Financial Services
Commission of Ontario

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No. A-09/98

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Private Arbitration Decisions Regarding Disputes Between Insurers

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

Regulation 283/95 of the *Insurance Act* requires the first insurer applied to for accident benefits to begin paying interim benefits when it is not initially clear which insurer is liable to pay benefits. Where disputes arise between insurers regarding liability, insurers will resolve these disputes through private arbitration.

Section 8(2) of Regulation 283/95 provides that "the decisions of an arbitrator made under this Regulation shall be public".

The Financial Services Commission of Ontario (FSCO) is prepared to take the lead in establishing and making available, a centralized database containing decisions of all privately arbitrated disputes between insurers. Copies of the decisions will be available to interested parties through our Internet web site at <www.fsco.gov.on.ca>.

To this end, the FSCO requests that insurers supply a copy of any new privately arbitrated decisions regarding liability disputes between insurers, within 15 days of its receipt. For decisions predating this bulletin back to May 27, 1995 when the Regulation came into force, copies must be provided by September 30, 1998.

The decisions must be provided in both paper and electronic format (WordPerfect 6.1), and be sent to the attention of: Administrative Services Section, re: Private Arbitration Decisions.

Dina Palozzi

Superintendent and

Chief Executive Officer

July 8, 1998

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