If your rate manual includes your underwriting rules, you should update the rate manual and file it with the Commission.

All insurers are required to submit either Form Bl **or** B2, as applicable, in accordance with the following guidelines-

Form BI - Underwriting rules not required

Submit Form Bl if you are licensed for auto and if either

- you do not write contracts of automobile insurance for *Other Categories,* or
- you write contracts of automobile insurance for *Other Categories but* only on a fleet basis.

Form B2 - Underwriting rules - categories other than PPA

Submit Form B2 if you write contracts of automobile insurance for *Other Categories* on a non-fleet basis.

You are required to confirm the categories of vehicles you currently write. This should include any in-force policies you expect to renew when they expire.

Use the category titles from Form B2 whenever possible. You can sub-divide these categories but show carefully which category the sub-division falls into.

Attach to Form B2 any underwriting rules you use to decline to issue, terminate or refuse to renew a contract, or refuse to provide or continue a coverage or endorsement. Where you use alternative rules for the different categories within *Other Categories,* file the rules in separate exhibits attached to Form B2.

Include in your rules, at **a** minimum, your reasons for

- declining statutory coverages, i.e., third party liability (BI, PD-DC, PD-Tort), accident benefits, uninsured automobile
- declining any optional coverages, i.e., collision, comprehensive
- upon renewal, offering different deductible levels and/or limits of liability

based on the following factors:

- territory
- vehicle types
- driving records
- driver classes
- accident history
- convictions
- other features

APPENDIX B

FORM B1 - Underwriting rules not required

I, ______________________________, ______________________________
(Name of Officer) (Office held)

of ____ (the "Insurer")
(Full name of company)

CONFIRM THAT (circle appropriate paragraph)

1. The Insurer does not write contracts of automobile insurance for *Other Categories.*

2. The Insurer writes contracts of automobile insurance for *Other Categories* but only on a fleet basis.

where *Other Categories* is defined as

a.	Personal Vehicles	-	Motorcycles
b.	Personal Vehicles	-	Motor Homes
c.	Personal Vehicles	-	Off-road Vehicles
d.	Personal Vehicles	-	Motorized Snow Vehicles
e.	Commercial Vehicles	-	Trailers
f.	Commercial Vehicles	-	Other than Trailers
9.	Public Vehicles	-	Taxis and Limousines
h.	Public Vehicles	-	Other than Taxis and Limousines

FORM B1 - Underwriting rules - categories other than PPA

I, ________________________________, ____________________________
(Name of Officer) (Office held)

of ____ (the "Insurer")
(Full name of company)

CONFIRM THAT

1. The Insurer writes contracts of non-fleet automobile insurance for the following vehicle categories **(circle all that apply):**

a. Personal Vehicles - Motorcycles

b. Personal Vehicles - Motor Homes

c. Personal Vehicles - Off-road Vehicles

d. Personal Vehicles - Motorized Snow Vehicles

e. Commercial Vehicles - Trailers

f. Commercial Vehicles - Other than Trailers

9. Public Vehicles - Taxis and Limousines

h. Public Vehicles - Other than Taxis and Limousines

2. The Insurer's grounds for declining to issue, terminating or refusing to renew a contract, or refusing to provide or continue a coverage or endorsement for each of the applicable vehicle categories are set out in the attached exhibit(s).