



## **PLEASE NOTE**

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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER I-4

### INSURANCE ACT

#### PROHIBITED UNDERWRITING PRACTICES REGULATIONS

Pursuant to section 219.2 of the *Insurance Act* R.S.P.E.I. 1988, Cap. I-4, Council made the following regulations:

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|---|---|
| <b>1. In these regulations</b>  | Definitions   |
| (a) “antique vehicle” means a motor vehicle that  | antique vehicle   |
| (i) is at least thirty years old or is a recognized classic, and  |   |
| (ii) has been restored to its original condition;   |   |
| (b) “reconstructed vehicle” means a reconstructed vehicle as defined in the <i>Highway Traffic Act</i> . (EC697/03)   | reconstructed vehicle   |
| <b>2. This regulation applies to contracts of insurance in the form approved by the Superintendent under subsection 216(9) of the Act. (EC697/03)</b>   | Application   |
| <b>3. The prohibited grounds prescribed for the purposes of section 219.1 of the Act are the following:</b>   | Prohibited grounds for declining to issue, refusing to renew or terminating a contract, or for refusing coverage or endorsement |
| (a) the age of the applicant or another person who would be an insured person under the contract;   |   |
| (b) the age of the vehicle that would be insured by the contract, unless the vehicle:   |   |
| (i) is an antique vehicle,  |   |
| (ii) is a reconstructed vehicle, or   |   |
| (iii) has been modified for enhanced performance;   |   |
| (c) whether the applicant or another person who would be an insured person under the contract is or has been insured by the Facility Association;   |   |
| (d) whether the applicant or another person who would be an insured person under the contract was declined insurance or refused a renewal of insurance by an insurer;   |   |
| (e) whether the applicant or another person who would be an insured person under the contract has claimed in the past under a policy of automobile insurance, as a result of accidents for which the applicant or that person was not at fault;   |   |
| (f) whether the applicant or another person who would be an insured person under the contract has failed to make one payment to an insurer, other than the first payment of a periodic payment plan, if the missed payment is the only payment missed under a policy of automobile insurance in the past 24 months, and if the missed |   |

payment was made within 30 days of the date on which it was originally due;

(g) whether the applicant or another person who would be an insured person under the contract has a lapse in coverage under a contract of automobile insurance, for a period of no more than 12 months, unless that lapse resulted, directly or indirectly, from

(i) the termination of a policy of automobile insurance, as a result of a failure to pay premiums due under the contract, or

(ii) the suspension of the person's driver's licence for an offence related to the use or operation of an automobile. (EC697/03)