1973

c 13 The Motor Vehicle Accident Claims Amendment Act, 1973

Ontario
CHAPTER 13

An Act to amend
The Motor Vehicle Accident Claims Act

Assented to April 5th, 1973
Session Prorogued March 5th, 1974

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

1. Section 1 of The Motor Vehicle Accident Claims Act, being chapter 281 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1972, chapter 1, section 46, is further amended by adding thereto the following clauses:

(a) "Director" means the Director of the Motor Vehicle Accident Claims Fund appointed for the purposes of this Act;

(b) "Superintendent" means the Superintendent of Insurance.

2. Subsection 3 of section 3 of the said Act is repealed and the following substituted therefor:

(3) Every owner of a motor vehicle who fails to produce evidence under subsection 1 when requested to do so or within seventy-two hours of such request is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $500.

3. Section 4 of the said Act is repealed and the following substituted therefor:

4. The Superintendent shall be deemed to be an agent of the owner and of the operator of every uninsured motor vehicle for service of notice or process in an action in Ontario arising out of the use or operation in Ontario of the uninsured motor vehicle, and, where such an action is commenced,
4. — (1) Subsection 2 of section 5 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 1, section 1, is further amended by striking out "Ministry" in the amendment of 1972 and inserting in lieu thereof "Ministry of Transportation and Communications".

(2) Subsection 6 of the said section 5 is repealed and the following substituted therefor:

(6) Where payment is made under subsection 3, the driver’s licence of the person to whom notice was forwarded under subsection 2 shall be forthwith suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until such person has,

(a) repaid in full to the Fund the amount paid out; or

(b) commenced instalment repayments in accordance with an undertaking referred to in clause (b) of subsection 3 or the regulations made under section 10.

(3) Subsection 7 of the said section 5 is amended by inserting after "Registrar" in the fifth line "upon receiving notice of such default from the Director".

5. Subsection 2 of section 8 of the said Act is amended by striking out "Registrar of Motor Vehicles" in the second line and inserting in lieu thereof "Director".

6. Section 9 of the said Act is repealed and the following substituted therefor:

9. Where the Minister pays out of the Fund any amount in satisfaction of a judgment, the driver’s licence of the judgment debtor on whose behalf such payment is made shall forthwith be suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until the judgment debtor has,

(a) repaid in full to the Fund the amount paid out; or
(b) commenced instalment repayments in accordance with the regulations made under section 10.

7. Subsection 3 of section 10 of the said Act is amended by inserting s. 10 (3), amended after "Registrar" in the second line "upon receiving notice of such default from the Director".

8. Section 11 of the said Act is amended by striking out "Registrar" s. 11, amended in the sixth line and inserting in lieu thereof "Superintendent".

9. Section 12 of the said Act is amended by striking out "Registrar" s. 12, amended in the sixth line and inserting in lieu thereof "Superintendent".

10. Section 13 of the said Act is amended by striking out "Registrar" s. 13, amended in the first line and inserting in lieu thereof "Superintendent".

11. Section 14 of the said Act is amended by striking out "Registrar" s. 14, amended in the eighth line and inserting in lieu thereof "Superintendent".

12. Section 15 of the said Act is amended by striking out "Registrar" s. 15, amended where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".

13. Section 16 of the said Act is amended by striking out "Registrar" s. 16, amended in the first line, second line and fourth line and inserting in lieu thereof in each instance "Superintendent".

14. Section 17 of the said Act is amended by striking out "Registrar" s. 17, amended in the first line and inserting in lieu thereof "Superintendent".

15. Section 18 of the said Act is amended by striking out "Registrar" s. 18, amended in the first line and inserting in lieu thereof "Superintendent".

16.-(1) Subsection 1 of section 19 of the said Act is amended by s. 19 (1), amended striking out "Registrar" where it occurs in the second line and inserting in lieu thereof in each instance "Superintendent".

(2) Clause a of subsection 2 of the said section 19 is amended by s. 19 (2), amended striking out "Registrar" in the third line and in the fourth line and inserting in lieu thereof in each instance "Superintendent".

17. Section 20 of the said Act is amended by striking out "Registrar" s. 20, amended where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".

18. Section 21 of the said Act is amended by striking out "Registrar" s. 21, amended in the third line and inserting in lieu thereof "Superintendent".
19. Subsection 5 of section 22 of the said Act is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Superintendent”.

20. Any right under The Motor Vehicle Accident Claims Act of or against the Registrar of Motor Vehicles existing immediately before this Act comes into force shall be deemed to be a right of or against the Superintendent of Insurance and where the Registrar of Motor Vehicles is a party to any action or proceeding under the said Act, the Superintendent of Insurance shall be deemed to be a party in his place.

21. Any right in any action or proceeding under The Motor Vehicle Accident Claims Act vested in the Minister of Transportation and Communications immediately before the 1st day of April, 1972 shall be deemed to have been vested on that date in the Minister of Consumer and Commercial Relations.

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

23. This Act may be cited as The Motor Vehicle Accident Claims Amendment Act, 1973.