

Notice

Automobile Insurance Act
(R.S.Q., c. A-25)

Groupement des assureurs automobiles — Direct compensation Agreement for the settlement of automobile claims

WHEREAS under section 173 of the Automobile Insurance Act (R.S.Q., c. A-25) the Groupement des assureurs automobiles is required to establish a Direct Compensation Agreement for the settlement of automobile claims;

WHEREAS said Agreement came into force on May 1, 1978 and was subsequently amended on September 1, 1980, June 1, 1984, July 1, 1986, October 1, 1987, January 1, 1990, May, 7 1990, December 1, 1991, June 25, 1994, June 2, 2001, June 2, 2007 and June 2, 2008;

WHEREAS amendments having been necessary, they were approved as required on March 24, 2009, by authorized insurers in accordance with section 174 of the Automobile Act Insurance;

NOW THEREFORE notice is hereby given that the Direct Compensation Agreement is amended as shown in the text of amendments published in this issue of the Gazette Officielle du Québec and will come into force on May 18, 2009 in accordance with the relevant provisions of the Automobile Insurance Act, namely thirty (30) days following publication of this notice.

FRANCINE PELLETIER,
Secretary

Direct Compensation Agreement for the Settlement of Automobile Claims*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 116 and 173)
(13th edition)

INTRODUCTION

As provided in section 173 of the Automobile Insurance Act, the Groupement des assureurs automobiles must establish a Direct Compensation Agreement. Section 116 also provides that:

“The recourse of the owner of an automobile by reason of property damage sustained in an automobile accident shall not be exercised except against the insurer with whom he subscribed his automobile liability insurance, to the extent that the Direct Compensation Agreement contemplated in section 173 applies.

However, the owner may, if he is not satisfied with the settlement made in accordance with the Agreement, exercise such recourse against the insurer in accordance with the ordinary rules of law to the extent that sections 108 to 114 do not derogate therefrom.”

SECTION V ARBITRATION

12. Any dispute between the parties bound by this Agreement and resulting from its application shall be determined by the Arbitration Board of the Groupement des assureurs automobiles.

The Arbitration Board shall comprise at least seven members appointed every year by the Board of Directors of the Groupement des assureurs automobiles. The Board of Directors shall designate the chairman and the two vice-chairmen of the Arbitration Board. The Arbitration Board shall meet within sixty days after receipt of the allegations of the parties by the Groupement des assureurs automobiles.

A majority of the serving members of the Arbitration Board shall constitute a quorum for a session.

* This brochure represents the Direct Compensation Agreement updated as of May 18, 2009 as published and modified in the following regulations: (1978) 110 G.O. 2; (1980) 112 G.O. 2; (1981) 113 G.O. 2 (Erratum); (1984) 116 G.O. 2; (1986) 118 G.O. 2; (1986) 118 G.O. 2 (Erratum); (1987) 119 G.O. 2; (1990) 122 G.O. 2; (1990) 122 G.O. 2; (1991) 123 G.O. 2; (1994) 126 G.O. 2; (1994) 126 G.O. 2 (Erratum); (2001) 133 G.O. 2; (2001) 133 G.O. 2 (Erratum); (2007) 139 G.O. 2; (2008) 140 G.O. 2 (2009) 141 G.O. 2 in accordance with the Automobile Insurance Act (R.S.Q., c. A-25, s. 116 and 173).

The decisions of the arbitration board are taken on a simple majority vote by the members present and forming a quorum.

Decisions rendered by the Arbitration Board are final.

SECTION VI EFFECTIVE DATE

13. This Agreement shall come into force on May 18, 2009 and shall apply to all accidents occurring on or after that date.

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Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Permanent protection status as “Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure” assigned to part of the territory of Ville de Bonaventure

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 300-2009 dated 25 March 2009 assigning permanent protection status to the Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure, the plan of that aquatic reserve and its conservation plan being attached as a schedule to that Order in Council.

MADELEINE PAULIN,
Deputy Minister

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Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Permanent protection status as “Réserve de biodiversité de la Météorite” assigned to part of the territory of Île René-Levasseur forming part of the regional county municipalities of Caniapiscau and Manicouagan

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 302-2009 dated 25 March 2009 assigning

permanent protection status to Réserve de biodiversité de la Météorite, the plan of that biodiversity reserve and its conservation plan being attached as a schedule to that Order in Council.

MADELEINE PAULIN,
Deputy Minister

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Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Permanent protection status as “Réserve de biodiversité des Caribous-de-Val-d’Or” assigned to part of the territory of Ville de Val-d’Or

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 299-2009 dated 25 March 2009 assigning permanent protection status to the Réserve de biodiversité des Caribous-de-Val-d’Or, the plan of that biodiversity reserve and its conservation plan being attached as a schedule to that Order in Council.

MADELEINE PAULIN,
Deputy Minister

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Notice

Natural Heritage Conservation Act
(R.S.Q., c. C61.01)

Permanent protection status as “Réserve de biodiversité du Karst-de-Saint-Elzéar” assigned to part of the territory of the regional county municipality of Bonaventure

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 298-2009 dated 25 March 2009 assigning permanent protection status to the Réserve de biodiversité du Karst-de-Saint-Elzéar, the plan of that biodiversity reserve and its conservation plan being attached as a schedule to that Order in Council.

MADELEINE PAULIN,
Deputy Minister

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