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Message from the President IBANB

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*Mike Weston, CAIB
President IBANB*

As I write this article I have to step back, pinch myself, and remind myself of the important responsibilities that this role entails.

I look out the window and I see that the sun is shining today or at least for now. This winter has been a mixture of everything. If you are like myself and enjoy the activities associated with what snow brings (i.e.: snowmobiling, skiing, snowshoeing, etc.) you may be a little disappointed this year. My wife tells me that there is a lot of winter still left to come, but I have to admit, I'm not optimistic. All we can do at this point is look forward to the longer days ahead and the activities associated with green grass and warm blue skies.

In my previous article, I referenced our Strategic Planning Session which was held in St. Andrews in December and as I expected, there were no disappointments. Being on the board is a huge obligation and commitment and I would like to take this opportunity to thank the IBANB Board for their time and effort. It was a great session with plenty of forward thinking going in to it. I am optimistic that over the next couple of years this will be a great guideline to move the Association forward.

I know that in previous articles we have discussed the word "change". Webster's dictionary describes change as:

"to become different, to make (someone or something) different, or to become something else"

My thoughts are that a better word to use in describing our industry is "evolve". Webster's dictionary describes evolve as:

"to change or develop slowly often in a better, more complex, or more advanced state, to develop by the process of evolution".

We have all witnessed a number of changes to our industry over the years and will continue to see this in the future. We, as brokers, need to evolve to keep up with the changes taking place in our industry. As you are all now aware, markets like Aviva and Economical are evolving in order to keep market share and we need to do the same. We are lucky to have two YBN members on our board this year, not only are they keen to participate but they are looking at the future of our industry 12-30 years down the road and looking at what adaptations are needed to be made to remain a viable industry for years to come.

It was enlightening to go to Toronto a few of weeks ago to attend my first IBAC board meeting as an observer. The same issues that we seem to face at our provincial level are being felt and dealt with across Canada. Direct Writers continue to come up with new and creative ways to promote and sell their product lines and we need to evolve to make sure that not only do we retain but grow our market share. I believe that with the right adjustments in the way we do business in order to meet the evolving demands of our consumers, there will always be a place in this industry for the independent broker. Consumers still want and appreciate the service that we pride ourselves on.

I know that it seems hard to believe but we are getting close to our proposed changes to regulations. FCNB came back to us in December with the framework for their proposed changes and I have to thank all that had input in to the work done in setting our original proposal together. From reviewing their document, with the exception of a few items added, theirs was almost a mirror image of ours.

March 2017 marks the date that the Bank Act is again up for review in Parliament. This years' Hill Day in June is important for all brokers across Canada. With a newly formed Liberal Government it is imperative that we meet with all MLAs to insure that they know exactly who we are and the values we hold for consumer protection in Canada. Please take

the time to go visit the local MLAs in your ridings, attend events they are sponsoring and help us in this very important endeavor. ■

You may contact Mike at (506) 276-3695 or via email at, mike.weston@nb.aibn.com.

En écrivant cet article, je dois prendre du recul, me pincer et me rappeler les responsabilités importantes liées à mon rôle.

Je regarde par la fenêtre et je vois que le soleil brille aujourd'hui, du moins pour le moment. Cet hiver, on a eu de tout... mais si vous êtes comme moi et aimez les activités d'hiver (moutonage, ski, raquette, etc.), vous devez bien être un peu déçus. Ma femme a beau me dire que l'hiver est loin d'être fini, je dois admettre que je ne suis pas aussi optimiste qu'elle. Pour l'instant, tout ce qu'on peut faire, c'est de prendre notre mal en patience en pensant aux jours qui rallongent et aux activités qui vont avec un gazon vert et un ciel bleu de plus en plus doux.

Dans mon article précédent, je vous parlais de notre séance de planification stratégique à St. Andrews en décembre. Comme je m'y attendais, il n'y a pas eu de mauvaises surprises. Le fait de siéger au conseil représente un engagement et une obligation énormes, et j'en profite justement pour remercier les membres du conseil de l'ACANB pour le temps et l'énergie qu'ils donnent. En fait, la séance de planification s'est très bien déroulée et a donné lieu à une excellente réflexion sur l'avenir. Je suis convaincu qu'elle fournira, au cours des prochaines années, l'orientation nécessaire pour faire progresser l'association.

Je sais que dans les articles précédents, nous avons parlé de « changement », mot qui, selon Le Petit Robert, signifie « Le fait de ne plus être le même, de rendre autre et différent; l'état de ce qui se modifie, ne reste pas identique. »

Pourtant, selon moi, un autre mot pourrait mieux décrire notre industrie. C'est le verbe « évoluer » que ce même dictionnaire définit comme suit :

« Passer par une série de transformations, de phases progressives; progresser en suivant son cours, son développement; [vivre une] transformation graduelle assez lente ou formée de changements successifs. »

Au fil des années, nous avons tous été témoins d'un certain nombre de changements dans notre industrie et ce n'est pas fini. En tant que courtiers, nous devons évoluer pour rester à l'affût des changements que connaît notre domaine. Vous le savez, désormais, les marchés comme Aviva et Economical évoluent afin de maintenir leurs parts de marché et nous devons faire pareil. Cette année, nous avons la chance d'avoir deux membres du Réseau Jeunes Courtiers à notre conseil d'administration. Ils veulent non seulement participer à notre secteur d'activité, mais aussi se pencher sur son avenir, selon un horizon de 12 à 30 ans, et réfléchir aux adaptations qui seront nécessaires pour demeurer une industrie viable au cours des années à venir.

Voilà quelques semaines, je me suis rendu à Toronto pour ma première réunion du conseil de l'ACAC; j'y assistais à titre d'observateur. Cette visite m'a beaucoup appris. Il semble que partout ailleurs au Canada, on débâte des mêmes questions que nous à l'échelle provinciale. Les assureurs directs n'arrêtent pas d'imaginer de nouvelles façons de promouvoir et vendre leurs gammes de produits. Nous aussi devons évoluer pour conserver nos parts de marché et les accroître. Je crois qu'avec une bonne mise au point de notre façon de faire des affaires et de répondre à l'évolution des besoins de nos clients, nous, les courtiers indépendants, aurons toujours une place dans cette industrie.

J'avoue que ça peut sembler difficile à croire, nous sommes à la veille d'apporter les change-

ments suggérés à nos règlements. En décembre, la Commission des services financiers et des services aux consommateurs (FCNB) nous a fait part du cadre dans lequel les faire et je remercie toutes les personnes qui ont participé à l'élaboration de notre proposition initiale. Le document de la FCNB, à part quelques ajouts, est presque identique à celui que nous avons déposé.

En mars 2017, la Loi sur les banques fera de nouveau l'objet d'un examen au Parlement. La prochaine Journée sur la Colline du Parlement, en juin, sera donc importante pour tous les courtiers et courtières du pays. Le Canada ayant maintenant un gouvernement libéral nouvellement formé, je vous encourage à rencontrer vos députés locaux pour leur faire découvrir qui nous sommes et quelles valeurs nous défendons pour la protection des consommateurs au Canada. Je vous encourage à nous aider dans ce travail très important en prenant un moment pour rencontrer vos députés locaux ou assister aux activités qu'ils pourraient organiser. ■

Mike peut être joint au (506) 276-3695 ou à mike.weston@nb.aibn.com.



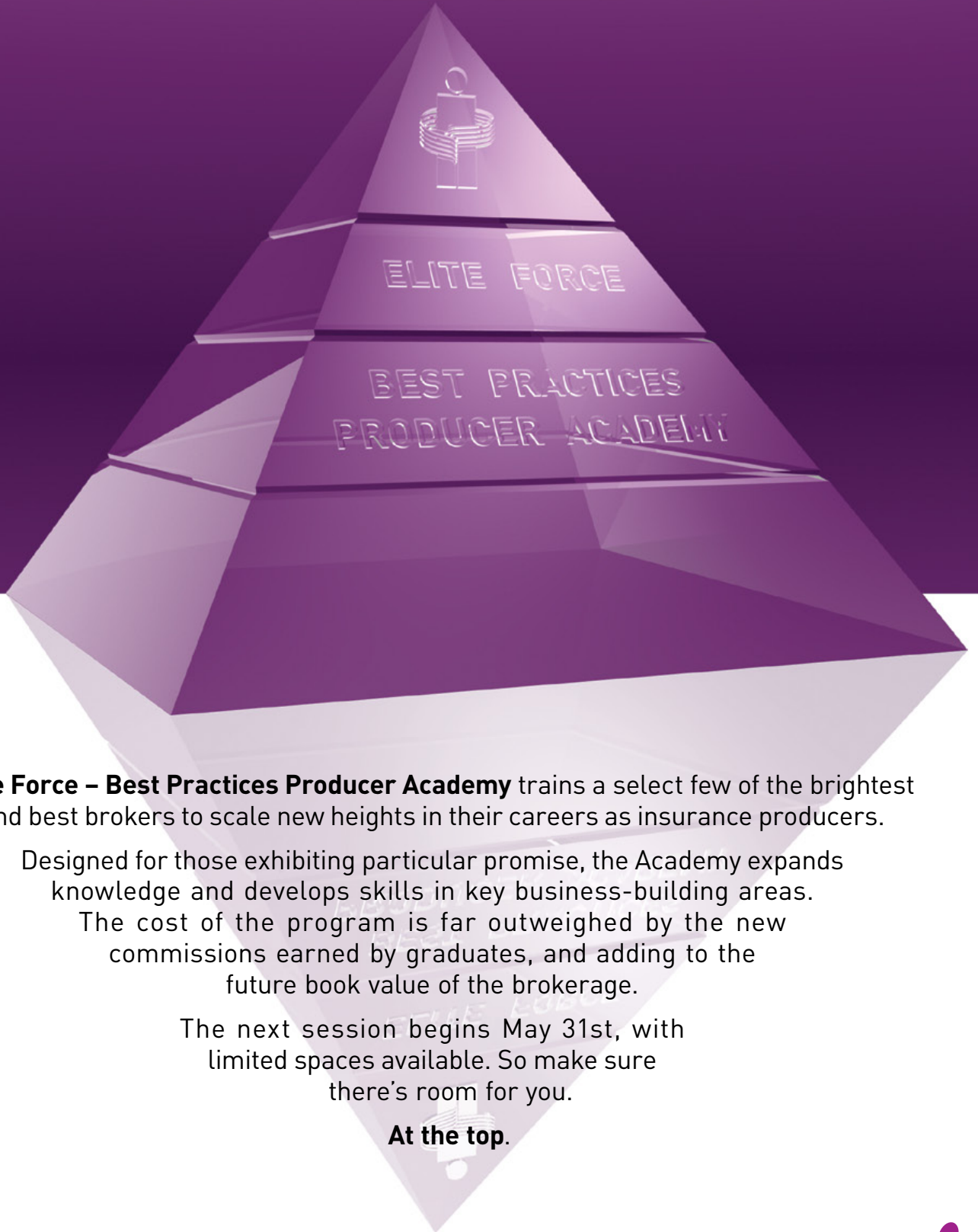
Thank you for helping us to be heard.

Meeting with our fellow members of the World Federation of Insurance Intermediaries ensures that our Canadian voice will be heard the world over at this year's conference in Hong Kong.

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At the top.

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Message from the President IBANS



*Paul Croft, B.A., B.Sc., CIP, CCIB, CRM
President IBANS*

We work in a very dynamic industry that clearly is a pillar of our economy. As insurance brokers, we are responsible for protecting the financial well-being of our clients whether they are personal or commercial. Our industry is at the forefront of discussions on emerging risks such as driverless automobiles, the proliferation of unmanned aircraft and drones and issues of personal security and cyber threats.

The insurance industry is increasingly seen as a desirable place of employment by today's university graduates. I have had the opportunity to speak with many recent graduates and they are not only aware of the importance of our industry but excited about the pace of change and the opportunities that this presents to someone entering the workforce for the first time.

One young graduate I was speaking with recently asked me what the most important attributes of a great insurance broker were. I have certainly been fortunate to know lots of great brokers so I was able to give them what I felt was a complete description. The top five attributes I outlined then and repeat now are as follows:

Firstly, a great insurance broker has to be client focused. The best insurance brokers are those that focus on the needs of their clients and not on products. We are trusted advisors to our clients and they look to us to provide advice that is catered to their needs. This means we take the time to listen and understand what their requirements are and tailor solutions that address their needs. It entails building professional re-

lationships that are based on trust and respect.

Secondly, the great insurance broker needs to be action orientated. The development of good time management skills, are crucial in a fast paced environment like insurance. It is important to be able to work on a large number of tasks simultaneously. The workload requires the ability to delegate as well as keep track of competing agendas. Organizational skills are crucial to success. The great broker sets daily goals and objectives that are manageable but still retain the priority on client needs and service.

Thirdly, the great insurance broker has a commitment to lifelong learning and education. The world that we work in is always presenting new challenges whether it be risk focused or often the result of claim activities. The great broker is always looking to learn new skills, to enhance their insurance knowledge, and assist in training others. We are fortunate to work in an industry that recognizes the value of education and this is reflected in the number of courses available and the ability to take industry specific designations. Our industry is blessed with an abundance of brokerages that are clearly committed to advancing a culture of ongoing self-improvement amongst their staff.

Fourthly, the great insurance broker is recognized for their leadership skills. They think clearly through issues and look to build consensus through thoughtful and respectful discussions whether that be with clients, suppliers or co-workers. As a leader they inspire others to do their best and motivate all those they work with to maintain confidence and focus. They are also empathetic to the needs of others and they seek ways to build others up. This leadership ability inspires a great level of trust among not only their co-workers but with clients who recognize and value the character of the

person they are doing business with.

The last attribute I would highlight would be a sense of humour. In a world of intense time pressure, competing interests and ongoing change, the ability to laugh and enjoy one's job is ever more important. Those brokers that have a passion for their work, are enthusiastic and love what they do, will be successful. Clients, co-workers and suppliers will seek out the individual that can keep calm and find the positive things whilst working through difficult situations.

I am sure that as you read this you will think of other important attributes in addition to these five I have outlined. We are fortunate to have many examples of great insurance brokers amongst us and I am confident that we have a new generation of up and coming Insurance Brokers amongst us who will meet and exceed the standards we have set. ■

You may contact Paul at (902) 421-7035 or via email at, paul.croft@aon.ca.




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Message from the President IBAPEI



Mark Hickey, CIP, CAIB
President IBAPEI

As I put pen to paper (or keyboard to computer) we are on the homestretch of a relatively tame winter, weather-wise, compared to last year. It has been a winter that has witnessed additional consolidation in both the insurer and broker channel with the lines increasingly blurred. As a broker if you believed every “expert,” consultant, or crystal ball owner in the trade magazines and on-line articles, it would be difficult to get out of bed in the morning as our demise is imminent. However, I do not share that same opinion, nor do our network of independent brokers of 35,000 strong across Canada. You know what they say... “Your Best Insurance is an Insurance Broker!”

While it’s quiet on the regulatory and political fronts in PEI, our association is gearing up to host the 2016 IBAC Annual General Meeting (AGM) on the historical Charlottetown waterfront September

28th – October 1st. We are very much looking forward to hosting the rest of Canada to our Island where the best golf, seafood and spirits can be enjoyed!

Speaking of golf, we will be proudly hosting as part of the IBAC AGM, the 13th Annual Cyril MacKinnon Golf Tournament at Green Gables Golf Club in Cavendish. As the tournament has come full circle and is returning to Cyril’s home province, this will be the last year for IBAC to host the tournament in Cyril’s name. As, with the insurance industry, it’s the inevitability of change! The tournament will have exceeded \$30,000 in funds raised for the Heart & Stroke Foundation which is something for all of us to be proud of.

For those of you who didn’t have the opportunity to know Cyril, he was the definition of the small town broker who greatly contributed to the industry and his community. He was a volunteer firefighter with the Murray River Fire Department and he was a member of his local Masonic Lodge. Eagles View Golf Course still has a Cyril MacKinnon Memorial Tournament every October with funds going toward the Murray River Fire Dept. As you can see, Cyril continues to give back years be-

yond his sudden passing in 2004.

When he wasn’t giving back to the community he was looking out for the best interests of his fellow broker. At the 2015 IBAC AGM in Quebec City, Governor Ken Orr gathered everyone for a toast to recognize Cyril’s contributions to IBAPEI and to IBAC. Cyril served as IBAC Alternate Director 1983-1985; Director 1985-1987 and again as Director 1999-2004. That’s almost a decade of service to IBAC as a volunteer!

We tell our clients that they are more than just a number but, Cyril demonstrated that. As brokers, we are more than just a 1-800 number to our clients, unlike the directs and banks! We live, work, volunteer and generously give back to the communities that we serve. There is a lot of noise and threat of “disruption” in the industry these days. But, if we evolve and embrace technology while keeping our core principles and not forgetting where we came from, the broker channel will be a strong choice for consumers for years to come!

Mark may be contacted at (902)436-9215 or via email at mark.hickey@hickeyhyndman.ca.

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*Deloitte: Property and Casualty Insurance Re-imagined: 2025

Message from the President

IBAN



Kent Rowe
President IBAN

So, what next?

In my last article I discussed the various challenges presented to our role as brokers as our world quickly changes around us. Since the composition of my last entry, there have been several other significant moves in our business, namely the announcement by Economical that they will be creating a direct distribution channel. To say that I'm not surprised would be an understatement of epic proportions. Change is here and that change presents us with two choices. We carry on with our traditional model and way of thinking, and watch our market share continue to erode, or we resolve to survive.

The question is, what does survival look like? I think that all we need to do is take a look at how another intermediary overcame a massive change in the delivery of their service. Of course, I'm talking about travel agents. In the early 1990's the US travel industry had over 47,000 travel agents operating throughout the Country. By 2011, the number of travel agents dropped sharply to about 14,000. What happened? The internet happened! Instead of having to book every plane trip through an agent, because they were the only ones who had a computer and a database of carriers' offerings, we could do it ourselves in the few clicks of a mouse.

As a result of this technological advancement, travel agents either refused to change their model then died a slow painful death, or they decided to reinvent themselves. The ones that

reinvented themselves are now over 350% more profitable than they were in the mid 90's! If you think about the similarities between the plight of travel agents and where we are today as brokers, it's eerily similar. Their suppliers were now able to transact business directly with consumers, sound familiar? Technology made it easier for people to do business with companies who made it easier to buy from them...rings a bell!

The surviving travel agents came to the conclusion that if they were going to survive, they had to find new ways to add value. We saw the birth of niches within the travel business. Cruise planners, eco-tourism experts, international travel specialists, etc. The survivors adapted by listening to and recognizing the needs of their customers. They finally decided to add real value by becoming experts in very specific areas of their business and by making it easier for customers to do business with them.

There are many lessons to be learned here. These are just a few;

- We cannot sit back and wait for someone to solve our problems and ensure our security. Our "internet" is upon us. I get tired of hearing brokers say that they need more help from insurers to help us stay relevant. Guess what, it's not going to happen! They are now our competitors! We need to figure this out for ourselves. Period!
- Being a generalist isn't going to work. For far too long we've been content with being all things to all people. We dabble in commercial lines, we write just about every type of personal lines client and we still fear surety, cyber liability and enterprise risk. If you don't specialize in something today, it may already be too late. Find something to become an expert in, something that you can demonstrate expertise in and stick with it. It may not be easy and it might mean some casualties, but I assure you it will be short term pain for long term gain.
- Listen to your customers and observe buying habits and generational trends. Are you giving your customers what they want and need or are you giving them what you've always given them because

it's easier for you? The reality is that it is likely going to be easier for your customers to buy from someone else, so you need to find a reason for them to want to continue to buy from you. Create stickiness and add real value!

- Invest in technology and invest in people. Traditionally people buy from us because we offer advice, choice and advocacy. While I believe that these three things will play an important role in our future success, we need more. We need to create a component of ease of doing business. Today, our clients can get a commercial insurance policy on line in less than 10 minutes. How can you compete with that? Technology creates ease of doing business, but can also prove to be a value add. There are many vendors that provide services that will allow you to better serve your clients from the perspective of managing their risk. In order to make this all work, we'll need the right people working for us. Commit to hiring the best, not the cheapest. Hire people who think differently and bring a different skill set, outside of insurance knowledge. This will only serve to help you stand out and rise above.

The great news about all this is that there is no rush to make any changes. We're fine just the way we are, as long as we change our ways by... yesterday! ■

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Change before you have to
- Jack Welch

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Trade show season is here. Be ready.



Doug Daley
Kiers Marketing Group

In this ever changing world of business, methods to market your business are emerging almost daily. However, there is still nothing better than actual face-to-face contact. Even with all the new electronic methods of connecting with people, it's hard to beat the potential selling frenzy of a trade show.

Trade shows continue to be the mainstay of many companies' marketing efforts. The key to making trade shows work for you? Proper planning. Go to the show that best fits your target market, and be prepared.

A trade show is the best place to reach the greatest number of real prospects at one time. Do your homework and make sure you attend the show that will give you the biggest bang for your buck.

SELECTING THE RIGHT TRADE SHOW

There could be hundreds of shows, both regionally and nationally, within your industry sector. Obviously you can't go to all of them. How do you choose the right ones?

Consider these factors when choosing the show that is right for you.

- Which show is most relevant to your business?

- Will your target market be attending this show?
- Will your competitors be there?
- Do you have the resources to properly staff the show?
- What is the total cost to attend?

Well-organized shows will provide you with the demographics of attendees, anticipated attendance, who attended last year and all of the costs involved. You must also factor in the cost of travel and the time away from the office.

GETTING READY FOR THE TRADE SHOW

Once you select the show that is right for your business, start preparations to ensure you get the most out of your investment.

SCHEDULING - give yourself ample time to set up and take down your display. Nothing looks worse than someone putting up their display after the show has started.

STAFFING - it is important that you staff your booth with people that genuinely want to be there. A staffer that is always sitting down, is on their phone, or isn't proactive with prospective clients could cost you valuable leads.

SET GOALS - the purpose of going to this show is to develop new customers. Give your staff goals to achieve. These could be number of leads, or number of people you get to opt in to your newsletter. Whatever it may be, give them some incentive, it will increase the value of the show for your company.

LEADS - make sure all contact information you get from leads is written down and followed up shortly after the show. If you don't do this, why did you bother going to the show.

DISPLAY BOOTH - your booth is the first thing a trade show attendee is going to see and it reflects the quality of your business. Your booth has to be professionally done with big bold graphics along with a strong message. The main purpose of your display booth is to attract attention and bring peo-

ple over for a look. Don't try to tell your whole story on your booth, attendees won't read it.

BOOTH SPACE LAYOUT - make your space inviting. If you have a table, don't put it in front of your booth, put it off to one side so attendees can come in and visit you. If you are in a poor location, take along a banner stand to put in the front of your display. This will allow you to be flexible and point the banner in any direction to attract more attention.

PREMIUMS AND BROCHURES - advertising premiums and brochures are great to give out but can be costly if you put them on the table where anyone can take one. 90% of brochures and premiums you put out will be picked up by attendees that have no interest in your company. Put them away and pass them out to people who are genuinely interested.

FOLLOW UP - once the show is over and you are back at your office, prepare a formal list of all contacts you made and follow up by phone or email. If nothing comes out of the follow up, at least make sure you add them to your mailing list.

Make your trade show a success by being at the right show, being prepared, looking good and always follow up with potential customers. ■

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IBANB CEO Report



Andrew McNair, CAIB, CAE
IBANB Chief Executive Officer

More often than not, I find myself writing about CHANGE. This may be due to the fact that change continues to happen faster and faster. It could be due to technology quickly evolving; a changing economic environment, consumer demand...or most likely, due to a combination of all of these and plenty of other things. We all know that change is inevitable in anything we do, but what we choose to do about change or how we adapt to, or make change is entirely up to us!

In my last article I made reference to the fact that New Brunswick brokers continue to do a great job of ensuring the longevity of the broker distribution channel. This doesn't happen by chance. It happens through hard work and determination. Continuing to educate consumers on what a broker brings to the table when shopping for insurance products and ensuring that what is promised is delivered. The broker value proposition is one that will always be important to consumers. However, brokers need to continue to evolve and continue to adapt to make sure that the value proposition that they bring to the table is relevant in the consumer's eye! In my last article, I also mentioned that the IBANB board would be going through our strategic planning process this past December. From the feedback received from the board, and in reviewing the end result of our two days of work forging the direction of the association for the next few years, we're in a good place! There was, and continues to

be an overwhelming desire for change and adaptation by all involved. We will continue to work to find ways to ensure the continuing strength of the Insurance Brokers Association of New Brunswick (IBANB) and brokers in New Brunswick. A lot of the direction revolves around finding technologies that will help brokers adapt to changing consumer demand. The IBANB will endeavour to develop partnerships with vendors that are able to help our member brokers evolve and bring their brokerages into the business environment necessary to continue to be the best choice for the insurance buying public.

As the IBANB board digs into the challenges ahead and works towards completing the tasks that they will face from the strategic plan developed in December, I would be remiss if I didn't take the opportunity to thank each and every one of them. When a broker 'signs up' to volunteer on the board of IBANB, or any volunteer board for that matter, they have committed to working to make things better for all brokers...that includes competing brokers. Working 'for the greater good' takes a tremendous amount of dedication and time away from their own offices as well as family and friends at times. By the time someone moves through the entire board if they so choose (from director through to Chair) they would have volunteered for a minimum of eight years. For these reasons, I say thank you. I would also like to say thank you to the people and businesses that give up, enable and/or give permission to these individuals to volunteer. The families, employers, and clients of brokers sitting on a board such as the IBANB are also contributing to the cause.

As I write this article, we're just digging out from one of the few snowstorms we had late this year and we're anticipating another. I often hear people comment on how great it is to not have any snow, or complaining about getting snow. We often forget that there is a large number of people and industries that rely on snow for their livelihood and not just ski hills. Snow removal companies, equipment sales retailers, repair shops, cold weather gear retailers, I could go on. My point? Many of these same people and businesses face ups and downs as a result of change (in weather). The companies which are able to adapt

quickly and find ways to ensure that they continue to remain relevant will always be around. In fact, I recall seeing a snow removal company developing a mobile app so that you could get your driveway plowed (think 'uber for snow removal'). Brilliant!

One of the next changes that will be happening as you read this will be the change from winter to spring...embrace it, accept it, and adapt to it...you will survive! ■

Andrew may be reached at (506) 450-2898 or via email at amcnair@nbinsurancebrokers.ca.

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IBANB Young Broker Network



Robert Kimball, CAIB (Hon's), AIPC, CRM Chair, New Brunswick YBN

Spring is on the Horizon.

We have survived another winter and the first quarter of the year is behind us. Mother Nature has not been too harsh on most of us this year but we do still have other challenges. The market appears to be hardening and in an economy that is not the strongest it's been. This poses a few questions and brings a number of challenges. With the price of insurance inevitably going up and our consumers revenues likely not increasing and in many cases decreasing, we will have to get creative with how we handle and assist some our clients. Now it is more important than ever to understand where your clients are at in their business with respect to what their biggest concerns and costs are and how you can assist them when it comes to ways to effectively and safely cut some costs if absolutely neces-

sary. They are going to be looking to save money, and reducing insurance is not the best or only way to do this. Find out from your markets what options are out there, have the conversation with your clients proactively, don't wait for all of them to call you. If you know that they are in an industry where the economy is likely posing a challenge for them, call them, be a resource for them and let them know you are there to help. After all, as Insurance Brokers, we don't just "Sell Insurance" to our clients, we "Buy it for them" and in order to make that informed decision we need to understand and know what their needs are and what options are available for them.

2016 Convocation.

Convocation is right around the corner. Please take this time to congratulate your colleagues who have graduated and the graduates in your office. If you have taken any of the courses offered by IBAC and IBANB you know how much work and dedication is required to successfully complete them, especially if you are a former graduate. These courses are great

to have and make the individuals who have completed them a much better asset to the brokerage as well as more informed and prepared to assist the consumers with their insurance needs. We are all busy and sometimes simply cannot attend all of the courses that are available, between travel time, being out of the office and other expenses it might not be possible to get away. IBANB has a solution for this and are now and have been offering other great online educational webinars. Check these out at: <http://www.nbinsurancebrokers.ca/webinars.html>.

Enjoy the rest of the year! ■

You may contact Robert at (506) 432-1550 or via email at rekimball@pearsoninsurance.ca



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IBANS Young Broker Network



*James Mizzi
Member, Nova Scotia YBN*

Travel Insurance

I was listening to CBC Radio last week on my lunch hour and the topic was Travel Insurance. They had a gentleman named Robert Ingle from Ingle International on to discuss the many facets of Travel Insurance. I found myself glued to the station and thinking about how so many people in the Atlantic Provinces get pretty tired of winter by March or even February. The last couple of years seem to be even more troublesome than usual. With so much snow coming down and the temperatures plummeting it's easy to see why so many people need to take a break and head south for a little rest and relaxation. Are all these travellers properly covered? Do they know what they are covered for? Even as a broker, who has read and re-read the wordings, it can sometimes be a daunting task to explain everything to the client. However, it is of utmost importance that we educate the public about the coverages and the exclusions so that everyone is on the same page.

It's pretty simple to sell a travel policy. You enter the client's information and the computer gives you a price. One of the most important things to discuss with a client is the health questionnaire. It should be explained in full detail. These questionnaires are very descriptive and depending upon your answer can exclude certain things. For example if you had an organ transplant you might have to stop right there as your client might not qualify for insurance. Your client's blood pressure might not be stable for the required

time and so anything that happens in relation to that high blood pressure could be excluded. So, as you might imagine, it's very important for clients to disclose their pre-existing conditions so that the broker can fully explain if it is excluded or not.

There are many different types of products available within the travel insurance market. In my experience, a lot of people are looking to be covered for just the medical emergencies. So they understand that if something were to happen in relation to a medical emergency that they would be covered. There are some other coverage's that have people confused such as trip cancellation and trip interruption. Trip Cancellation will generally cover your non refundable travel costs for a covered reason before the trip begins. Typically that reason would be: illness, injury or death of the insured or travelling partner or family member; cancellation of the trip by tour company or cruise line; natural disasters that prevent your airline or train/bus from operating for an extended period of time. Some policies will also cover some more unusual reasons. Trip interruption covers you if you become ill, injured or die after the trip begins or if a family member gets injured or dies once you have left on your trip. The policy may reimburse you for all or part of the cost your trip or pay enough to cover the fees of your change of airfare. There will usually be a requirement to have a doctor's note to say that you were too sick to continue your trip.

In order that we all have a stress free relaxing vacation, both the broker and the client should be on the same page as to what is covered and what is not. Brokers need to educate our clients about

the meaning of trip cancellation and trip interruption so that they may claim if there is a loss or understand when they have loss that is not covered. It's up to us as their trusted advisor to make them aware of the coverages available. It's what sets us apart from our competition.

The Young Broker Network would like to thank everyone who attended our Curling Bonspiel on February 25th. Everyone had a fantastic time. If you haven't gone before, make sure you try it in the future. Beginners or Advanced, we always have a great time. Please keep your eyes out for our Networking Mixer starting in May and our 11th Annual Golf Tournament that will be at Oakfield Golf and Country Club June 23rd, 2016. Stay current with the YBN Network by following us on Twitter @YBNNS and Facebook. ■

James may be contacted at (902) 421-2838 or via email at, james.mizzi@mcti.ca.

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Viewpoint



Lorne Perry, CAIB
President, IBAC

Spring Forward... And Further Along Your Professional Development Path

Winter is quickly coming to an end, and spring is just around the corner. I'm sure I'm not alone in being very happy about that!

There's something about this time of year that inspires a positive outlook and a sense of good things to come. Perhaps it's the milder weather or the trees beginning to bud. Or maybe it's simply the hint of a flower's first bloom after the long sleepy winter. Whatever it is about spring, there's no denying the fact that it is a natural time to reflect, regroup and renew, professionally.

It can be very easy to fall into old habits and practices that at first glance, seem trivial and unimportant. In reality, these seemingly innocent habits and practices may actually be holding you back, and causing you to miss out on new opportunities and the chance to challenge yourself by

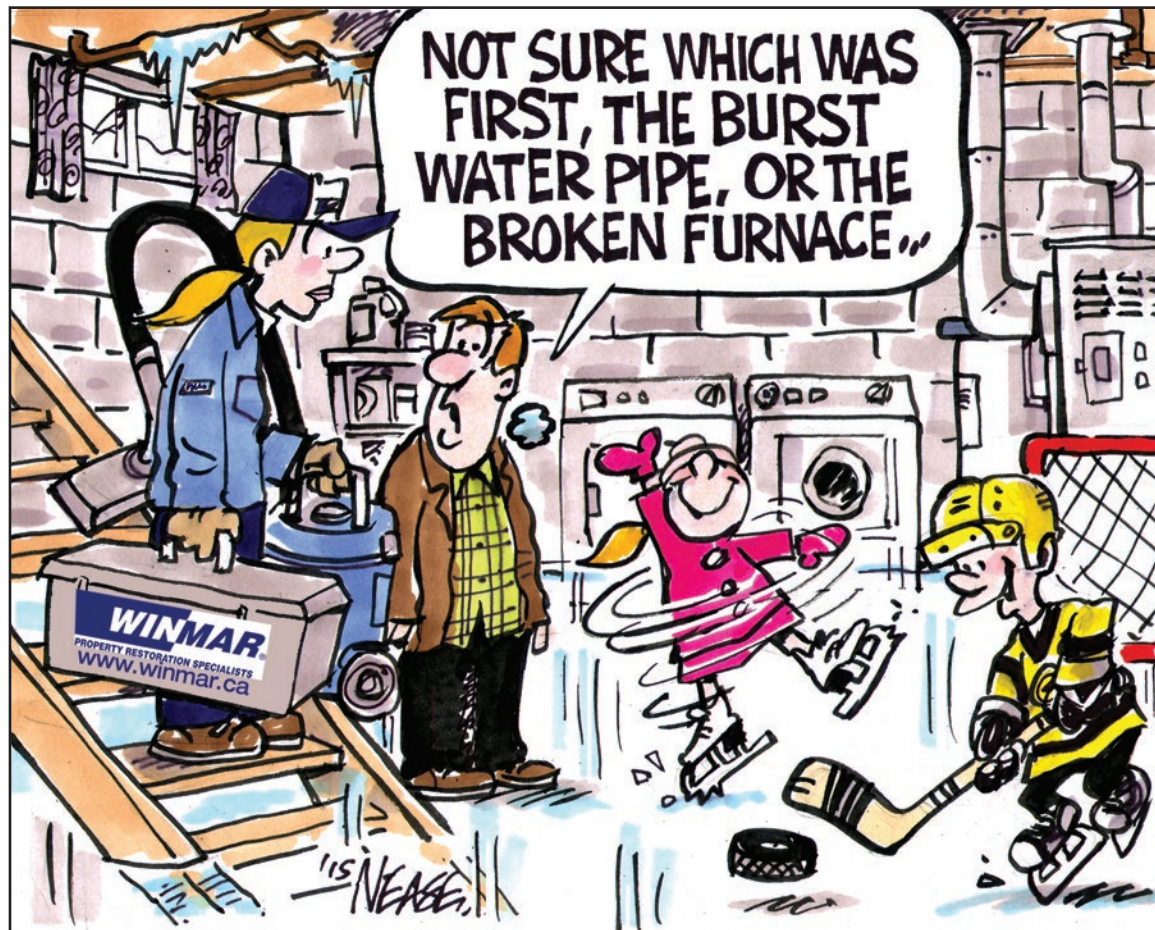
learning and doing something new.

You've probably set professional goals for yourself at some point – and of course, they are SMART goals; now's a good time to reflect on these goals. Are they still relevant? If so, what progress have you made towards achieving what you want to accomplish? What do you still need to do to get to where you want to be? Your "to do's" likely require some kind of educational course or program to help you gain the knowledge and skills you need for that great position in your brokerage that you've had your sights on. Or maybe it's a new project you want to take on as part of the job you already have. There are many educational programs and resources available through your brokers association to meet your needs, whatever they may be. And if you can't decide between CPIB, CAIB or Producer Academy as your next step, then your association's education team is there to help you decide what's best based on the goals you've set for yourself.

Starting something new can be daunting at first. But once you make the decision to spring forward and take those first few steps – in this case, the steps further along your professional development path, it gets much easier to keep going by putting one foot in front of the other. And when you find yourself being pulled back into what seems like the winter of your very own personal discontent – and you will, that's a fact you should accept before you even begin the journey - think about spring – it's just around the corner. ■

Now is the time for a fresh start. Consider getting yourself an educational tune up this spring. You're guaranteed to gain new ideas, razor sharpened skills and enhanced knowledge – just a few things you'll need to ensure that you have the focus and drive required to succeed professionally in 2016.

Lorne may be reached via email at,
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Canadian Professional Insurance Broker – The Next Step in Your Career



*Keri Foley, BTHM, CAIB
IBANS Professional Development Coordinator*

“Develop a passion for learning. If you do, you will never cease to grow”
– Anthony J. D’Angelo”

In today’s business world, brokers need something to set them apart, make them stand out and allow them the opportunity to take themselves to the next level in their education. In recent months, IBANS has seen growth in the Canadian Professional Insurance Broker (CPIB) program and when asked why you registered for this program, our students from across the province have similar comments – to grow their career.

Ellen MacDonald, a broker with Archway Insurance in Amherst, Nova Scotia chose the program to increase her knowledge of the industry. “I have been in the insurance world for only a couple of years and want to learn as much as I can. Insurance is constantly changing and I want to be up to date as much as possible.” MacDonald also added that her gain in insurance knowledge would not only benefit her, but also her clients that she deals with every day.

A senior designation program, developed by the Insurance Brokers Association of Canada (IBAC) and its provincial/regional member associations, CPIB is specifically designed for property and casualty insurance brokers who need the challenge of an advanced program.

The CPIB program is different from other designations in that it allows credit for electives previously taken at universities or community colleges. These electives can include courses such as: Accounting/Finance, Marketing, Sales Management, Business Communications, Risk Management and Business Strategy. Students must have official transcripts sent to their provincial professional development coordinator for approval from the IBAC. Students who have not previously attended university or community college will obtain these electives either prior, during or after they have completed the required courses.

The program is broken out into three main streams:

- Personal Lines
- Commercial Lines
- Broker Management

Within each stream, students must complete three mandatory and three elective courses to earn the designation. Also, students must hold a CAIB OR CIP designation as a pre-requisite to the CPIB.

The most difficult component of the program, according to Jenna Hillier, a broker with A.A. Munro Insurance in Dartmouth, NS is the method of study. She obtained three of her four CAIB modules through immersion courses and finds the self-study challenging. “Immersion courses give a more in-depth knowledge and I benefited greatly from taking them with CAIB”. Currently IBANS does not hold immersions for CPIB, but if the interest and demand is there in future, this will certainly be something to consider.

Obtaining the CPIB designation will mean many things, but according to both Ellen MacDonald and Jenna Hillier, it means an increased knowledge base and greater confidence. “I hope when the program is over, my confidence will increase and it will open more doors so I can continue my education in the insurance industry.” says Ellen MacDonald and Jenna Hillier concludes, “I will obtain the designation with confidence in my abilities as a broker”. ■

For more information on the CPIB designation, please visit www.ibans.com, or contact Keri Foley at keri@ibans.com.

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IBANS Executive Director's Report



*Karen Slaunwhite, BA, BPR, MEd, CAIB (Hons)
Executive Director IBANS*

Harry S. Truman once said, "It is amazing what you can accomplish if you do not care who gets the credit." I was reminded of Mr. Truman's words as I was reviewing the nominations for the IBANS 2016 "Aspire Awards". I was overwhelmed by the interest in the new awards program and the significance of the number of nominations we have received.

In a world where people are so busy and have little free time it is awesome to see how many individuals took the time to recognize through the nomination process someone in our insurance community for their contribution to our amazing industry. This year's Awards presentation will take place on April 7, 2016 at the Westin Nova Scotia Hotel. As I write this article, we are still receiving nominations for the "Aspire Awards" and to date we have 75 nominees in total for the five categories, which is in itself reason to celebrate. I want to recognize and thank all of you who took the time to nominate someone for the 1st "Aspire Awards" because without your willingness to recognize other's greatness we would not have a successful night of celebration.

Winning an award is an amazing feeling because the person is being recognized for their contribution to a bigger picture. Whether we receive the award through: work, sport or for our volunteer efforts it makes us feel appreciated to be recognized. I also believe it is an honor to be nominated and not receive an award, to know that another person values your contribution and feels you are worthy of public recognition, is in fact the greatest reward of all.

Recognition and appreciation come in many ways and I know the judges for the "Aspire Awards" will

have a tough time selecting a recipient for each category but everyone who has been nominated should celebrate because your contribution made a difference to the person who put your name forward.

The new categories for this program are listed below and IBANS worked with its committee to open the program to consumers for the first time, accepting nominations for the Above & Beyond Award.

- Lifetime Achievement Award
- Above and Beyond Award

- Emerging Professional of the Year
- Life Long Learning Award
- Insurance Company Representative of the Year

It is never too late to start thinking about next year so we invite you to visit our website, www.ibans.com to learn more about the Aspire Awards and other initiatives we are working on to strengthen the channel and enhance the industry's profile. ■

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IBC Atlantic's New Year's Resolutions



*Amanda Dean, BPR, MBA
Atlantic Vice-President,
Insurance Bureau of Canada*

Did you make any New Year's resolutions for 2016? If you've kept them, good for you. Keep it up!

Here at the Atlantic office of Insurance Bureau of Canada (IBC), we set specific goals for 2016. They dovetail with IBC's national, three-year strategic plan, but very much focus on how we will handle the issues here in Atlantic Canada.

If there is a theme for this year, it's that our industry will always keep an eye on the bigger, long-term goals while being nimble in responding to what the present moment throws our way.

IBC Atlantic's top-five resolutions for 2016

1. Work toward keeping auto insurance affordable

We received some bad news on this front in 2015. After many years of stability and low premiums in the Maritimes, the General Insurance Statistical Agency (GISA) results showed a sharp deterioration in Nova Scotia auto (loss ratio: 86.7%, ROE: -4.3%) and New Brunswick auto (loss ratio: 79.3%, ROE: 1.6%) in 2014.

IBC has developed comprehensive strategies for both provinces. We need to determine what exactly is causing these results and formulate solutions as we continue important conversations with government. As always, we will remind government officials that it is far better for customers, if we work together to take immediate action than to wait for a crisis. Fortunately, after the lessons

learned in the early 2000s, these two provinces have been good about staying on top of the auto insurance file.

Newfoundland and Labrador is a different story. With average written premiums in the \$1,200 range, and the industry's ROE of -12.5% in 2014, clearly this is unsustainable.

Our strategy in NL has been underway for some time. It started with establishing strong relationships with the new Liberal government after its landslide victory last fall. The NL government recognizes that the system is broken, and we expect to move forward with officials on the auto insurance review they noted in their election platform. Drivers in that province deserve better, and IBC remains focused on getting the system in a better position.

2. Educate and partner on adaptation to severe weather

At the national level, IBC's priority is: "Advance the development of a Natural Catastrophe Strategy." This work primarily focuses on flood and earthquake, and requires heavy involvement of the federal government. For our region, the priority translates into continuing to collaborate with partners on adapting to severe weather locally and educating Atlantic Canadians on what they can do to better prepare for the severe weather ahead.

In 2015, we:

- Co-hosted a free lecture series by Columbia University's Dr. Adam Sobel on lessons learned from Superstorm Sandy, which pummeled the east coast of the U.S. in 2012. Elected officials, provincial government staff and emergency management officials attended the lectures;
- Sponsored and presented at the Red Cross Disaster Management Forum;
- Stood with provincial and municipal elected officials to release the final report of our rain barrel project in Stratford, P.E.I., that showed how rain barrels can reduce the burden on municipal infrastructure; and,
- Issued media releases during and after every severe weather event to educate consumers on how to protect themselves and prepare for future events.

In 2016, we will continue to seize opportunities to

build relationships with leaders as we work with them in getting the right information in the hands of consumers on how to adapt to the increase in severe weather.

3. Talk about home insurance trends

We're all seeing it – home insurance premiums have been rising. Unfortunately, we're also seeing that the rising premiums have not kept pace with rising costs stemming from:

- More and frequent severe weather;
- Aging and failing municipal infrastructure; and,
- The need to repair an increasing number of expensively finished basements after flood events.

Consumers and elected officials need to know the reason for the increase; that is, insurers need to ensure that the pool of available funds is replenished for the policyholders who will make claims in the future. And they need to understand that the solution to keeping future costs down lies in mitigation and preparation efforts – not regulatory action.

We have been diligent in getting information about this reality into the hands of government and media, and we will continue to do so at every opportunity. Meanwhile, we trust that industry representatives on the frontlines are delivering the same message to customers.

4. Help the industry take advantage of new technology

Cyber risk. The shared economy, such as Uber and Airbnb. Usage-based insurance. Autonomous vehicles.

With these and other technological advances, our industry is seeing a great deal of change and will soon be seeing even more. Fortunately, in recent years insurers have been demonstrating their capacity to embrace change by responding to these game-changing opportunities with new products.

This is, of course, what we expect insurers to do; it is their role to compete, innovate and develop new solutions that respond to market demand. It is up to you, as brokers, to stay on top of these changes so you can explain them to your customers and offer the solutions that are best for them.

So what is IBC's role in all of this? It is to help facilitate an environment in which insurers can do their jobs. When there is new technology, regulators – believing they are protecting consumers – sometimes seek to bring in controls and limitations that inadvertently stifle innovation. IBC's role is to show them the unintended consequences of potential actions and remind them that a free market economy – with choice, competition and innovation – is the best protection for consumers.

In 2016, we will continue to drive home this message with decision-makers in Atlantic Canada.

5. Promote our industry's importance and economic impact

Several years ago, we completed Insureconomy reports for Nova Scotia and New Brunswick. These reports showed that our industry is a major contributor to local economies both directly and

indirectly by a ripple effect; for example, insurers provide business to body shops, contractors and legal services. For the details, visit www.insureconomy.ca. At IBC, we continue to put this information in front of decision-makers to ensure they understand we are an industry to be cultivated and nurtured, not kicked around. We urge insurance companies and brokerage employees to do the same with their networks and communities.

Wrapping up

Our industry, through IBC, has set some bold long-term goals. In the three-year strategic plan, our national priority issues include:

- A stable and affordable auto insurance product
- A national natural catastrophe strategy

- A balanced regulatory environment

The reality of this industry is that, in the short term, we are always susceptible to ever-evolving political, public and technological forces – forces as unpredictable as Atlantic Canada's weather.

I'd very much like to tell you that I know exactly what's going to happen in 2016, but no one knows. Without doubt, some unforeseeable event or development will strike and occupy a great deal of our time. What I can promise is that our industry will manage unforeseen events effectively – we always do – and will do so without taking our eye off IBC's long-term priorities. ■

Amanda may be reached at (902) 429-2730 ext. 225 or via email at adean@ibc.ca.

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Augmented Reality – An Emerging Opportunity for the P&C Industry



*Grant Patten
Communications Specialist, CSIO*

It can be helpful for brokers to educate themselves about emerging technologies that haven't yet achieved wide popularity but nonetheless represent areas of major potential for the P&C insurance industry – augmented reality (AR) is one such technology. AR overlays digital information on an image of reality being viewed through a device (such as a smartphone or tablet). In other words, AR takes an existing picture and blends new information into it. This technology may sound fanciful to many brokers, but staying abreast of cutting-edge innovations such as AR can inspire brokers to think more about the types of technology their own business could use now and in the future.

AR for Consumers

65% of Canadians with insurance use a smartphone and 47% use a tablet, according to a 2015 Forrester consumer survey. It would therefore be wise for brokers and insurers to think about how to leverage mobile technology as effectively as possible – and this could involve thinking “outside the box”, beyond the standard mobile app that provides policy management and claims filing. European insurer Allianz did just that when it commissioned an AR app to be used by current and potential policyholders to highlight risks around the home. Consumers download the app onto their tablet, point it at an object inside their home, and a simulation appears on screen showing the potential risk. (For a demo of this, please visit: <https://youtu.be/avrkvZaphwo>) Seeing this type of strong, memorable visual can help get consumers thinking about the insurance products that they might need.

Desjardins Insurance also introduced an innovative mobile app in 2015 called Your way Desjardins, which uses AR to teach consumers about saving for retirement. Consumers open the app and hold their phone over some Desjardins print collateral, such as a flier, and the image “comes to life” within the app, introducing an animated character and various educational videos. (For a demo of this, please visit: <https://vimeo.com/104343075>)

As we are advocates of a paperless work environment at CSIO, we must also note Hyundai's innovative AR Virtual Guide app. Launched in late 2015, it replaces the paper car owner's manual by allowing owners to point their smartphone or tablet camera at any part of the car, overlaying the image on screen with practical how-to information, such as how to replace the car's air filter. (For a demo of this, please visit: <https://youtu.be/kf-wvrfK3-c>) Useful AR apps such as this could help consumers go paperless, and it is easy to imagine how an app of this sort could have insurance applications, such as simply pointing a smartphone at a vehicle to renew or update its insurance policy.

AR In the Field

It isn't difficult to see how an AR app could also benefit insurance professionals working in the field to help them record and analyze the environment in real time. A Polish software firm, for example, developed an app that uses AR for precise car damage inspection. The app takes an image of a damaged car and quickly overlays precise damage area measurements, dent damage detection and even a damage cost estimate for the adjuster. (For a demo of this, please visit: <https://youtu.be/kENx6zOtQbw>) This could help the adjuster to process the auto accident report more quickly, leading to improved customer service if the coverage offer can be estimated and provided on the spot instead of days later.

17% of Canadian adults aged 18 to 35 use wearable devices, and 18% of the highest-earning consumers, who have a household income of \$100,000 or more, use wearables. (Forrester, 2015) AR technology is often integrated into wearables, such as with Microsoft's HoloLens, announced in 2015. HoloLens is a smart-glasses headset that deploys a natural user interface, meaning that users interact with it through gaze, voice and hand gestures. 3D graphics and screens are overlaid on the user's real environment. (For a demo of this, please visit: <https://youtu.be/aThCr0PsyUA>) One can imagine how

a technology such as this could be used in insurance: a broker or adjuster going out into the field with HoloLens, instantly calling up information about the building they're looking at, determining which fire district it is in, retrieving data about who the tenants are, what premiums they're paying, what their exposures are, how many people work in the building, etc. It could be an interesting way to quickly and efficiently bring information to the insurance professional on-site.

AR for Employee Training

AR technology can even be used for employee training purposes, and Zurich Insurance has already taken advantage of this opportunity. In 2015, Zurich launched an AR smartphone app to help over 10,000 of its managers in 170 countries to improve their coaching, project management and people management skills. The app is used during classroom-based training sessions, where managers can point their phones at a poster or a “learning card” that takes them to a video, an online training course, or a book with more in-depth information. Providing this AR technology allows Zurich to cater to all the different learning styles that their managers may have: visual, aural, read/write or kinesthetic. Brokerages could use this to their advantage as well, using an AR device or app that shows a new hire or recent graduate the ins and outs of a brokerage in a more engaging, in-depth manner than a basic tour through the office can provide.

It could only benefit brokers to start thinking about how innovative technologies such as AR could be incorporated into their business and some forward-thinking insurance firms are already doing just that. To get yourself thinking about other types of technology that have “wowed” insurance professionals, check out CSIO's Technology Eye-Opener video series, available at CSIO.com/videos. ■

Grant may be contacted at (416) 360-1773, ext. 2324 or via email at, gpatten@csio.com.





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For more information, contact your local insurance brokers association.



Identity Theft



*Grant Black, VP Commercial
Bank of Montreal, Nova Scotia*

Identity theft represents one of the most troubling results of privacy breaches; this kind of fraud has affected thousands of Canadians.

This is of particular concern for insurance brokers, with the privacy of confidential information becoming increasingly important in client – broker relationships. In the normal course of their business, brokers receive key personal and business data that must be protected – a privacy breach can cause significant and long-term harm to both a customer and to the broker given the loss of trust.

Brokers, like any business that collects personal information, can take the lead in stemming the rise of identity theft – helping their clients and protecting their own reputation and profits at the same time. It's essential for them to develop a comprehensive plan to protect their clients' personal information. It's not just the right thing to do – it's the law. As well, knowing what personal information you have in your possession, and what you are doing with it, is fundamental to protection of that information.

Fortunately for brokers, useful resources are available to help them comply with the law and protect their clients information. Canada's Office of the Privacy Commissioner suggests following a number of measures.

First, limit the amount of information you collect. Not only does collecting less infor-

mation reduce the potential damage from a breach, it also lowers the costs from collecting, storing, retaining and archiving data.

Next, limit the amount of time you retain the information. There's no need to keep a client's information beyond what's necessary for your purposes. Make sure you have guidelines and procedures for retention and destruction of personal information.

It's also important to ensure client information is protected against loss or theft. This requires brokerages have a security policy, prevent unauthorized access, disclosure, copying, use or modification, lock paper files and computers, and maintain areas with restricted access and alarm systems. Encrypt all computerized records, whether they are on computers, networks or remote access devices. Educate your employees so that they know the procedures and how to follow them.

Brokers must also ensure they have good authentication processes. If someone claims to be a particular customer, the broker needs to be able to authenticate that the customer is who he or she claims to be. In a financial business like insurance, where a customer may wish to obtain sensitive records, such processes are critical. This can be a difficult task; the creation of an authentication process that's too rigorous or asks unnecessary questions can be too intrusive in and of itself. Create a process that's appropriately designed given the sensitivity of the particular information and the risks associated with it.

Despite our best efforts, data breaches can still occur. Brokers need to have a plan ready to implement if the worst happens and a breach takes place.

In particular, you must tell those affected as soon as possible. This is most important in a situation where there's a risk of identity theft or some other kind of harm.

Notification should include the following information:

- A list of the type of personal information disclosed;
- An assessment of the risk of identity theft as a result of the breach;

- A description of the measures taken or that will be taken to prevent further unauthorized access to personal information;
- Contact information for affected individuals to obtain more information and assistance; and
- Information and advice on what individuals can do to protect themselves against identity theft and fraud.

What's more, a broker must be prepared to provide assistance to all those affected by the breach. This assistance can include paying for credit monitoring.

Of course, such a breach may be the result of a crime. In the case of a breach where theft is suspected, contact police immediately. As well, if there's a risk of identity fraud, you should also contact credit reporting agencies.

Finally, be sure you notify the Office of the Privacy Commissioner of Canada whenever there is any kind of breach involving personal information.

Brokers are gatekeepers for the privacy of client information. Their efforts to safeguard personal data are critical to the safety of their clients and the reputation of their own businesses and the industry at large. ■

Grant Black has been with BMO for 38 years and has worked throughout Atlantic Canada. Previous roles include Commercial Banking Area Manager, Commercial Account Manager, Branch Manager, Credit Officer and Assistant Branch Manager. He may be contacted at (902) 421-3718.



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The First “New” Cap Decision in Nova Scotia

By Kyla Russell and Gregory Hardy

Gibson v Julian, 2016 NSSC 15, the first decision dealing with the “new” cap in Nova Scotia was released on January 12, 2016. While not binding on decisions from other provinces, public interest in the auto cap makes it an important decision.

The “Old” Cap v “New” Cap

In November 2003, the Nova Scotia government introduced the cap. It limited damages for pain and suffering (“general damages”) to \$2,500 for minor injuries, which were also newly defined in the legislation. As well, income loss was to be calculated on net, not gross, loss. The cap experienced backlash from the general public. In response, the Government introduced the “new” cap in 2010. The new cap applied to motor vehicle accidents that occurred on or after April 28, 2010.

The new cap increased general damages to \$7,500, which is indexed annually according to the consumer price index. Currently, the new cap is \$8,325. The definition of minor injury was also narrowed to include only sprains, strains, or whiplash caused by an accident that does not result in “a serious impairment”.

The new cap redefined serious impairment to mean an impairment of a physical or cognitive function, ongoing since the accident and not expected to improve significantly, resulting in the substantial inability to perform any or all of the following:

- a. the essential tasks of one’s regular employment, occupation, or profession, despite reasonable attempts at accommodation;
- b. training or education (either enrolled or accepted) despite reasonable attempts at accommodation; or
- c. the normal activities of daily living.

The new cap also removed the presumption found in the legislation that an injury was minor. Justice Chipman, who gave the Gibson v Julian decision, stated, however, that even though the presumption was removed from the legislation, the plaintiff still had to prove her claim, including the extent of her damages.

Income loss continues to be calculated on a net,

not gross, basis.

With these changes, the legal and insurance communities have been waiting for a decision to see how the Court approaches the new cap. The Court previously addressed the old cap in Farrell v Casavant, 2009 NSSC 233.

Gibson v Julian

Debra Gibson was injured when she was t-boned by Ms. Julian at a four-way intersection. Ms. Julian was found liable, and Ms. Gibson’s injuries were found to be minor.

The day after the accident, Ms. Gibson woke with excruciating pain at the back of her head, a feeling of nausea, and tingling in her arm and hand. She attended a walk-in clinic where she was diagnosed with whiplash. By itself a whiplash diagnosis is insufficient for a finding of minor injury; the injury also has to result in serious impairment. Justice Chipman did not find Ms. Gibson’s injuries seriously impaired her.

Ms. Gibson initially missed six weeks of work. When she returned to her job as a library assistant, she relied on her co-workers to help lift book totes and do heavier tasks. Ms. Gibson’s mother, who lives with her daughter, testified that although her daughter did household tasks differently after the accident, she could still do most chores.

Ms. Gibson testified that her main complaint was headaches, and she continued to have flare-ups at least twice a week. The flare-ups lasted from 2 hours to a day. She worked through them by lying on the couch and taking Tylenol. There was no independent evidence from Ms. Gibson’s physician or employer to support Ms. Gibson’s claim of flare-ups. Justice Chipman rejected the notion that Ms. Gibson’s flare-ups seriously impaired her.

Justice Chipman found Ms. Gibson had headaches prior to the accident and they were more stress-induced than accident-related. Moreover, Justice Chipman preferred the expert evidence of Dr. Loane to the evidence of Ms. Gibson’s family physician. Justice Chipman found Ms. Gibson’s doctor was more of an advocate for her than an expert. Dr. Loane performed an Independent Medical Examination of Ms. Gibson at the request of her Section B insurer. Dr. Loane highlighted Ms. Gibson’s pre-accident headache history and concluded that her whiplash symptoms had resolved.

In weighing the evidence before him, Justice Chipman found Ms. Gibson suffered minor injuries. He awarded \$7,965 for general damages, the index amount of the cap when the accident occurred.

Justice Chipman also considered other heads of damages. Acknowledging Ms. Gibson’s limitations during her six weeks off work, he gave \$7,500 for loss of housekeeping. He rejected an amount for cost of care as he found insufficient evidence suggesting Ms. Gibson needed ongoing treatment for any accident-related injuries. He also rejected a claim for loss of earning capacity. Justice Chipman found Ms. Gibson had satisfactorily returned to her pre-accident employment. He determined that any impediment Ms. Gibson experienced in moving forward in her job was her lack of seniority, not her accident-related injuries. Justice Chipman did not address any past income loss, nor did he include any analysis of the net calculation of income loss under the cap. Finally, the decision included an agreed upon amount for unspecified special damages and prejudgment interest. The total amount awarded to Ms. Gibson was \$19,581.03.

A Final Word

In this decision, we see that plaintiffs who are diagnosed with a sprain, strain, or whiplash, have to provide strong, supportive evidence to show their injuries have caused serious impairment in order to prove that their injuries are not minor. Whether this decision will change how plaintiffs’ counsel present their clients’ claims remains to be seen. Whether this decision is appealed also remains to be seen. ■

Gregory Hardy is a lawyer at C3 Legal Inc. Kyla Russell is a legal analyst who provides legal writing and research services to C3 Legal Inc. C3 Legal Inc. is a modern insurance defence law firm that takes a fresh look at services for the industry.



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The Cloud. Made Clear for Canadian Insurance Brokers.



*Don Purchase
Business Development Manager, Stage2Data*

The Cloud. Those simple two words have made more highly professional people nervous than you'd expect. Insurance brokers are no exception. Mention "The Cloud" to a group of self-assured, highly successful insurance brokers and you're met not with total understanding and confidence but with uncertainty and a keen desire to know more.

That's why, at Stage2Data we have a simple message you'll want to hear: We make the Cloud clear for Canadian Insurance brokers.

Our making the Cloud clear message comes from a place of education and not from marketing. It is about informing you of data security issues, challenges and possible solutions. It is from this place of education that our highly specialized insurance brokerage team has helped us become the Affinity Partner to a majority of insurance broker associations across the country.

In addition to offering the members of IBANB and IBANS, a full range of enterprise grade solutions at exclusive member pricing we provide complimentary assistance in determining what your brokerage needs.

When choosing a partner to move your brokerage to the Cloud, it is good to work with a company that has broad, proven experience as well as a very specific experience with insurance broker-

ages. As Canada's Premier Cloud Solution Provider, we count many of Canada's best known companies as our customers. We include WWF, Northwest Tel, BFL Insurance and Booster Juice among our client list. Importantly, we also deliver cloud solutions to the majority of insurance broker associations and a growing number of their members as well.

Why are we growing so rapidly and successfully? Because we deeply understand insurance brokerage needs. We hit the ground running when it comes to moving a brokerage from tape or External Hard drive backups to proven and simple to manage Cloud solutions. Our growth is also due to our ability to deliver RTOs of minutes and RPOs of seconds on our Disaster Recovery Solutions.

An interesting sidebar: The CTO at Stage2Data holds a patent in Cloud Technology. Our professional services support team is one of the sharpest in the country and guaranteed to be one of the most responsive.

Many brokers ask about the importance of working with a Canadian Cloud company. We cannot stress enough that meeting compliance regulations requires your data be stored exclusively in Canada. Your Affinity Partner for IBANB and IBANS meets this requirement - Stage2Data is proudly 100% Canadian owned and operated. Your data stays 100% on Canadian soil.

Even after reading the papers and seeing data threats, data disasters and ruined companies and

reputations, insurance brokers still ask why they should actively investigate Cloud solutions. The answer lies in the following points our team is always happy to elaborate on in a call or an appointment:

1. Data disasters are common. They happen frequently and without warning.
2. Data loss can devastate your ability to continue to do business.
3. Cyber threats are rapidly increasing in occurrence and severity.
4. 99.999% uptime is the new expectation.
5. Your organization, clients and stakeholders expect and demand data to be available even after disaster hits.
6. Regulations are evolving to keep up with privacy laws and data security expectations.
7. Many large insurance companies make tested and documented Disaster Recovery plans a requirement for partnership.

At Stage2Data, we help brokerages understand that Cloud-Based Solutions are business essentials and they are no longer optional. We are here to make the Cloud clear. We answer questions and deliver member exclusive pricing on:

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- Security as a Service
- Information Rights Management
- Data Archiving

If you want to have a full understanding of the Cloud and how it fits into your brokerage, call your Association Affinity Partner. Our promise is to educate and inform you so you understand and can move forward with clarity and confidence. ■

Don may be contacted at (647) 260-3355 or via email at, don.purchase@stage2data.com.



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CALENDAR OF EVENTS 2016

APRIL

	Insurance Broker Month in Nova Scotia	
7	Aspire Awards and Graduation	Halifax, NS
13	IBANS MLA Dinner	Halifax, NS
19	IBAC BIP meeting	Toronto, ON
21	IBANB Convocation	Fredericton, NB
29-4	IBANB CPIB Law & Ethics Immersion	Fredericton, NB
TBC	Broker Awareness Day	TBD

MAY

3	IBANB Board Meeting	Fredericton, NB
4	National CAIB/CPIB exams	various locations
4-9	IBANB CAIB 1 Immersion	Fredericton, NB
9-14	IBANB CAIB 2 Immersion	Fredericton, NB
14-19	IBANB CAIB 3 Immersion	Fredericton, NB

JUNE

5/6	IBAC Board Meeting	Ottawa, ON
7	IBAC Hill Day	Ottawa, ON
8	National Young Brokers Forum	Ottawa, ON
14	IBANB Board Meeting	Fredericton, NB
22	IBAC PD Operational Review meeting	Toronto, ON
23	IBANS Golf Tournament hosted by YBN	Enfield, NS

JULY

6	National CAIB/CPIB exams	various locations
20-22	Council of the Federation	Whitehorse, YT

AUGUST

30	IBANB Board Meeting	Fredericton, NB
31	IBANB Golf Tournament	Mactaquac, NB

SEPTEMBER

7	National CAIB/CPIB exams	various locations
	Getting Started in Commercial Lines	Webinar
14	Part I	
21	Part II	
28	Part III	
5	Part IV	
22	IBANS Annual General Meeting	Halifax, NS
28-1	IBAC AGM & Board meeting	Charlottetown, PE

OCTOBER

5-7	2016 Atlantic Insurance Brokers Convention	Halifax, NS
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NOVEMBER

16	The Slippery Slope – An Introduction to Residential Roofing Including Ice Dams	Webinar
TBD	Meet the Underwriter Night hosted by YBN	Moncton, NB

DECEMBER

7	National CAIB/CPIB exams	various locations
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