

DISCLOSURE TO CLAIMANT

under the

AUTOMOBILE INSURANCE REGULATIONS

Pursuant to paragraph 14. (4) (a) of the *Automobile Insurance Regulations*, the following form is hereby approved for use in the Province effective August 1, 2005.

WINSTON MORRIS
Superintendent of Insurance

**DISCLOSURE TO CLAIMANT
(FOR USE IN NEWFOUNDLAND AND LABRADOR)**

You have advised an insurance company that you are making an automobile insurance claim. In making this claim you should be aware of the following:

Surveillance:

Under the federal Personal Information and Electronic Documents Act an insurance company:
Is permitted to conduct surveillance of you without your consent or knowledge.
Does not have to disclose that you are or have been under surveillance.
Must destroy any personal information collected about you through surveillance after it has fulfilled its usefulness.

Criminal Code of Canada

It is an offence under the Criminal Code of Canada to make a false claim.
A person found guilty of making a false claim may be subject to being fined or imprisoned for a period of time, or to both a fine and imprisonment.
A false claim includes inflating the true value of a claim or claiming for things that were not damaged in an accident.

Claims Against a Driver Who Allegedly Caused the Accident

Where you are making a claim against another driver, that driver's insurance company is obligated to:
Settle your claim as quickly as possible.
Make interim payments to you pending the final settlement of your claim once the insurance company has determined their insured is at-fault for the accident.
To pay you the amount of your final claim settlement in a series of payments over a stated period of time instead of in one lump sum where the accident caused you bodily injury and you request periodic payments.
Advise their insured that you have made a claim against him or her.
Advise their insured of the total amount paid to you once the claim is settled.

Failure to Wear a Seat Belt

Where you were not wearing a seat belt at the time of the accident and by law you should have been wearing one, your claim will be reduced by 25% unless you can prove that your injuries would be the same had you been wearing the seat belt.

Claim for Loss of Income

Any claim for loss of income or loss of your ability to earn income will be reduced by Employment Insurance premiums, Canada Pension Plan contributions and Income Tax that would otherwise be payable if you received the income from your employment.

\$2,500 Deductible

A claim for loss that is not an economic loss will have a \$2,500 deductible applied to it. This would apply to a claim for pain and suffering. It does not apply to a claim for economic loss, such as medical expenses or loss of income.

You are obligated to confirm in writing or by e-mail that you have received this disclosure form. Sign below and return this form to the insurance company (keep a copy for your records) or e-mail the insurance company stating "I acknowledge receiving the Disclosure to Claimant Form".

Date

Claimant's Signature