

ONTARIO REGULATION 312/03

made under the

INSURANCE ACT

Made: July 24, 2003

Filed: July 28, 2003

Printed in *The Ontario Gazette*: August 16, 2003

Amending O. Reg. 461/96

(Court Proceedings for Automobile Accidents that Occur on or after November 1, 1996)

Note: Ontario Regulation 461/96 has not previously been amended.

1. Ontario Regulation 461/96 is amended by adding the following sections:

DEDUCTIBLE AMOUNTS

5.1 (1) The amount of \$30,000 is prescribed for the purpose of sub-subparagraph 3 i B of subsection 267.5 (7) of the Act in respect of incidents that occur on or after October 1, 2003.

(2) The amount of \$15,000 is prescribed for the purpose of sub-subparagraph 3 ii B of subsection 267.5 (7) of the Act in respect of incidents that occur on or after October 1, 2003.

AMOUNTS DEEMED TO BE IN RESPECT OF INCOME LOSS OR LOSS OF EARNINGS

5.2 For the purposes of paragraph 2 of subsection 267.8 (1), paragraph 2 of subsection 267.8 (9) and subclause 267.8 (12) (a) (ii) of the Act, payments in respect of an incident for income loss or loss of earning capacity under an income continuation benefit plan shall be deemed to include the following payments if the incident occurs on or after October 1, 2003:

1. Payments of disability pension benefits under the *Canada Pension Plan*.
2. Periodic payments of insurance, if the insurance is offered by the insurer,
 - i. only to persons who are employed at the time the contract of insurance is entered into, and
 - ii. only on the basis that the maximum benefit payable is limited to an amount calculated by reference to the insured person's income from employment.

2. This Regulation comes into force on the later of October 1, 2003 and the day it is filed.