



Province of Alberta

INSURANCE ACT

ADVERSE CONTRACTUAL ACTION REGULATION

Alberta Regulation 28/2015

Extract

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Note

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(no amdt)

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Additional reasons

1(1) In this section,

- (a) “Premiums Regulation” means the *Automobile Insurance Premiums Regulation* (AR 117/2014);
- (b) “private passenger vehicle” means a private passenger vehicle as defined in section 1 of the *Premiums Regulation*;
- (c) “salvage motor vehicle” means a motor vehicle that is a salvage motor vehicle as set out in Part 1 of the *Vehicle Inspection Regulation* (AR 211/2006);
- (d) “salvage motor vehicle inspection certificate” means a certificate as defined in section 1(1)(d) of the *Vehicle Inspection Regulation* (AR 211/2006).

(2) In addition to the reasons set out in section 555(3)(a) to (f) of the Act, the following are reasons under which adverse contractual action may be taken:

- (a) the insured or the applicant
 - (i) fails to complete the approved application form,
 - (ii) provides false information on the approved application form,
 - (iii) makes any misrepresentation on the application form, or
 - (iv) fails to submit any required information required in the approved application form;
- (b) subject to subsection (3), the insured or the applicant refuses to provide, within the time provided by the insurer, a completed approved vehicle inspection report for a private passenger vehicle that is at least 12 model years old;

- (c) the insured or the applicant, after having the vehicle inspection report completed, refuses, within 30 days of the report being completed, to repair a component of the vehicle that has been identified in the inspection report as being unsafe;
- (d) the insurer only insures vehicles that are not private passenger vehicles;
- (e) the applicant does not hold a valid operator's licence to operate a private passenger vehicle in Canada;
- (f) the insured or the applicant, with respect to a private passenger vehicle that is a salvage motor vehicle, refuses to provide, within the time provided by the insurer, a subsisting salvage motor vehicle inspection certificate.

(3) An insurer may require a policy holder to complete a vehicle inspection report for each vehicle that is 12 model years or older only once every 3 years.

Expiry

2 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 30, 2020.

Repeal

3 The *Adverse Contractual Action Regulation* (AR 98/2005) is repealed.



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