

1987

## c 8 Insurance Amendment Act, 1987

Ontario

© Queen's Printer for Ontario, 1987

Follow this and additional works at: [http://digitalcommons.osgoode.yorku.ca/ontario\\_statutes](http://digitalcommons.osgoode.yorku.ca/ontario_statutes)

---

### Bibliographic Citation

*Insurance Amendment Act, 1987*, SO 1987, c 8

### Repository Citation

Ontario (1987) "c 8 Insurance Amendment Act, 1987," *Ontario: Annual Statutes*: Vol. 1987, Article 10.

Available at: [http://digitalcommons.osgoode.yorku.ca/ontario\\_statutes/vol1987/iss1/10](http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1987/iss1/10)

## CHAPTER 8

### An Act to amend the Insurance Act

*Assented to February 12th, 1987*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. Subsection 27 (2) of the *Insurance Act*, being chapter 218 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:**

(2) An insurer licensed to carry on fire insurance may insure an automobile against loss or damage under a policy falling within Part IV. Insurance of automobiles

**2. Subsection 28 (3) of the said Act is amended by striking out "other than mercantile and manufacturing" in the third and fourth lines.**

**3. Subsection 98 (1) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 67, section 8, is further amended by adding thereto the following clauses:**

(ea) prescribing and defining the terms and conditions upon which a mutual insurance corporation that is a participant in the Fire Mutuals Guarantee Fund may invest its funds in the fully paid shares of a joint stock insurance company;

(eb) prescribing and defining the terms and conditions upon which an insurer may invest its funds in the fully paid voting shares of a dealer within the meaning of the *Securities Act*.

R.S.O. 1980,  
c. 466

**4. Section 130 of the said Act is amended by adding thereto the following subsection:**

(3a) Notwithstanding subsection (1), sections 142, 143 and 146 also apply to a joint stock insurance company if all of the shares of the company are owned by one or more mutual insurance corporations that participate in the Fire Mutuals Guarantee Fund. Idem

**5.—(1) Section 143 of the said Act is amended by adding thereto the following subsection:**

Idem

(4a) For the purposes of subsection (4) and subsection 142 (1), mutual insurance corporations that participate in the Fire Mutuals Guarantee Fund and joint stock insurance companies that participate in the Fund shall be deemed to be in the same class.

(2) Subsection 143 (5) of the said Act is amended by inserting after “Fund” in the third line “and no joint stock insurance company that participates in the Fund”.

**6. Subsection 146 (2) of the said Act is repealed and the following substituted therefor:**

Parties to  
agreement  
for Fund

(2) Subject to the approval of the Superintendent, the following parties may enter into the agreement under subsection (1):

1. Insurers licensed to transact business on the premium note plan.
2. Joint stock insurance companies all the shares of which are owned by one or more mutual insurance corporations that participate in the Fund.
3. Mutual insurance corporations incorporated under subsection 148 (3) of the *Corporations Act*.

R.S.O. 1980,  
c. 95

**7. Section 387 of the said Act is amended by inserting after “society” in the fourth line “a mutual insurance corporation that participates in the Fire Mutuals Guarantee Fund”.**

**8.—(1) Subclause 388 (1) (a) (i) of the said Act is amended by striking out “the Republic of South Africa” in the second line.**

**(2) Section 388 of the said Act is amended by adding thereto the following subsection:**

Idem

(8a) Notwithstanding anything in subsection (1) or section 390, but subject to the approval of the Minister and to such terms and conditions as may be prescribed by the Lieutenant Governor in Council, a mutual insurance corporation that participates in the Fire Mutuals Guarantee Fund may invest in the fully paid shares of any joint stock insurance company incorporated in Ontario that is not licensed to undertake contracts of life insurance if, after the investment, all the shares of the joint stock insurance company will be owned by one or

more mutual insurance corporations that participate in the Fund.

**9.** Section 389 of the said Act is amended by inserting after “society” in the second line “a mutual insurance corporation that participates in the Fire Mutuals Guarantee Fund”.

**10.** Section 390 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 70, section 32, is further amended by adding thereto the following subsections:

(2) Subject to such terms and conditions as may be prescribed by the Lieutenant Governor in Council, an insurer, with the approval of the Superintendent, may invest its funds in the fully paid voting shares of a dealer within the meaning of the *Securities Act*.

Securities  
dealers

R.S.O. 1980,  
c. 466

(3) Clauses (1) (c) and (d) do not apply to an investment under subsection (2).

Non-  
application  
of  
subs. (1)  
(c, d)

(4) For the purposes of this section and regulations made under clause 98 (eb), “voting share” means a share of any class of shares of a corporation carrying voting rights under all circumstances and a share of any class of shares carrying voting rights by reason of the occurrence of any contingency that has occurred and is continuing.

Definition

**11.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**12.** The short title of this Act is the *Insurance Amendment Act, 1987*.

Short title

