

# N.S. government triples insurance cap

## Definition of 'minor injury' also changed

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Nova Scotians injured in a minor car accident are now going to be eligible for more money because the government is removing the insurance cap.

The Dexter government announced Wednesday it is tripling the maximum claim to \$7,500 for pain and suffering. It's also narrowing the definition of minor injury to include only strains, sprains and whiplash.

In 2003, the provincial government passed legislation that imposed a \$2,500 cap on insurance awards for those who suffer minor injuries in auto accidents. It was aimed at containing skyrocketing automobile insurance premiums.

But the changes won't be retroactive, and some people are not happy about that.

Finance Minister Graham Steele said he's doing what he can to make things better from now on.

"More people are going to get more compensation," he said Wednesday.

"My personal view is that the regime implemented in 2003 was unfair and that is very regrettable. But, what I have to do is change the system for the future."

But the changes won't be retroactive, Steele said because that would have cost \$69 million and driven up premiums for all drivers.

Lawyer Barry Mason, who has been fighting the cap, isn't buying that argument.

"The Insurance Bureau of Canada's numbers reflect the opposite — that they could have, in fact, taken the cap off in its entirety and gone back and it would not have led to any increase in premiums whatsoever," Mason said.

"We know that the insurance industry made hundreds of millions of profits in Nova Scotia in the last number of years since the cap came in place, over and above what they were for in terms of profits. So, it's unfortunate the government didn't do more in terms of retroactivity to protect those people's rights."

Mason has taken the issue to the Supreme Court of Canada, but the country's highest court has not yet decided if it will hear the case.

Mason said that is now the last resort for his clients, who feel they are victims of the old rules.