



Ontario
Insurance
Commission

Commission des
assurances de
l'Ontario

PROTECTED DEFENDANT UNDERTAKING
Section 226.1 of the Ontario *INSURANCE ACT*
R.S.O. 1990, c. I-18, as amended

FROM:

Legal Name of Insurer ("The Insurer")			
Head office address			
Town/City	Province/State	Postal Code/Zip Code	Country
Telephone Number	Area Code	Fax Number	Area Code
Jurisdiction of Incorporation			

TO:

Ontario Insurance Commission
Attention: Licensing and Examinations Branch
5160 Yonge Street, Box 85
North York, Ont. M2N 6L9 Canada

An insurer that issues motor vehicle liability policies in another province or territory of Canada, the United States of America or a jurisdiction designated in the *Statutory Accident Benefits Schedule* (a regulation made under the *Insurance Act*) may undertake that their policies will provide at least the following three coverages ("the Ontario Coverages") when the insured automobiles are operated in Ontario:

- the minimum liability limits under a motor vehicle liability policy (being \$200,000; section 251 of the *Insurance Act*)
- uninsured automobile coverage (section 265 of the *Insurance Act*)
- statutory accident benefits (section 268 of the *Insurance Act*)

Section 267.5 of the *Insurance Act* provides certain liability protection to owners of an automobile, the occupants of an automobile and persons present at the incident. Under subsection 267.5(6), however, a person will **not** have this protection if the person is defended by an insurer that is not licensed to undertake automobile insurance in Ontario **unless** the insurer has filed this Undertaking.

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(con't.)

THE INSURER UNDERTAKES AND AGREES that motor vehicle liability policies issued by the Insurer will include at least the Ontario Coverages, as set out above, when automobiles insured by the Insurer are operated in Ontario. This undertaking applies to all contracts evidenced by motor vehicle liability policies issued by the Insurer in any province or territory in Canada, in a jurisdiction of the United States of America or in any other jurisdiction designated in the *Statutory Accident Benefits Schedule*.

THE INSURER AGREES that the Superintendent of Insurance is authorized to accept service of documents on its behalf and on behalf of its insured.

THE INSURER ALSO AGREES to appear and to be bound by the laws of Ontario in defending any claim under its motor vehicle liability policy.

This undertaking is effective upon the later of its receipt by the OIC or _____, 19 ____ .
(date)

DATE: _____

Signature of Authorized Officer: _____

Print Name: _____

Title: _____