

Information Bulletin 08-01

March 12, 2008

This bulletin highlights determinations by the Nova Scotia Insurance Review Board (the Board) that affect industry. This publication is not a legal document. It contains general information and is provided for convenience and guidance in applying the *Insurance Act* (Chapter 231 of the Revised Statutes of Nova Scotia, 1989, as amended) (the *Act*), and Regulations. In all circumstances reference should be made to the legislation.

Changes to Rate Filing Requirements for Automobile Insurance Section 155B – Overall Decrease

The *Insurance Review Board Guidelines Regulations*, N.S. Reg. 27/2007 have been repealed and replaced by the *Rate Decrease Filing Regulations*, N.S. Reg. 95/2008. The document “Rate Filing Requirements for Automobile Insurance – Section 155B – Overall Decrease” is published and is available on the NSIRB website at <http://www.gov.ns.ca/nsirb/industry.asp>

Filings that decrease a Company’s overall rate are allowed under Section 155B. No rating rule changes, risk classification factor changes or additions/deletions of discounts or surcharges may be included in the filing. These changes may be made by application under Section 155G. Furthermore, any changes for which the Board has issued simplified filing requirements should be made separately under those requirements and not under the Section 155B-Overall Decrease requirements.

A Company may file one of two ways under the *Rate Decrease Filing Regulations*:

- filing a schedule of overall rate decreases with a cap, or
- filing a schedule of overall rate decreases without a cap.

Filing of a schedule of overall rate decreases with a cap allows a Company to file an overall rate decrease but requires the Company to cap any individual increase at 2% per annum. A filing made in this manner will not require prior approval from the Board but must provide all the information as required in the filing guidelines and will be reviewed by IRB staff for compliance with the regulations.

Filing a schedule of overall rate decreases without a cap allows a Company to file an overall rate decrease without a requirement to cap any individual increase. A filing made in this manner will require prior approval from the Board, who may approve, not approve or alter the rates applied for.

The “*Rate Decrease Filing Regulations*,” govern the handling of filings under Section 155B.

Three (3) hard copies of the complete package should be mailed to:

Nova Scotia Insurance Review Board
5151 Terminal Road, 2nd floor
PO Box 2251
Halifax, NS B3J 3C8

As well, an electronic copy should be sent to NSIRB@gov.ns.ca.

A filing received by the Board after 4:00 p.m. is deemed to have been filed on the next business day.

Further to its September 28, 2004, ruling on confidentiality, the Board believes none of the sections required under these requirements would be contained in the former sections 8 and 14. Therefore, all information in this filing will be subject to routine disclosure. If a Company wishes any section(s) be held confidential, a letter stating the reasons for the request must accompany the application in order that the Board can make its determination on the Company’s request.

Donna Boutilier
Executive Officer