



**Financial Services
Commission
of Ontario**

5160 Yonge Street
Box 85
Toronto ON M2N 6L9

PROTECTED DEFENDANT UNDERTAKING
Section 226.1 of the Ontario *INSURANCE ACT*
R.S.O. 1990, c. I.8 as amended

FROM:

Legal Name of Insurer ("the Insurer")			
Head Office Address			
Town/City	Province/State	Postal Code/ZIP Code	County
Telephone # ()		Fax # ()	
Jurisdiction of Incorporation			

TO:

**Financial Services Commission of Ontario
Licensing and Market Conduct Division
Attention: Business Support Services Unit
5160 Yonge Street, Box 85
Toronto, Ontario M2N 6L9 Canada**

An insurer that issues motor vehicle liability policies in another province or territory of Canada, the United States of America or a jurisdiction designated in the *Statutory Accident Benefits Schedule* (a regulation under the *Insurance Act*) may undertake that its policies will provide at least the following three coverages ("the Ontario Coverages") when the insured automobiles are operated in Ontario:

- the minimum liability limits under a motor vehicle liability policy (being \$200,000; section 251 of the *Insurance Act*)
- uninsured automobile coverage (section 265 of the *Insurance Act*)
- statutory accident benefits (section 268 of the *Insurance Act*)

Section 267.5 of the *Insurance Act* provides certain liability protection to owners of an automobile, the occupants of an automobile and persons present at the incident. Under subsection 267.5(6), however, a person will **not** have this protection if the person is defended by an insurer that is not licensed to undertake automobile insurance in Ontario **unless** the insurer has filed this Undertaking.

THE INSURER UNDERTAKES AND AGREES that motor vehicle liability policies issued by the Insurer will include at least the Ontario Coverages as set out above, when automobiles insured by the Insurer are operated in Ontario. This undertaking applies to all contracts evidenced by motor vehicle liability policies issued by the Insurer in any province or territory in Canada, in a jurisdiction of the United States of America or in any other jurisdiction designated in the *Statutory Accident Benefits Schedule*.

THE INSURER AGREES that the Superintendent of Financial Services is authorized to accept service of documents on its behalf and on behalf of its insured.

THE INSURER ALSO AGREES to appear and to be bound by the laws of Ontario in defending any claim under its motor vehicle liability policy.

This undertaking is effective upon the later of its receipt by the Financial Services Commission of Ontario or _____, 20____. (Date)

Name of Authorized Officer:	Title of Authorized Officer:
Signature of Authorized Officer	Date (yyyy/mm/dd)