

THE NEWFOUNDLAND AND LABRADOR GAZETTE

EXTRAORDINARY

Part II

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**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**65/05
66/05**



NEWFOUNDLAND AND LABRADOR REGULATION 65/05

Automobile Insurance Regulations (Amendment)
under the
Automobile Insurance Act
(O.C.2005-454)

(Filed August 30, 2005)

Under the authority of section 60(1)(d.1) of the *Automobile Insurance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, August 25, 2005.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

1. Ss.15 & 16 Added
 15. Restriction on rate increase
 16. Application of rate increase prohibited

NLR 81/04
as amended

1. The *Automobile Insurance Regulations* are amended by adding immediately after section 14 the following:

Restriction on rate
increase

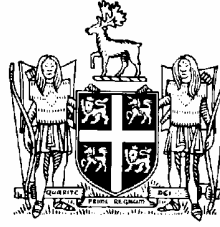
15. Where an insurer files a proposal to increase rates with the board under section 51 of the Act, a proposed rate increase the board determines is the result of the coming into force of paragraph 4(1)(e.1)

of the *Automobile Insurance Prohibited Underwriting Regulations* is prohibited for the 12 month period beginning on August 1, 2005 unless the insurer can demonstrate to the board that the increase is justified.

Application of rate
increase prohibited

16. A rate increase based solely on the coming into force of paragraph 4(1)(e.1) of the *Automobile Insurance Prohibited Underwriting Regulations* that would otherwise apply to an insured to whom subsection 4(2.1) of those regulations applies is prohibited for the 12 month period beginning on August 1, 2005 unless the insurer can demonstrate to the board that the increase is justified.

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NEWFOUNDLAND AND LABRADOR REGULATION 66/05

*Automobile Insurance Prohibited Underwriting
Regulations (Amendment)*
under the
Insurance Companies Act
(O.C.2005-453)

(Filed August 30, 2005)

Under the authority of paragraph 107(e.1), of the *Insurance Companies Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, August 25, 2005.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.4 Amdt.
Prohibition - risk classification system

NLR 80/04
as amended

1. The *Automobile Insurance Prohibited Underwriting Regulations* are amended by adding immediately after subsection 4(2) the following:

(2.1) Notwithstanding paragraph (1)(e.1), where, after August 1, 2005 a rate charged by an insurer to a person insured under a contract would, as a result of the coming into force of paragraph (1)(e.1), be

higher than the rate the person would otherwise have been required to pay, the insurer is not prohibited from charging the person the lower rate.

(2.2) Where an insurer receives an approval under section 51 of the *Automobile Insurance Act* to increase a rate it charges to an insured referred to in subsection (2.1), the insurer may phase in the amount of the increase over the period the insurer may determine.

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