



**TO: MEMBERS OF THE FACILITY ASSOCIATION**

**ATTENTION: CHIEF EXECUTIVE OFFICER**

**BULLETIN NO.: F18 - 083**

**DATE: November 19, 2018**

**SUBJECT: MEMBERS' REPORTING REQUIREMENT: CONFIRMATION OF CORPORATE GROUP MEMBERSHIP**

In accordance with Facility Association's Plan of Operation, a group of insurers under either one ownership or common management constitutes a single member. The purpose of this bulletin is to advise members that Facility Association will be confirming the member company groupings that Facility Association has on file.

Please be advised that under separate cover, a review of the current information we have on file will be sent to Member Companies to either confirm that the member company grouping is correct, or to provide the changes to reflect the correct member company grouping (based on corporate ownership or common management) and to confirm the legal name of the company(s) to Richard Badali at [MS@facilityassociation.com](mailto:MS@facilityassociation.com).

**Confirmations are required by no later than November 30<sup>th</sup>, 2018.**

The relevant section of Facility Association's Plan of Operation is attached to this bulletin for your ease of reference (attachment #1).

Should you require any further information, please call Norm Seeney, Vice President, Finance and Member Services at (416) 644-4914.

David J. Simpson, M.B.A., FCIP, C. Dir.  
President & CEO

## **Attachment 1**

### **ARTICLE III – MEMBERSHIP**

1. Every insurer licensed to write automobile liability insurance in any jurisdiction in which the Association is qualified to operate is by operation of law and shall remain a member of the Association and shall be bound by these Articles of Association and the rules and directives adopted pursuant thereto.

2. Except as otherwise specifically provided, a group of insurers under either one ownership or common management shall constitute a single member for the purposes of these Articles of Association. A group of insurers under either one ownership or common management, but not both, may elect to be treated either as separate members or a single member for the purposes of termination of membership in the event such member discontinues writing automobile insurance in a jurisdiction.

3. In the event that an insurer is merged with another insurer or there is a consolidation of insurers, the continuing insurer shall receive and be responsible for the assessments of each insurer merged or consolidated until the proportionate share of each such merged or consolidated insurer as established by its writings prior to such merger or consolidation has been determined and paid; provided, however, that the continuing insurer may be relieved from such obligations if another insurer has agreed to assume such obligations in a manner satisfactory to the Board.

4. In the event a member discontinues writing automobile insurance in a jurisdiction, it shall continue to pay assessments until its proportionate share established by its writings prior to discontinuance of business has been determined or fixed by the Board and paid; provided, however, that if the automobile business of an insurer discontinuing the writing of automobile insurance in the said jurisdiction has been purchased by, transferred to or reinsured by another insurer the latter shall receive and be responsible for the assessments of the former until the proportionate share of the former as established by its writings prior to such transfer has been determined and paid, unless another insurer has agreed to assume such obligation in a manner satisfactory to the Board.

### **Facility Association Plan of Operation A. Articles of Association Effective December 1, 2017 Pages 2 & 3**

#### **Related Link:**

The Plan of Operation may be referenced on-line by clicking on: [Plan of Operation](#)