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Via Email:

March 21, 2025

Dear Deputy Ministers:

RE: Auto Insurance Reform – Questions from CBA-Alberta

The Canadian Bar Association recently had the opportunity to review the Questions from Insurer Stakeholders and responses from Treasury Board and Finance. As the proposed changes to a private no-fault system significantly affect the legal rights of Albertans to access the court system when they are injured, we are asking for a similar opportunity to receive feedback for our members' concerns.

As we consider the potential impact of the no-fault program, which is to be implemented, we have identified some key questions for your consideration.

1. How will the Survival of Actions legislation interact with this system?
2. What Fatal Accidents coverage will be included in this system?
3. What coverage will be available to Alberta drivers who find themselves in accidents in other jurisdictions?
4. What coverage will be available to Albertans injured by drivers from other jurisdictions?
5. What will happen when an uninsured driver from another province injures an Alberta pedestrian?
6. How will MVAC interact with the new model? What will the maximum coverage be?
7. Will these auto insurance reforms affect the ability of a person who was injured in an accident to pursue potential claims against commercial or social hosts or other non-driver tortfeasors?



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8. Will these auto insurance reforms affect the auto accident claims that would otherwise vest in the Workers' Compensation Board?
9. Will threshold amounts be indexed annually for inflation / CPI to ensure that in 3, 6, 9 years, compensation is still sufficient?
10. Will these auto insurance reforms affect the ability of family members to pursue loss of dependency claims?
11. Will spouses continue to have a claim for loss of consortium under the Tortfeasor's Act?
12. When and how do you expect to repeal the MI and DTP regulations?
13. When and how do you plan to seek input from the medical practitioners on the proposed legislation?
14. When and how do you plan to seek input from the legal profession (including from the CBA) on the proposed legislation?
15. When do you anticipate having draft legislation/regulations ready and will CBA have an opportunity to review same and offer commentary?

We would appreciate your kindly reviewing same soon, so that we may receive your responses as soon as possible, to enable us to accurately educate and inform both the public and our membership about the consequences of the automobile insurance reform you have undertaken.

Yours truly,
Canadian Bar Association – Alberta Branch

Robert D.L. Bassett
President

Cc: Hon. Nate Horner, ECA Hon. Nathan Neudorf, ECA
Ministry of Finance Ministry of Affordability and Utilities

Hon. Mickey Amery, ECA
Ministry of Justice