

## Annual Report 2010

# Insolvency protection for home, automobile and business insurance customers



## **PACICC Mission**

The mission of the Property and Casualty Insurance Compensation Corporation is to protect eligible policyholders from undue financial loss in the event that a member insurer becomes insolvent. We work to minimize the costs of insurer insolvencies and seek to maintain a high level of consumer and business confidence in Canada's property and casualty insurance industry through the financial protection we provide to policyholders.

## **PACICC** Principles

- In the unlikely event that an insurance company becomes insolvent, policyholders should be protected from undue financial loss through prompt payment of covered claims.
- Financial preparedness is fundamental to PACICC's successful management support of insurance company liquidations, requiring both adequate financial capacity and prudently managed compensation funds.
- Good corporate governance, well-informed stakeholders and costeffective delivery of member services are foundations for success.
- Frequent and open consultations with members, regulators, liquidators and other stakeholders will strengthen PACICC's performance.
- In-depth P&C insurance industry knowledge – based on applied research and analysis – is essential for effective monitoring of insolvency risk.

## Key accomplishments in 2010

- Enhancing PACICC's response capabilities to potential extraordinary insolvency events – first, by establishing the option of an industry liquidity facility; and second, by developing a claims-management contingency plan.
- Working to enhance provincial solvency supervision by establishing a Model Protocol setting out the role PACICC can play to support future insolvencies, and by updating PACICC's Model Wind-Up Order.
- Providing input to OSFI's new Guideline B-3 on "Sound Reinsurance Practices and Procedures," the final draft of which reflected PACICC's call for an effective insolvency wording in all reinsurance contracts.
- Publishing "Lessons learned from the failure of Advocate General Insurance Company" as part of PACICC's Why insurers fail series and distributing findings to members and other stakeholders.

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Property and casualty insurance is a remarkably dynamic and resilient industry, working to serve the risk management needs of Canadians. Dynamic in the sense that the industry is constantly adapting to meet the changing risk management needs of Canadians. And resilient in that the industry has been successfully providing insurance protection to Canadians for more than 200 years.

The needs of property owners, for example, are much different than they were 30 years ago. The risk of fire damage to property is now less than one-third the peak rate recorded in 1982. The risk of property theft is currently only 40 percent of the peak rate recorded in 1992. In contrast, water and wind damage claims paid by insurers, when adjusted for the impact of inflation, are presently almost five times greater than in 1980.

Remarkable change also is evident in the auto insurance industry. The frequency of collisions per kilometers driven is less than one-third the rate experienced in the early 1980s, so there has been a significant reduction in the frequency of vehicle

repair claims. More perplexing has been the alarming increase in bodily injury claims paid in Ontario, Alberta and Atlantic Canada – when the risk of injury in a vehicle collision is presently less than one-third of the rate recorded in 1981.

Liability and other insurance coverages have also adapted to serve the changing needs of Canadians. Overall, the insurance industry grew by 60 percent in the 1940s and 1950s – when measured as a share of total economic activity – and experienced a further 50 percent expansion over the past decade. This is additional evidence that Canadians are

increasingly turning to insurance to provide the protection and peace of mind they seek. Insurance is an essential and growing service.

One of these risks is the possibility that an insurance company fails. Since 1980, 285 new companies secured licenses to enter the P&C insurance industry in Canada, while 283 companies exited the market. Most of these changes were voluntary. But a few companies, 32 in fact, were closed by Canada's insurance regulators because they were insolvent. More than 20 years ago, the insurance industry established PACICC to be the consumer protection fund for Canadians in the unlikely event that an insurance company fails.

... water and wind damage claims paid by insurers, when adjusted for the impact of inflation, are presently almost five times greater than in 1980. Fortunately, no companies were closed by Canada's insurance regulators last year. Nonetheless, PACICC is ready to protect the interests of insurance consumers when the next failure does occur.

Over the past year, PACICC worked to improve its preparedness for future member insolvencies by enhancing the capacity of provincial insurance regulators to manage

The Board has now established the concept of a liquidity facility as a potential tool to support PACICC's financial capacity... and a strategy to ensure sufficient operational capacity to manage a surge in claims. insurance failures. While provincially-supervised companies account for only 16 percent of the private insurance sold in Canada, they have accounted for 90 percent of the PACICC member insurers that failed over the past 20 years.

PACICC has developed an insolvency protocol that will be a resource for supervisors and a template for coordination in the event of a liquidation. PACICC also has updated its Model Winding-Up Order and communications materials. In addition, we initiated a review of the oversight and regulation that is applied to reserving practices in the industry. Inadequate reserving is the leading cause of insurer failure.

Last year the Corporation also reviewed the tools in place if PACICC needs to respond to the failure of a large member insurer. The Board has now established the concept of a liquidity facility as a potential tool to support PACICC's financial capacity. PACICC also established a strategy to ensure sufficient operational capacity to manage a surge in claims.

Looking ahead to 2011, PACICC plans to refund approximately \$5 million in final liquidation dividends to member companies who funded the shortfall in the estates of Advocate General and Maplex. For the coming year, this means that PACICC will return to the industry an amount more than three times greater than its annual operating costs. In the message that follows, PACICC President and CEO Paul Kovacs reports on the Corporation's strategic plans and priorities for the period 2011 to 2013.

I believe that PACICC is well-prepared to respond to the changing needs of insurance consumers. This includes having a strong Board of Directors – with Alister Campbell of Zurich Insurance expected to assume the role of Chair – and an experienced professional staff that has consistently demonstrated its capacity to protect consumers.



PACICC's new strategic plan focuses on three key priorities. In 2011, we will participate in the scheduled five-year review of the Federal financial-sector legislation. PACICC's work in 2012 will centre on ERM. And in 2013, PACICC will seek to promote best practices in loss reserving.

## **Financial sector review**

PACICC's primary focus in 2011 will be on the scheduled five-year review of the Federal financial-sector legislation. PACICC has made a formal submission for the Federal Department of Finance proposing specific reforms to the *Winding-Up and Restructuring Act* to facilitate more streamlined and less expensive liquidations. Our submission assesses the financial impact of proposed WURA reforms on P&C insurance company liquidations. PACICC has also submitted recommendations to

PACICC is working closely with OSFI, the Reinsurance Research Council and other stakeholders to develop an appropriate insolvency wording as an industry standard for reinsurance contracts. Federal Finance identifying changes to the current legislative framework that would facilitate the winding-up of a financial conglomerate. This was recently noted by the G-20 as a high priority for policymakers. We also expect to hold expert seminars on topics relevant to the financial-sector legislative review, including financial sector stability.

PACICC continues to participate actively on OSFI's MCT Advisory Committee reviewing capital standards. In addition, we will be monitoring the implementation of OSFI Guideline B-3 (Sound Reinsurance Practices and Procedures). In connection with the new

Guideline, PACICC is working closely with OSFI, the Reinsurance Research Council and other stakeholders to develop an appropriate insolvency wording as an industry standard for reinsurance contracts.

## Promoting sound risk management

In 2012, PACICC will pursue a work plan aimed at enhancing enterprise risk management practices in Canada's P&C insurance industry. A survey of member companies designed to help benchmark the current state of ERM practices will lay the foundation for subsequent work. The survey is being developed with input from leading Chief Risk Officers in the industry. PACICC expects to issue a report to members and other stakeholders, including insurance supervisors, on the survey findings. PACICC's goal in pursuing this work is to encourage its member companies to implement ERM practices that are appropriate to their risk profile, identifying all reasonably foreseeable and relevant material risks. This would include risks relating to underwriting, market, credit, operations and liquidity. With a special focus on small and medium-size insurance companies, PACICC

> members will be encouraged to incorporate ERM in their corporate planning activities as an effective way to manage their aggregate risk (not just specific risks).

PACICC members will be encouraged to incorporate ERM in their corporate planning activities as an effective way to manage their aggregate risk.

PACICC will also emphasize the critical linkage between sound corporate governance and an effective risk management framework. In practice, this means that an insurer's Board and senior management should be substantively involved in establishing, leading and overseeing the company's ERM framework. Provinces that supervise insurer solvency will be encouraged to adopt guidance and practices

similar to OSFI in stress testing, internal capital targets and reinsurance risk management practices.

## Supporting best practices in loss reserving

In 2013, PACICC will examine how actuarial professional practices and supervisory practices could be better supported in valuing the risks faced by member insurers. We will explore working with the Canadian Institute of Actuaries and with insurance supervisors on this initiative. We will support research on reserving practices and policy. This work could include analysis of how peer review has influenced reserving practices since it was introduced; of catastrophe loss development in Canada; and the implications of the growing use of predictive modeling for competitive behaviour and solvency, particularly in view of the significant number of insurance companies exiting the U.S. market after its introduction there. In addition, PACICC will seek to enhance industry education relating to loss reserving issues, and to support modernization of actuarial best practices in provinces where the insurance legislation does not explicitly recognize the solvency mandate of provincial supervisors. The unique challenges and risks faced by new insurance companies will be considered as part of this work.

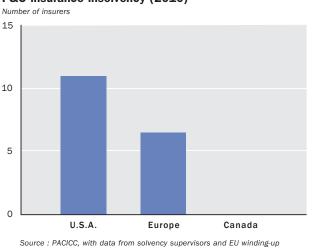
In closing, I want to take this opportunity to thank the members of the Board of Directors for their guidance over the past year, and our professional staff for their continuing high-quality work. We expect the business environment for P&C insurers in Canada to remain challenging over the next several years. In response to those challenges, PACICC will continue to enhance its ability to protect policyholders in the event of a member insolvency, while working to minimize insolvency costs and helping to maintain high levels of confidence in our industry. I am pleased to report that we are well-positioned for continued success.

While 18 P&C insurers failed in the United States and Europe, no Canadian P&C insurers were ordered into wind-up during 2010.

Industry results improved in 2010 as price adjustments begun toward the end of 2009 began to work through the system. However, despite finding better financial footing, the industry's business environment in 2010 was quite turbulent. Storms and hurricanes affected all parts of the country and Ontario's auto insurance accident benefits coverage continued to have unsustainably high loss ratios. Regulatory reforms enacted in 2010 will impact on the industry's operating environment in 2011.

## **Underwriting environment**

PACICC's core function, the resolution of insurers who involuntary exit the market, is closely and inversely linked to profitability and the insurance cycle. Periods of poor profitability increase the risk of insolvency, as limited capital may be further



## P&C insurance insolvency (2010)

proceedings publications

eroded by adverse claims development. Since PACICC was established 20 years ago, it has participated in the liquidation of a dozen P&C insurance companies with cumulative assets of \$720 million at the time of wind-up. And PACICC has provided \$168 million in financial support for policyholder claims payments for those estates.

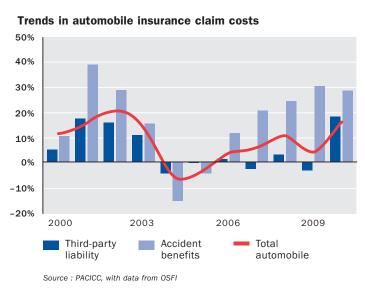
Overall, industry underwriting profitability during 2010 saw improved loss ratios in many lines of business as growth in premiums exceeded the growth in claims costs. This improvement in underwriting

performance in the industry was welcome after underwriting losses during 2008 and 2009. Together with improvements in investment income, industry profitability saw improvement over the prior year.

In the key auto insurance segment, which represents nearly half of the industry by premium volume, there were a number of developments in Ontario, Alberta, Nova Scotia and New Brunswick. In aggregate, automobile insurance premium growth in 2010 was outpaced by continued growth in claims costs. Despite not keeping pace

with claims costs, auto insurance premiums had strong growth as rate increases introduced in late 2009 took effect. The net increase in premiums earned during 2010 remained less than half the increase in claims costs over the year.

However, the claims experience in the accident benefits component of the auto insurance product – specifically the Ontario auto insurance product – has continued to be poor through 2010. While still very high, the growth rate in claims costs was similar to that of 2009. Accident benefit claims costs were accelerating through the first half of 2010 but showed evidence of slowing in the latter part of the year,



suggesting that the Ontario auto insurance reforms may have begun to have some impact.

In Alberta, on July 29, 2010, the Alberta Automobile Insurance Rate Board mandated a 5 percent decrease in premiums for mandatory automobile insurance coverages. This is consistent with the estimated low scenario for bodily injury claims frequency and an assumed higher future return on investment. The rate adjustment was to be effective November 1. In late

November, the Nova Scotia government announced a review of the province's automobile insurance system.

In the property lines, premium growth exceeded growth in claims costs. In the volatile commercial liability lines, claims costs outpaced premium growth.

## **Climate risks and weather-related claims**

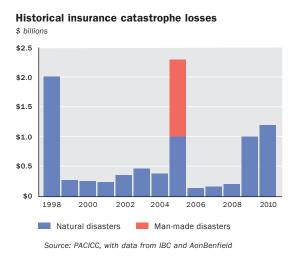
For the first time on record, the property and casualty insurance industry experienced consecutive billion dollar catastrophe loss years. During 2010, the industry experienced estimated catastrophe losses of \$1.2 billion.

During 2010, the catastrophe events were typically smaller events, often falling below reinsurance thresholds. As a result, many of the events had a direct impact on the primary insurance company. Storm losses occurred in most regions of the country, including Atlantic Canada, Ontario, Saskatchewan and Alberta. Two hurricanes struck Atlantic Canada during the fall of 2010. Hurricane Igor lashed Newfoundland and Labrador and generated an estimated \$165 million in insured and uninsured losses in the province. Hurricane Earl affected both Nova Scotia and Prince Edward Island. However, while large numbers of households were left without power, there were relatively few insurance losses.

Alberta experienced a large summer storm event that caused basement flooding, sewer back-up and damage from large hail stones. In total, estimated losses were in the neighbourhood of \$0.5 billion. Saskatchewan saw a number of similar storms generating significant catastrophe losses for crop, hail and property insurers.

Ontario saw tornado damage in southwestern region of the province. In addition, losses were recorded following an earthquake near Ottawa. The earthquake's epicentre was northeast of Ottawa and Natural Resources Canada estimates that it was likely the strongest earthquake experienced in the past 200 years by the region. While some damage occurred near the epicentre, the estimated shaking from the recorded ground motions for Ottawa were well below the design level of shaking used in the 2005 National Building Code of Canada.

A \$1 billion loss year has occurred four times since 1997 but did not occur once prior to that. The past year was one of those \$1 billion catastrophe loss years. In recognition of the growing importance of catastrophe losses to the industry, the Institute for



Catastrophic Loss Reduction (ICLR) and the Insurance Bureau of Canada (IBC), through partnership with MSA Research, supported the establishment of PCS Canada, a data aggregation service for catastropherelated insured losses. Going forward, insurers should have the data necessary to better manage disasterrelated risks.

The disaster losses of 2010 highlight the impact of risk management for catastrophe-related risks for the industry as the nature of claims costs in property coverages is changing and property insurance as weather-related (water and wind) claims costs have

grown as a proportion of total property claims. While reinsurance moderated the effect of the more severe catastrophe events on insurers and claimants, premium increases in property insurance moderated the solvency impact of those events that

fell below reinsurance trigger points. The highly dynamic nature of risk from catastrophes, and ultimately insolvency, highlights the strength of the industry in adapting to the changing environment of weather-related losses, using both pricing and reinsurance strategies to manage the risk and to continue to pay claims to Canadian policyholders.

## **Regulatory environment**

During 2010, several provinces introduced auto insurance product reforms that will have longer-term implications for claim cost trends in the industry. In Ontario, the government followed up on its five-year review of automobile insurance to introduce changes to the province's auto insurance product. The changes include a new package of statutory accident benefits for those injured in auto accidents. This new package offered by all insurers will lower the amount of coverage that consumers must purchase to \$50,000 for medical and rehabilitation expenses and to \$36,000 for attendant care expenses for non-catastrophic injuries. Drivers could opt for this lower-cost coverage, or increase it to the level of medical, rehabilitation and attendant care insurance they need. To implement these and several other consumer protection measures, a total of 24 regulatory bulletins were issued.

In Nova Scotia, the province increased the cap on minor injury awards, harmonized its definition of minor injury with Alberta, and announced a broader automobile insurance review. In November, the government of New Brunswick announced that it will also review its cap on minor injury awards and the definition of soft tissue injury.

In 2011, member insurers will move to International Financial Reporting Standards (IFRS). In October 2009, OSFI issued a draft advisory outlining the regulator's expectations and requirements for the implementation. While not all of the Standards are complete (insurance contracts, for example), IFRS will have important implications for insurer balance sheets and financial metrics. As a result, OSFI and those provinces using the minimum capital test (MCT) framework introduced changes effective for implementation in 2011. These changes reflect the accounting and capital policy positions with respect to IFRS and also introduce a number of other changes to the test. The Branch Adequacy of Assets Test (BAAT) introduced similar changes.

25% 20% 15% 10% 5% 0% -5% 2010 1980 1985 1990 1995 2000 2005 1975 Net premium earned Net incurred claims Source: PACICC, with data from MSA Research

P&C insurance claims and premium growth

OSFI also launched a consultation paper in December 2010 for other substantial changes to the MCT/BAAT tests. The proposed changes to the MCT/BAAT guidelines are motivated by a desire to ensure that the guidelines continue to accurately reflect the risks in the P&C insurance industry. The proposed changes involve the removal of some capital charges that are in effect capital on capital; modifications to asset factors to add granularity by rating class and

duration; and introducing margins for risks, such as interest rate risk, not currently in the tests. It is expected that any changes to the MCT/BAAT will be effective for January 2012.

During 2010, OSFI announced changes to the supervisory approach to reinsurance. The changes will remove the previous 75 percent fronting limit and 25 percent limit on unregistered reinsurance. It will also require insurers to adopt a reinsurance risk management policy. Following industry consultation, OSFI Guideline B-3 – Sound Reinsurance Practices and Procedures – was issued in December 2010. All federally-regulated insurers must address the principles contained within the guideline by July 1, 2011, and demonstrate full compliance by July 1, 2012. A key objective set out by Guideline B-3 is to ensure that reinsurance contracts avoid "terms or conditions that may limit a troubled or insolvent cedant's ability to enforce the contractual obligations of a reinsurer, or that may adversely affect the treatment of any claims in respect of the cedant's policyholders." The guideline further notes that "particular attention should be paid to 'insolvency clauses', 'off-set' or 'cut-through clauses', 'funds withheld arrangements', and other such types of terms and conditions."

Greater attention will be required to these insolvency-related wordings as they may affect whether an insurer can claim capital credit for its reinsurance.

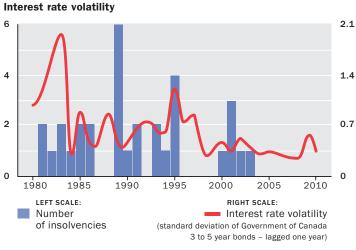
In PACICC's experience with insurance company liquidations over more than two decades, uncertainties have frequently arisen with respect to the recovery of reinsurance receivables post-insolvency. Reinsurance is typically the largest asset in the estate of an insolvent insurance company, so reducing uncertainty regarding payment obligations is essential to the goal of protecting policyholders when an insurer fails.

Because current reinsurance practices vary with respect to insolvency wordings and related conditions, PACICC has commissioned research to support the development of an effective insolvency wording for use in Canadian reinsurance contracts that complies fully with the new requirements of OSFI Guideline B-3. The research has been conducted by David Wilmot – a former reinsurance company CEO and acknowledged expert on reinsurance wordings.

To support member insurers, PACICC has developed an insolvency wording to comply with OSFI's new guideline. PACICC's research also addresses other insolvency-related policy wordings for insurers to consider as they establish their reinsurance risk management policies.

## **Risks on the horizon**

Risks related to underwriting are the main cause of past insolvencies in the P&C



Source: PACICC, with data from MSA Research

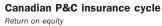
insurance industry. As retained earnings are the primary source of capital growth in the industry, a growth rate for claims costs that is greater than

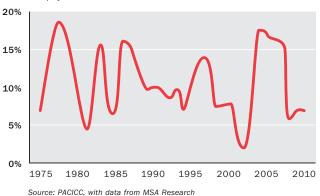
1.4 that of capital is a risk indicator for the industry. Historically, there is a very high correlation between insolvency and claims growth exceeding that of capital growth. During 2010 claims growth exceeded capital growth but the gap closed, largely as a result in progress in closing the gap between the growth in claims costs and premiums. The success of the Ontario auto reforms

and the impact of rate regulators ensuring that price changes reflect trends in claims costs will be important for the management of underwriting risk.

With some recent increases in interest rates and the general expectation that rates will rise in the coming years, interest rate risk has come more into focus. Interest rate risk arises due to the volatility and uncertainty of future interest rates. Interest rate changes are generally gradual. Bond portfolios turn over steadily and an increase in market interest rates is usually accompanied by an increase in the book valuation rate for assets, which lowers interest rate risk. Interest rate risk is more

likely to be significant where there is increased rate volatility, and historically the involuntary exit rate for insurers is at least partially correlated with volatility in interest rates. In the rate-regulated auto insurance product, interest rate risk also plays





an important part of the pricing process. Generally underrated, interest rate risk appears to have been a contributing factor in approximately 40 percent of P&C insurer failures in the United States – and many in Canada.

The sovereign debt concerns of some countries, and the exposure that some foreign insurers with Canadian operations have with sovereign debt, is also a risk on the horizon. In general, Canadian based insurers invest in

Canadian government securities and have little direct exposure to troubled sovereign debt. However, the heightened incidence of P&C insolvency in Europe and the United States over 2009 is a potential source of risk if a parent of a Canadian operation were to enter into distress.

## Looking forward

From a solvency perspective, the outlook for the P&C insurance industry for 2011 has improved, but is nevertheless subject to greater uncertainty than the healthy improvement in performance recorded between 2003 and 2009. While industry results have improved and preliminary indications from reforms to the auto product in Ontario are encouraging, it is too early to ascertain the ultimate impact. Similarly, the outcome of pending reviews to the auto product in other provinces adds some uncertainty at the margin. In addition to product changes the industry must manage significant accounting, capital and reinsurance changes. The operational risk in managing all of these changes during 2011 for member insurers is heightened.

Overall however, the industry is entering the point in the insurance cycle where history signals a reduced risk of insolvency and financial distress. The number of PACICC member insurers reporting underwriting losses has decreased modestly, although it is still elevated relative to the 2003-2008 period. While there are important differences in degree of exposure to various risks, industry aggregate measures show that Canada's P&C insurers are in a position of capital strength.

PACICC developed its Enterprise Risk Management (ERM) policy in 2007, overseen by the Corporation's Board of Directors and its Audit Committee. This report highlights two aspects of PACICC's ERM work: first, an assessment of our risk environment including trends in the major categories of risk; and second, our progress in mitigating individual risks over the past three years.

Overall, PACICC's current risk environment shows moderate improvement. For the period 2010-11, we view the trends for regulatory and reputation risks as stable, while the trends for financial and operational risks are decreasing. Certain regulatory risks remain challenging for PACICC to mitigate – such as the potential adverse impacts of rate regulation on insurer solvency. Nonetheless, current and future mitigation work being undertaken by PACICC – for example, proposed modernization of the *Winding-Up and Restructuring Act*, seeking to broaden the use of effective ERM practices in the P&C industry, and support for best practices in claims reserving – could help to reduce regulatory risks. (See the accompanying table for more information).

The accompanying chart illustrates the improvement recorded over the period 2007 to 2010 in ratings for 16 of 33 PACICC risks. Improvement was usually reflected in a lower impact rating or in a lower likelihood of the risk occurring. In the case of two risks, a reduction was achieved in both impact and likelihood ratings.

For some PACICC risks, improvement resulted from a more favourable economic environment. For several other risks, improvement resulted from specific risk-mitigation actions undertaken by PACICC. These actions include:

- Board approval for PACICC to establish the option of an industry liquidity facility in response to extraordinary insolvency events
- Developing a claims-management contingency plan to respond to extraordinary insolvency events
- Implementing a Code of Ethics and Business Conduct applying to PACICC directors and employees
- Improving the Corporation's investment policy through better controls on credit quality, permitted investments and limits
- Developing a crisis-management communications plan
- Developing a management succession plan.

Improving PACICC's ability to respond to extraordinary insolvencies is particularly important, as such events rate among the Corporation's highest risks.

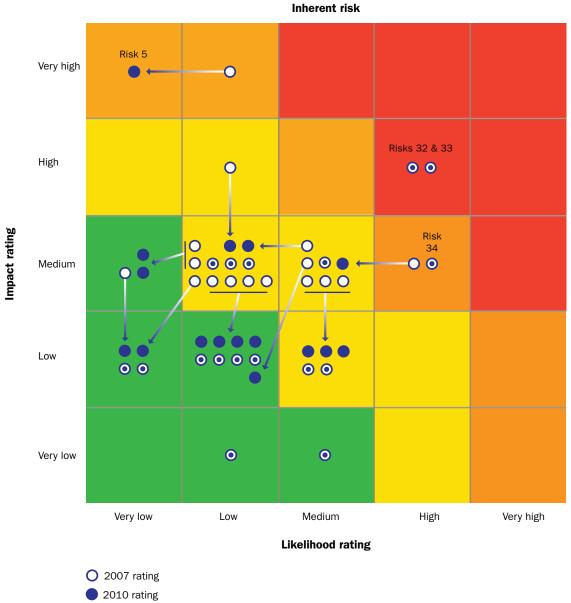
PACICC's ERM policy calls for the Audit Committee to review the Corporation's risk inventory and risk ratings two times per year, and for the full Board annually to review and approve an ERM Plan.

| Risk category<br>and description   | Number<br>of risks                      | Risk trend<br>in 2010-11 | Comments on risk mitigation   |
|--|---|--------------------------|---|
| <b>Regulatory risks</b><br>The risk that insurance<br>regulatory practices in Canada<br>could constrain a timely and   | 7 individual risks;<br>3 priority risks | Stable                   | <ul> <li>The potential impacts of rate regulation on<br/>insurer solvency remain challenging for PACICC<br/>to mitigate (Risk 32 in chart).</li> </ul>  |
| effective response by PACICC<br>to a member company failure,<br>or increase the cost of<br>responding  |   |                          | <ul> <li>Several of PACICC's risk-mitigation initiatives are<br/>aimed at improving the quality of provincial<br/>solvency supervision (relative to IAIS standards)<br/>over the medium term (Risk 33 in chart).</li> </ul>   |
|  |   |                          | <ul> <li>PACICC is seeking modernization of the Winding-<br/>Up and Restructuring Act consistent with the<br/>Federal Government's review of financial sector<br/>legislation in 2011 (Risk 34 in chart).</li> </ul>  |
| Financial risks<br>The risk that external financial<br>developments, or PACICC's<br>management of its assets and<br>liabilities, could impair a timely<br>and effective response to a<br>member company failure                | 7 individual risks;<br>1 priority risk  | Decreasing               | <ul> <li>Board approval to establish the option<br/>of an industry liquidity facility reduces the risk<br/>of PACICC having insufficient financial capacity<br/>to respond to an extraordinary insolvency<br/>event (Risk 5 in chart).</li> </ul>                                     |
| <b>Operational risks</b><br>The risk that PACICC's<br>operations could be disrupted<br>or strained, either by<br>procedural problems, or by a<br>lack of qualified personnel able<br>to respond to a member<br>company failure | 8 individual risks                      | Decreasing               | <ul> <li>Board approval of a claims-management<br/>contingency plan reduces the risk of PACICC<br/>having insufficient human resources to respond<br/>to an upsurge in claims.</li> </ul>   |
| <b>Reputation risks</b><br>The risk that an event could<br>adversely affect stakeholder<br>views of PACICC, potentially<br>resulting in a loss of trust and<br>confidence in the Corporation                                   | 11 individual risks                     | Stable                   | <ul> <li>Development of a crisis-management<br/>communications plan provides a framework for<br/>effective response by PACICC to potential<br/>negative events. Most of PACICC's other<br/>reputation risks are being managed through<br/>regular controls and procedures.</li> </ul> |

## **Overview of PACICC risk environment**

## **PACICC Enterprise Risks**

Change in risk ratings from 2007 to 2010



• No change in rating



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## **INDEPENDENT AUDITORS' REPORT**

To the Members of the Property and Casualty Insurance Compensation Corporation

We have audited the accompanying statement of operations and changes in fund balances and financial position (the "financial statement") of Property and Casualty Insurance Compensation Corporation for the year then ended and as at December 31, 2010, and notes, comprising a summary of significant accounting policies and other explanatory information.

#### Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

#### Auditors' Responsibility

Our responsibility is to express an opinion on this financial statement based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### Opinion

In our opinion, the financial statement presents fairly, in all material respects, the results of the operations and cash flows of Property and Casualty Insurance Compensation Corporation for the year then ended, and its financial position as at December 31, 2010 in accordance with Canadian generally accepted accounting principles.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

March 10, 2011 Toronto, Canada

Year ended and as at December 31, 2010, with comparative figures for 2009 (In thousands of dollars)

|  | 2010              |                      |                      |          |                   | 2009                 |                      |          |  |
|--|-------------------|----------------------|----------------------|----------|-------------------|----------------------|----------------------|----------|--|
|  | Operating<br>Fund | Compensation<br>Fund | Liquidation<br>Funds | Total    | Operating<br>Fund | Compensation<br>Fund | Liquidation<br>Funds | Total    |  |
| Fund balances, beginning of year                                     | \$1,650           | \$44,600             | (note 4)<br>\$16,123 | \$62,373 | \$1,703           | \$42,950             | \$9,925              | \$54,578 |  |
| Member assessments   | 1,190             | -                    | -                    | 1,190    | 1,176             | -                    | -                    | 1,176    |  |
| Investment income  | 12                | 1,615                | 131                  | 1,758    | 7                 | 1,581                | 86                   | 1,674    |  |
| Funding from liquidations and other                                  | 215               | -                    | -                    | 215      | 217               | -                    | -                    | 217      |  |
| Liquidation dividends  | _                 | _                    | 845                  | 845      | -                 | -                    | 6,349                | 6,349    |  |
| Increase (decrease) in unrealized gains on available-for-sale assets | -                 | (404)                | -                    | (404)    | -                 | 69                   | -                    | 69       |  |
|  | 3,067             | 45,811               | 17,099               | 65,977   | 3,103             | 44,600               | 16,360               | 64,063   |  |
| Claims and expenses  | -                 | -                    | (119)                | (119)    | -                 | -                    | 237                  | 237      |  |
| Administrative expenses (note 7)                                     | 1,508             | -                    | -                    | 1,508    | 1,453             | -                    | -                    | 1,453    |  |
| Fund balances, end of year   | \$1,559           | \$45,811             | \$17,218             | \$64,588 | \$1,650           | \$44,600             | \$16,123             | \$62,373 |  |
| Fund balances, represented by:<br>Cash and term deposits (note 6)    | \$563             | \$8,812              | \$19,869             | \$29,244 | \$383             | \$8,151              | \$20,717             | \$29,251 |  |
| Bonds (note 6)   |                   | 36,771               |                      | 36,771   |                   | 36,165               |                      | 36,165   |  |
| Accrued interest   | 1                 | 228                  | 17                   | 246      |                   | 284                  | 4                    | 288      |  |
| Interfund receivable (payable)                                       | 1,038             | -                    | (1,038)              | -        | 1,342             | -                    | (1,342)              | -        |  |
| Other receivables  | 134               |                      | 10                   | 144      | 100               | -                    | -                    | 100      |  |
|  | 1,736             | 45,811               | 18,858               | 66,405   | 1,825             | 44,600               | 19,379               | 65,804   |  |
| Accounts payable   | 177               | -                    | 1,086                | 1,263    | 175               | -                    | 2,817                | 2,992    |  |
| Refund payable to members (note 5)                                   | -                 | -                    | 554                  | 554      | -                 | -                    | 439                  | 439      |  |
| Fund balances, end of year   | \$1,559           | \$45,811             | \$17,218             | \$64,588 | \$1,650           | \$44,600             | \$16,123             | \$62,373 |  |
| Lease commitments (note 9)   |                   |                      |                      |          |                   |                      |                      |          |  |

Contingent liabilities (note 10)

See accompanying notes to statement of operations and changes in fund balances and financial position.

On behalf of the Board:

George L Cooke

George Cooke, Board Chair

Earl McGill, Director

Year ended December 31, 2010

The Property and Casualty Insurance Compensation Corporation ("PACICC" or the "Corporation") was incorporated under the provisions of the Canada Corporations Act on February 17, 1988 and operates as a non-profit organization. The objective of PACICC is to be available to make payments to insured policyholders in the event that a property and casualty insurer that is a member becomes insolvent. The Corporation's members include all licensed property and casualty insurers (other than farm mutuals) and all governmentowned property and casualty insurers (other than those writing automobile insurance only) carrying on business in a participating jurisdiction. For a full description of the protection provided, reference should be made to PACICC's By-Laws and Memorandum of Operation. The Corporation is funded by assessments levied on its members.

#### 1. Basis of presentation

This financial statement is prepared on a restricted fund accounting basis, whereby the activities of the Operating Fund, the Compensation Fund and Liquidation Funds relating to the following insurance companies in liquidation are separately disclosed:

Advocate General Insurance Company ("Advocate") Ontario General Insurance Company ("Ontario General") Canadian Universal Insurance Company ("Canadian Universal") Beothic General Insurance Company ("Beothic") Hiland Insurance Company ("Hiland") Maplex Insurance Company ("Maplex") GISCO, La Compagnie d'Assurances ("GISCO") Canadian Millers' Mutual Insurance Company ("Canadian Millers") Markham General Insurance Company ("Markham General")

A statement of cash flows has not been presented as it is not considered to provide any additional meaningful information

This financial statement does not reflect the assets, liabilities or operations of member companies in liquidation.

#### 2. Significant accounting policies

This financial statement is prepared in accordance with Canadian generally accepted accounting principles. The preparation of this financial statement requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, income and expenses and disclosure of contingent assets and liabilities as at the date of the financial statement and for the year then ended. Actual results could differ from those estimates. The significant accounting policies are as follows:

(a) Member assessments are recognized as income when due. Assessments for members in liquidation are based on management's best estimate of the ultimate cost of the liquidation and are recorded in full in the year approved by the Board of Directors. The estimated ultimate cost of each liquidation is based upon projected future cash flows from its assets, settlement of its claims and the estimated liquidation expenses. While these estimates are updated as the liquidation progresses, it is possible that changes in future conditions surrounding the estimated assumptions could require a material change in the recognized amount. The liquidation assessment amount that is billed to member companies is the lesser of the assessment limit as set out in the By-Laws of the Corporation and management's estimate of the funding requirements of liquidation. (b) Term deposits are designated as held-to-maturity ("HTM") and are recorded at cost. Interest income is recorded on an accrual basis

Bonds are designated as available for sale ("AFS") and are recorded at fair value, determined based on quoted market bid prices. Both realized gains and losses and unrealized gains and losses from changes in fair value are recorded as an adjustment to the fund balance in which the bonds are held, in the statement of operations and changes in fund balances and financial position. Interest income is recorded on the accrual basis.

- (c) Accounts payable include estimates made by management with respect to claims expected to be paid by the Corporation in relation to the liquidation. These estimates are recognized by management upon analysis of liquidators' estimates. Other amounts in payables include routine administrative expenses, which are recognized on an accrual basis.
- (d) Liquidation dividends are recorded when notification of such is received from the liquidator. Refunds of previous member assessments are considered at this time. Any fund balance remaining will be refunded to members once the liquidator has been formally discharged by the court.
- (e) In respect of amounts transferred between the funds, interfund interest is computed at current market rates for each fund.
- (f) A portion of office and administrative expenses incurred in the Operating Fund is allocated to the respective Liquidation Funds of member companies in liquidation based on management's estimates of such costs attributable to these liquidations
- (g) Capital assets are carried at cost less accumulated amortization. Amortization is provided on a straight-line basis over a period of three years. As at December 31, 2010, capital assets acquired by the Corporation had been fully amortized.
- (h) PACICC is registered as a non-profit organization and, accordingly, is currently exempt from income taxes, provided certain requirements of the Income Tax Act (Canada) are met.
- (i) Future changes in accounting policies:

International Financial Reporting Standards

The Corporation has a choice for reporting future results. Canadian publicly accountable enterprises will be required to prepare their financial statements in accordance with International Financial Reporting Standards ("IFRS") as issued by the International Accounting Standards Board ("IASB"), for reporting periods beginning on or after January 1, 2011, or Public Sector Accounting for Not-for-Profit organizations in accordance with Canadian Accounting Standards Board, effective January 1, 2012.

Effective January 1, 2011, the Corporation will adopt IFRS as the basis for preparing its financial statements. The Corporation will report its financial results for the year ended December 31, 2011 prepared on an IFRS basis. The Corporation will also provide comparative financial results on an IFRS basis, including an opening balance sheet as at January 1, 2010 (the transition date). The differences between the Corporation's accounting policies and IFRS requirements, combined with the Corporation's decisions on the optional exemptions from retroactive application of IFRS, will result in measurement and recognition differences upon the transition to IFRS. The net impact of these differences will be recorded in the Corporation's opening retained earnings.

This focus of the change to IFRS will be largely on Financial Instrument reporting, which is expected to be minimal, and financial statement presentation.

#### 3. General and designated Funds

The following summarizes the assessment activity in the general funds and the open insolvencies:

#### (a) Operating Fund

Administrative assessments are periodically levied against members to cover operating expenses not associated with a particular insolvency.

#### (b) Compensation Fund

In 1997, the Board of Directors approved a Compensation Fund to provide for a permanent source of immediate funds in the event of any new insolvencies in the future. Members were assessed in 1998 and the amount was received in equal annual instalments over the three-year period from 1998 to 2000.

#### (c) Markham General Fund

On July 24, 2002, a winding-up order was issued. PACICC member assessments for Markham General total \$22,887,343 to date. Claims paid to date by the liquidator total \$19,779,603 and liquidation dividends of \$9,215,611 have been received to date, of which \$575,054 were recognized in 2010. Provisions of \$525,000 (2009 - \$1,720,000) have been made for future claim payments and are recorded in accounts payable.

#### (d) Canadian Millers' Fund

On December 13, 2001, a winding-up order was issued. On January 2, 2002, the Board of Directors of PACICC approved and management levied an assessment of \$3,000,000 and approved that withdrawals of up to \$7,000,000 could be made from the Compensation Fund to pay unearned premiums and claims. Liquidation dividends of \$3,271,264 have been received to date, of which \$98,648 were recognized in 2010. Claims paid to date by the Corporation total \$4,732,450.

#### (e) GISCO Fund

In 2000, the Board of Directors approved an assessment of \$5,000,000 and billed members \$3,500,000. The previously approved but unbilled assessment of \$1,500,000 was determined not to be required and was reversed in 2004. Claims paid to date by the Corporation total \$5,212,189. Liquidation dividends received to date total \$5,250,000, of which nil has been recognized in 2010. Provisions of nil (2009 - \$265,000) have been made for future claim payments.

#### (f) Maplex Fund

The Board of Directors approved an assessment of \$20,000,000 and billed members \$10,000,000 in each of 1995 and 1996. Liquidation dividends of \$19,024,266 have been received to date, of which nil was received in 2010. The total claims paid to date by the Corporation amount to \$23,464,563. Refunds totalling \$5,275,969 have been declared, of which all but \$75,148 has been distributed.

#### (g) Hiland Fund

In 1994, the Board of Directors approved an assessment of \$5,000,000. However, in accordance with PACICC By-Laws, \$4,289,038 was billed in total to the members to the end of 2000. Liquidation dividends of \$4,354,500 have been received to date. The previously approved but unbilled assessment of \$710,962 was determined not to be required and, hence, was reversed in 2000. Claims paid to date by the Corporation total \$6,600,946.

#### (h) Beothic Fund

In 1993, an assessment in the amount of \$2,500,000 was authorized by the Board of Directors. However, in accordance with PACICC By-Laws, members were billed \$1,011,212 in that year. The \$1,488,788 previously approved but unbilled assessment was determined not to be required and, hence, was reversed in 1996. Claims paid to date by the Corporation total \$2,309,511. Liquidation dividends of \$2,070,297 have been received to date, of which \$120,780 were recognized in 2010.

#### (i) Canadian Universal Fund

The Board of Directors approved and billed a \$2,000,000 assessment in 1992. PACICC has paid several claims and the liquidator has reimbursed in full. Claims paid to date by the Corporation total \$527,085. No further claims are expected by the liquidator.

#### (j) Ontario General Fund

In 1990, the Board of Directors approved an assessment of \$1,000,000, which was billed to the members. Claims paid to date by the Corporation total \$594,210. No further claims are expected by the liquidator. Liquidation dividends of \$50,329 were recognized in 2010.

#### (k) Advocate Fund

In 1989, the Board of Directors approved an assessment of \$10,000,000, which was billed to the members. The progress of claims paid and liquidation dividends received resulted in a refund to members of \$6,000,000 in 1995. All PACICC claims have been paid and final liquidation dividends of \$3,520,934 were received in 1999. Claims paid by the Corporation total \$44,037,846. The court approved a discharge of the liquidator for Advocate in June 2007. PACICC has no further obligation to the estate. Year ended December 31, 2010 (Tabular amounts in thousands of dollars)

#### 4. Liquidation funds

The following table summarizes the operations and changes in fund balances and financial position of the designated funds:

|   | Liquidation<br>end refund | Canadian<br>Millers | GISCO   | Maplex  | Hiland | Beothic | Canadian<br>Universal | Ontario<br>General | Advocate | Markham<br>General | Total    |
|---|---------------------------|---------------------|---------|---------|--------|---------|-----------------------|--------------------|----------|--------------------|----------|
| Fund balances,<br>beginning of year                   | \$54                      | \$660               | \$1,982 | \$3,296 | \$571  | \$151   | \$783                 | \$222              | \$1,643  | \$6,761            | \$16,123 |
| Investment income                                     | 7                         | 5                   | 16      | 30      | 4      | 1       | 5                     | 2                  | 10       | 51                 | 131      |
| Liquidation dividends                                 | -                         | 99                  | -       | -       | -      | 121     | -                     | 50                 | -        | 575                | 845      |
|   | 61                        | 764                 | 1,998   | 3,326   | 575    | 273     | 788                   | 274                | 1,653    | 7,387              | 17,099   |
| Claims paid   | -                         | 97                  | 250     | -       | -      | -       | -                     | -                  | -        | 660                | 1,007    |
| Accrued claims  | -                         | -                   | (265)   | -       | -      | -       | -                     | -                  | -        | (1,255)            | (1,520)  |
| Expenses  | 7                         | 17                  | (282)   | 15      | 5      | -       | -                     | -                  | 15       | 617                | 394      |
| Fund balances, end of year                            | \$54                      | \$650               | \$2,295 | \$3,311 | \$570  | \$273   | \$788                 | \$274              | \$1,638  | \$7,365            | \$17,218 |
| Fund balances, represented by:<br>Cash and securities | \$519                     | \$737               | \$2,771 | \$4,859 | \$667  | \$238   | \$845                 | \$281              | \$926    | \$8,026            | \$19,869 |
| Accrued interest                                      | -                         | 1                   | 2       | 4       | 1      | -       | 1                     | -                  | 1        | 7                  | 17       |
| Interfund receivable (payable)                        | 89                        | (88)                | (457)   | (1,477) | (80)   | 35      | (58)                  | (7)                | 711      | 294                | (1,038)  |
| Dividends receivable                                  | -                         | -                   | -       | -       | -      | -       | -                     | -                  | -        | 10                 | 10       |
|   | 608                       | 650                 | 2,316   | 3,386   | 588    | 273     | 788                   | 274                | 1,638    | 8,337              | 18,858   |
| Accounts payable                                      | -                         | -                   | 21      | 75      | 18     | -       | -                     | -                  | -        | 972                | 1,086    |
| Refunds payable to members (not                       | te 5) 554                 | -                   | -       | -       | -      | -       | -                     | -                  | -        | -                  | 554      |
| Fund balances, end of year                            | \$54                      | \$650               | \$2,295 | \$3,311 | \$570  | \$273   | \$788                 | \$274              | \$1,638  | \$7,365            | \$17,218 |

#### 5. Refund to member companies

(a) On April 13, 2005, PACICC's Board of Directors authorized a refund from the proceeds of liquidation dividends to contributing members totalling \$19,880,520. This amount represented 80% of the total accumulated dividends recovered by PACICC from the estates of the following insolvent insurers: Advocate, Ontario General, Canadian Universal, Beothic, Hiland and Maplex.

As of December 31, 2010, PACICC had paid out \$19,516,296 from the total amount authorized for distribution of \$19,880,520. Of the residual amount of \$364,224, PACICC expects to pay out \$213,148 when instructions are received from several member companies on how to allocate the funds; the remaining amount of \$151,076 represents unclaimed refunds where PACICC is still in the process of determining ultimate ownership.

(b) On November 1, 2006, PACICC's Board of Directors authorized a refund of \$5,275,969 from the proceeds of the Maplex liquidation. The amount distributed to date is \$5,200,821. The final \$75,148 will be distributed when instructions are received from several member companies on how to allocate the funds.

During 2010, no liquidation dividends (2009 - nil) were paid out.

## 6. Investments

(a) Carrying values and fair values

|                        | :                 | 2010          | 200               | )9            |
|------------------------|-------------------|---------------|-------------------|---------------|
|                        | Carrying<br>value | Fair<br>value | Carrying<br>value | Fair<br>value |
| Cash and term deposits | \$29,244          | \$29,233      | \$29,251          | \$29,215      |
| Bonds                  | 36,771            | 36,771        | 36,165            | 36,165        |
| Total                  | \$65,015          | \$66,004      | \$65,416          | \$65,380      |

Term deposits are designated as HTM and are recorded at cost. Bonds are designated as AFS and are recorded at fair value.

#### (b) Effective interest rates, interest rate risk and credit risk

(i) Cash and term deposits

Term deposits consist primarily of short-term instruments with a maximum term to maturity of one year in an institutional pool of assets. Included in these amounts are certain term certificates amounting to approximately \$169,000 (2009 - \$1,798,000) with maturity terms over a year. The effective interest rates on these securities are 0% to 2.82% for 2010 (2009 - 0% to 3.45%).

#### (ii) Bonds

Certain comparative figures have been reclassified to conform with the financial statement presentation adopted in the current year.

|  | , , , , , , , , , , , , , , , , , , ,             |                       |                           |                             | 10                   | 2009                        |                                  |  |
|--|---|-----------------------|---------------------------|-----------------------------|----------------------|-----------------------------|----------------------------------|--|
|  | Remainin<br>Within<br>1 year                      | g term to i<br>1 to 5 | Over                      | Total<br>carrying<br>amount | Effective            | Total<br>carrying<br>amount | Effective                        |  |
| Governme   |   | years<br>\$18,618     | <b>5 years</b><br>\$1,943 | \$23,411                    | 2.20%<br>to<br>5.25% | \$21,295                    | 2.20%<br>to<br>5.25%             |  |
| Corporate  | -   | 12,638                | 722                       | 13,360                      | 2.48%<br>to<br>5.42% | 14,870                      | 2.48%<br>to<br>5.42%             |  |
|  | . ,   | \$31,256              |                           | \$36,771                    | 2.20%<br>to<br>5.42% | \$36,165                    | 2.20%<br>to<br>5.42%             |  |
| 7. Adminis   | trative   | expen                 | ses                       |                             | 2010                 |                             | 2009                             |  |
| Operating Fund:  |   |                       |                           |                             |                      |                             |                                  |  |
| Salaries and   | benefits  |                       |                           |                             | \$712                |                             | \$701                            |  |
| Research an  | d other co  | nsulting              |                           |                             | 263                  |                             | 205                              |  |
| Premises   |   |                       |                           |                             | 128                  |                             | 123                              |  |
| Miscellaneou   | IS  |                       |                           |                             | 21                   |                             | 35                               |  |
| Legal fees   |   |                       |                           |                             | 59                   |                             | 67                               |  |
|  |   |                       |                           |                             | 41                   |                             | 57                               |  |
| Travel   |   |                       |                           |                             | 64                   |                             | 53                               |  |
| Iravel<br>Board of Dire  | ectors' fee                                       | s and exp             | enses                     |                             |                      |                             |                                  |  |
|  |   |                       |                           | ices                        | 44                   |                             | 42                               |  |
| Board of Dire  | cretary ar  | id accoun             | ting serv                 |                             | 36                   |                             |                                  |  |
| Board of Dire<br>Corporate se  | cretary ar<br>d equipme                           | id accoun<br>ent<br>e | ting serv                 |                             | 36<br>31             |                             | 25                               |  |
| Board of Dire<br>Corporate se<br>Furniture and                                 | cretary ar<br>d equipme<br>nd postage             | nd accoun<br>ent<br>e | ting serv                 |                             | 36<br>31             |                             | 25<br>30                         |  |
| Board of Dire<br>Corporate se<br>Furniture and<br>Telephone ar                 | cretary ar<br>d equipme<br>nd postage             | nd accoun<br>ent<br>e | ting serv                 |                             | 36<br>31             |                             | 25<br>30<br>31                   |  |
| Board of Dire<br>Corporate se<br>Furniture and<br>Telephone ar<br>Printing and | cretary ar<br>d equipme<br>nd postage<br>supplies | nd accoun<br>ent<br>e | ting serv                 |                             | 36<br>31<br>21       |                             | 42<br>25<br>30<br>31<br>16<br>68 |  |

Investment management expense (included above) \$71

#### 8. Assessment capacity

PACICC has the ability to make a maximum potential annual general assessment of members of 1.5% (2009 - 1.5%) of covered premiums written, which amounted to approximately \$574,280,000 in 2010 (2009 - \$539,151,000). As a result of the loan arrangement with the liquidators of Canadian Millers', \$3 million of this assessment capacity is reserved for any possible obligations of the Canadian Millers' liquidation.

#### 9. Lease commitments

In 2007, the Corporation renewed its lease for office premises for a period of five years ending December 31, 2012. The annual lease commitment is \$58,284.

#### **10. Contingent liabilities**

The Corporation, from time to time, is named in actions for losses, damages and costs allegedly sustained by the plaintiffs. In connection with these actions, management believes that the Corporation will not incur any significant losses or expenses.

#### 11. Fair value disclosure

- (a) The carrying values of financial assets and liabilities, other than bonds, approximate their fair values due to the short-term nature of these financial instruments.
- (b) The Corporation uses a fair value hierarchy to categorize the inputs used in valuation techniques to measure fair value. The extent of the Corporation's use of quoted market prices (Level 1), internal

models using observable market information as inputs (Level 2) and internal models without observable market information as inputs (Level 3) in the valuation of AFS investments were as follows:

| Level 1 | -        |
|---------|----------|
| Level 2 | \$36,771 |
| Level 3 | -        |
| Total   | \$36,771 |

#### 12. Financial risk management

(a) Credit risk

Credit risk refers to the risk of financial loss from the failure of a counterparty to honour its obligation to the Corporation. The only assets exposed to this type of risk are the investments held in the Compensation Fund and the funds on deposit with a financial institution. In order to minimize the exposure of risk, a comprehensive investment policy has been developed.

Generally, the Corporation's investment policy is to be as conservative as possible so as to protect its capital against undue financial and market risk while having ready access to the funds and increasing the value of the funds. The investments will be a mix of high quality fixed income securities and cash equivalent instruments. The funds cannot be invested in equities. The policy also includes composition limits, issuer type limits, quality limits, single issuer limits, corporate sector limits and time limits.

The breakdown of the bond portfolio by the higher of the Standard and Poors' and Moody's credit ratings as at December 31 is:

|                  | 2              | 010    | 2        | 009                        |
|------------------|----------------|--------|----------|----------------------------|
| Credit<br>rating | Carrying value |        |          | Percentage<br>of portfolio |
| AAA              | \$21,170       | 57.6%  | \$22,395 | 61.9%                      |
| AA               | 15,601         | 42.4%  | 13,770   | 38.1%                      |
| Total            | \$36,771       | 100.0% | \$36,165 | 100.0%                     |

#### (b) Interest rate risk

\$67

Interest rate risk is the potential for financial loss arising from changes in interest rates. Generally, the risk exposure for the Corporation is limited to the interest and dividend investment income which will be reduced during sustained periods of lower interest rates as higher yielding fixed income securities mature and the proceeds are reinvested at lower rates.

As at December 31, 2010, management estimates that an immediate hypothetical 1% move in interest rates, with all other variables held constant would impact the market value of bonds by approximately \$1,132,000 (2009 - \$911,000).

#### (c) Liquidity risk

Liquidity risk is the risk of having insufficient cash resources to meet financial commitments. Liquidity requirements for the Corporation are met primarily by two sources. Daily operational expenses are met by an annual assessment to members of the Corporation at the beginning of each year as approved by the Board of Directors.

In the event a member company becomes insolvent and it is necessary for the Corporation to make payments to insured policy holders, the Corporation could use funds available in the Compensation Fund. The Corporation also has the ability to make a maximum annual general assessment of its members of 1.5% of covered premiums written, which amounted to approximately \$574,280,000 in 2010 (2009 - \$539,151,000). As a result of the loan arrangement with the liquidators of Canadian Millers', \$3 million of this assessment capacity is reserved for any possible obligations of the Canadian Millers' liquidation.

## **PACICC** board of directors

## 2010/11 Board

**George Cooke Chair** *President and CEO,* The Dominion of Canada General Insurance Company

**Lea Algar** *Chair,* General Insurance OmbudService

**Diane Brickner** *President,* Peace Hills General Insurance Company

**Alister Campbell** *President and CEO,* Zurich Canada

**Paul Kovacs** *President and CEO,* PACICC

**Earl McGill** Former Superintendent of Insurance for Manitoba (retired)

**Lawrie Savage** *President,* Lawrie Savage & Associates Inc.

Alain Thibault Senior Advisor and Past Chairman, TD Insurance

**Maurice Tulloch** *President and CEO,* Aviva Canada Inc.

**David Woolley** *President,* Atlantic Insurance Company Ltd.

## **Board Committees**

Audit Earl McGill (Chair) Lea Algar Diane Brickner George Cooke Maurice Tulloch

Governance and Human Resources George Cooke (Chair) Alister Campbell Lawrie Savage Alain Thibault David Woolley

## **PACICC staff and contact information**

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**Full-time staff Jim Harries** *Vice President, Operations* 

**Darrell Leadbetter** *Chief Economist Vice President, Financial Analysis and Regulatory Affairs* 

**Tracy Waddington** *Manager, Administration* 

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**Randy Bundus** *Corporate Counsel* 

**Peter Stodolak** *Research Analyst* 

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## **Carolyn Rogers**

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Allstate Insurance Company Allstate Insurance Company of Canada Alpha, Compagnie d'assurances Inc. American Bankers Insurance Company of Florida

American Road Insurance Company Antigonish Farmers Mutual Insurance Company Arch Insurance Company Ascentus Insurance Ltd. Aspen Insurance U.K. Ltd. Associated Electric & Gas Insurance Services Assurance Mutuelle des Fabriques de Montreal Assurance Mutuelle des Fabriques de Quebec AssurePro Insurance Company Limited Atlantic Insurance Company Ltd. Aviation and General Insurance Company Aviva Insurance Company of Canada Aviva International Insurance Ltd. AXA Assurances Agricoles Inc. AXA Assurances Inc. AXA General Insurance AXA Insurance (Canada) AXA Pacific Insurance Company AXIS Reinsurance Company (Canadian Branch)

BCAA Insurance Corporation Belair Insurance Company Inc. Berkley Insurance Company Boiler Inspection and Insurance Company of Canada British Aviation Insurance Company Limited British Columbia Life & Casualty Company

CAA Insurance Company (Ontario) Canadian Direct Insurance Inc. Assurance ACE INA Corporation d'Assurances Affiliated FM Alberta Motor Association Insurance Company Compagnie d'Assurance Allianz Risques Mondiaux É.-U. Allstate, Compagnie d'Assurance Allstate du Canada, Compagnie d'Assurance Alpha, Compagnie d'Assurances Inc. (L') American Bankers Compagnie d'Assurance Générale de la Floride Compagnie d'Assurance American Road Antigonish Farmers Mutual Insurance Company Compagnie d'assurance Arch Assurances Ascentus Itée (Les) Compagnie d'assurance Aspen UK Services d'assurance associés électricité et gaz Assurance Mutuelle des Fabriques de Montréal (L') Assurance Mutuelle des Fabriques de Québec (L') AssurePro Insurance Company Limited Atlantic Insurance Company Limited Aviation and General Insurance Company Aviva, Compagnie d'Assurance du Canada Assurance International Aviva Ltée AXA Assurances Agricoles Inc. AXA Assurances Inc. AXA Assurances générales AXA Assurances (Canada) AXA Pacifique Compagnie d'Assurance AXIS Compagnie de Réassurance (succursale canadienne)

BCAA Insurance Corporation Compagnie d'assurance Belair Inc. (La) Compagnie d'Assurance Berkley Compagnie d'Inspection et d'Assurance Chaudières et Machinerie (La) Compagnie britannique d'assurance aérienne limitée (La) British Columbia Life & Casualty Company

CAA Insurance Company (Ontario) Canadian Direct Insurance Inc. Canadian Farm Insurance Corporation Canadian Northern Shield Insurance Company Canassurance Compagnie d'Assurance Generales Inc. Capitale, compagnie d'assurance générale Centennial Insurance Company Certas Direct Insurance Company Certas Home and Auto Insurance Company

Chartis Insurance Company of Canada Cherokee Insurance Company Chrysler Insurance Company Chubb Insurance Company of Canada Clare Mutual Insurance Company Coachman Insurance Company Commonwealth Insurance Company Constitution Insurance Company of Canada Continental Casualty Company Co-operators General Insurance Company Coseco Insurance Company CUMIS General Insurance Company

Darwin National Assurance Company Desjardins General Insurance Inc. Dominion of Canada General Insurance Company

Eagle Star Insurance Company Ltd. Ecclesiastical Insurance Office PLC Echelon General Insurance Company Economical Mutual Insurance Company Electric Insurance Company Elite Insurance Company Employers Insurance Company of Wausau

Everest Insurance Company of Canada

Factory Mutual Insurance Company FCT Insurance Company Federal Insurance Company Federated Insurance Company of Canada Canadian Farm Insurance Corporation Bouclier du Nord Canadien, Compagnie d'assurance (Le) Canassurance Compagnie d'Assurance Generales Inc. Capitale Assurances Générales Inc. (La) Centennial Compagnie d'Assurances Certas direct, compagnie d'assurances Certas, compagnie d'assurances habitation et auto Compagnie d'Assurance Chartis du Canada Cherokee Insurance Company Compagnie d'Assurances Chrysler (La) Chubb du Canada Compagnie d'Assurance Clare Mutual Insurance Company Coachman Insurance Company Compagnie d'assurances Commonwealth Constitution du Canada, Compagnie d'Assurance Compagnie d'assurance Continental Casualty (La) Compagnie d'Assurance Générale Co-operators (La) Compagnie d'Assurance Coseco Compagnie d'Assurance Générale CUMIS (La)

Darwin National Assurance Company Desjardins Assurances Générales Inc. Compagnie d'assurance générale Dominion du Canada

Compagnie d'Assurances Eagle Star Limitée Société des Assurances Ecclésiastiques Échelon, Compagnie d'Assurances Générales Economical, Compagnie Mutuelle d'Assurance Compagnie d'Assurance Electric Compagnie d'Assurances Élite (La) Compagnie d'Assurances des Employeurs de Wausau Compagnie d'Assurance Everest du Canada (La)

Factory Mutual Insurance Company FCT Insurance Company Limited Compagnie d'assurances Fédérale Federated, compagnie d'assurances du Canada (La) Federation Insurance Company of Canada Fenchurch General Insurance Company First North American Insurance Company

Fortress Insurance Company

GCAN Insurance Company General Reinsurance Corporation Germania Mutual Insurance Company Global Reinsurance Company GMS Insurance Inc. (Group Medical Services) Gore Mutual Insurance Company Grain Insurance and Guarantee Company Great American Insurance Company of New York

Groupama Transport Groupe Estrie-Richelieu, compagnie d'assurance Groupe Ledor Guarantee Company of North America

Hanover Insurance Company Hartford Fire Insurance Company Ltd. HDI - Gerling America Insurance Company

ICAROM Public Limited Company Industrielle Alliance, Assurance auto

Industrial Alliance Pacific General Insurance Corporation Innovassur, assurances générales Inc. Insurance Company of Prince Edward Island Insurance Corporation of British Columbia Intact Insurance Company International Insurance Company of Hanover Limited Jevco Insurance Company

Jewelers Mutual Insurance Company

King's Mutual Insurance Company Legacy General Insurance Company Fédération Compagnie d'Assurance du Canada (La) Fenchurch Compagnie d'Assurance Générale Nord-Américaine, Première Compagnie d'Assurance (La) Fortress Insurance Company

GCAN Compagnie d'Assurances General Reinsurance Corporation Germania Mutual Insurance Company Global Reinsurance Company GMS Insurance Inc. (Group Medical Services) Gore Mutual Insurance Company Compagnie d'assurance Company Compagnie d'Assurance et de garantie Grain (La) Compagnie d'Assurance Great American Compagnie d'Assurance Great American de New York Groupama Transport Groupe Estrie-Richelieu, Compagnie d'assurance (Le) Groupe Ledor Garantie, Compagnie d'Assurance de l'Amérique du Nord (La)

Hanover Insurance Company Compagnie d'Assurance Incendie Hartford (La) HDI - Gerling America Insurance Company

ICAROM Public Limited Company Industrielle Alliance, Assurance auto et habitation inc. Industrielle-Alliance Pacifique, Compagnie d'Assurances Générales Innovassur, Assurances Générales Inc. Insurance Company of Prince Edward Island Insurance Corporation of British Columbia Intact Compagnie d'assurance International Insurance Company of Hanover Limited Compagnie d'Assurances Jevco (La) Jewelers Mutual Insurance Company

King's Mutual Insurance Company (The) Compagnie d'assurances générales Legacy Liberty International Underwriters Canada Lloyd's Canada Lombard General Insurance Company of Canada

Lombard Insurance Company Lumbermen's Mutual Casualty Company

Markel Insurance Company of Canada Max Canada Insurance Company Mennonite Mutual Fire Insurance Company (Alberta) Ltd. Metro General Insurance Corporation Ltd. Millennium Insurance Corporation Missisquoi Insurance Company Mitsui Sumitomo Insurance Company Ltd. Motors Insurance Corporation Munich Reinsurance America Inc. Mutual Fire Insurance Company of British Columbia Mutuelle d'Eglise de l'Inter-Ouest

National Liability & Fire Insurance Company NIPPONKOA Insurance Company Ltd. Nordic Insurance Company of Canada North Waterloo Farmers Mutual Insurance Company Novex Insurance Company

Old Republic Insurance Company of Canada

Omega General Insurance Corporation Optimum Assurance Agricole Inc. Optimum Société d'assurance Inc. Optimum West Insurance Company

PAFCO Insurance Company Peace Hills General Insurance Company Pearl Assurance Public Limited Company Pembridge Insurance Company Personal Insurance Company Personnelle, assurances générales Perth Insurance Company Liberty International Underwriters Canada Lloyd's Canada Compagnie canadienne d'assurances générales Lombard

Compagnie d'assurance Lombard Compagnie d'Assurance Lumbermen's Mutual Casualty (La)

Markel Compagnie d'Assurance du Canada Max Canada Insurance Company Mennonite Mutual Fire Insurance Company (Alberta) Ltd. Metro General Insurance Corporation Ltd. Millennium Insurance Corporation Compagnie d'Assurance Missisquoi (La) Compagnie d'Assurance Mitsui Sumitomo Limitée Compagnie d'Assurance Motors (La) Réassurance Munich Amérique, Inc. Mutual Fire Insurance Company of British Columbia (The) Mutuelle d'Église de l'Inter-Ouest (La)

National Liability & Fire Insurance Company NIPPONKOA Insurance Company Ltd. Nordique, Compagnie d'assurance du Canada (La) North Waterloo Farmers Mutual Insurance Company (The) Novex Compagnie d'assurance

Ancienne République, Compagnie d'Assurance du Canada (L') Omega Compagnie d'Assurance générale Optimum Assurance Agricole Inc. Optimum Société d'Assurance Inc. Optimum West Insurance Company

PAFCO compagnie d'assurance Peace Hills General Insurance Company Pearl Assurance Public Limited Company Pembridge, compagnie d'assurance Personnelle, Compagnie d'Assurances (La) Personnelle, assurances générales Inc. (La) Perth, Compagnie d'Assurance Pictou County Farmers' Mutual Fire Insurance Company Pilot Insurance Company Pool Insurance Company Portage La Prairie Mutual Insurance Company Primmum Insurance Company Prince Edward Island Mutual Insurance Company Pro-Demnity Insurance Company Progressive Casualty Insurance Company Promutuel Gaspésie-Les Iles Société mutuelle d'assurance générale Promutuel Reassurance Promutuel des Riverains Protective Insurance Company

Quebec Assurance Company

RBC General Insurance Company RBC Insurance Company of Canada RCA Indemnity Corporation Red River Valley Mutual Insurance Company Royal & SunAlliance Insurance Company of Canada

S & Y Insurance Company Safety National Casualty Corporation Saskatchewan Mutual Insurance Company Scotia General Insurance Company Scottish & York Insurance Company Ltd. Seaton Insurance Company Security Insurance Company of Hartford Security National Insurance Company Sentry Insurance, A Mutual Company SGI Canada SGI Canada Insurance Services Ltd. Shipowners' Mutual Protection & Indemnity Association (Luxembourg) Sompo Japan Insurance Inc. Sovereign General Insurance Company SSQ, Societe d'assurances générales Inc. State Farm Fire and Casualty Company State Farm Mutual Automobile Insurance Company

Pictou County Farmers' Mutual Fire Insurance Company Compagnie d'Assurance Pilot Pool Insurance Company Portage La Prairie Mutual Insurance Company (The) Primmum compagnie d'assurance Prince Edward Island Mutual Insurance Company Pro-Demnity Insurance Company Progressive Casualty Insurance Company Promutuel Gaspésie-Les Iles, Société mutuelle d'assurance générale Promutuel Réassurance Promutuel des Riverains, Société mutuelle d'assurance générale Protectrice, société d'assurance (La) Compagnie d'Assurance du Québec Compagnie d'assurance générale RBC Compagnie d'assurance RBC du Canada RCA Indemnity Corporation Red River Valley Mutual Insurance Company Royal & Sun Alliance du Canada, société d'assurances S & Y Compagnie d'Assurance Safety National Casualty Corporation Saskatchewan Mutual Insurance Company Scotia Générale, compagnie d'assurance Compagnie d'assurance Scottish & York Limitée Seaton Insurance Company Compagnie d'Assurance Sécurité de Hartford Sécurité Nationale Compagnie d'Assurance Sentry Insurance SGI Canada

SGI Canada Insurance Services Ltd.

Entreprise d'assurances Shipowners' Mutual Protection & Indemnity Association (Luxembourg) (L')

Assurances Sompo du Japon Inc.

Souveraine, Compagnie d'Assurance Générale (La)

SSQ, Société d'Assurances Générales Inc.

State Farm Fire and Casualty Company

State Farm Mutual Automobile Insurance Company St. Paul Fire & Marine Insurance Company Sunderland Marine Mutual Insurance Company

T.H.E. Insurance Company Ltd. TD Direct Insurance Company TD General Insurance Company TD Home and Auto Insurance Company Temple Insurance Company TIG Insurance Company Tokio Marine & Nichido Fire Insurance Company

Traders General Insurance Company Trafalgar Insurance Company of Canada Trans Global Insurance Company Travelers Guarantee Company of Canada Trisura Guarantee Insurance Company Triton Insurance Company TTC Insurance Company Limited

Unifund Assurance Company Union Canadienne, compagnie d'assurances Unique, compagnie d'assurances générales United General Insurance Corporation Utica Mutual Insurance Company

Virginia Surety Company Inc.

Waterloo Insurance Company Wawanesa Mutual Insurance Company Western Assurance Company Western Financial Insurance Company Westland Insurance Company Westport Insurance Corporation

XL Insurance Company Ltd. XL Reinsurance America Inc.

York Fire and Casualty Insurance Company

Zenith Insurance Company Zurich Insurance Company Compagnie d'Assurance Saint Paul (La) Société d'assurance mutuelle maritime Sunderland Limitée

T.H.E. Insurance Company TD assurance directe inc. Compagnie d'Assurances Générales TD Compagnie d'assurance habitation et auto TD Compagnie d'assurance Temple (La) Société d'Assurance TIG Tokio Maritime & Nichido Incendie Compagnie d'Assurances Ltée Compagnie d'Assurance Traders Générale Compagnie d'Assurance Trafalgar du Canada Compagnie d'assurances Trans Globale Compagnie Travelers Garantie du Canada (La) Compagnie d'assurance Trisura Garantie Compagnie d'assurance Triton TTC Insurance Company Limited

Unifund, Compagnie d'Assurance Union Canadienne, compagnie d'assurances (L') Unique Assurances Générales Inc. (L') United General Insurance Corporation Compagnie d'Assurance Mutuelle Utica

Virginia Surety Company Inc.

Waterloo, Compagnie d'Assurance Compagnie Mutuelle d'Assurance Wawanesa (La) Western Assurance Company Western Financial, Compagnie d'assurances Westland Insurance Company Société d'assurance Westport

Compagnie d'assurance XL Limitée Réassurance XL Amérique

York Fire and Casualty Insurance Company

Compagnie d'Assurance Zénith Zurich Compagnie d'Assurances SA