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<b>BULLETIN NUMBER:</b>	<b>02-2020</b>
<b>TITLE:</b>	<b>Electronic Proof of Automobile Insurance (EPAI)</b>
<b>DATE:</b>	<b>April 1, 2020</b>

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The Superintendent of Insurance of the Northwest Territories is releasing guiding principles permitting the use of EPAI in the territory. Electronic documents may be delivered through smart phones, apps, email or tablets. In accordance with *Electronic Transactions Act*, the use of electronic information is not required but, if EPAI is offered by an insurer, a person may consent to its use.

These are the required guidelines and principles for insurers/brokers to offer EPAI:

- Respect existing federal and territorial anti-spam, electronic transaction legislation and privacy legislations and maintain appropriate confidentiality with consumer information in accordance with *Access to Information and Protection of Privacy Act(NWT)*, *Electronic Transactions Act (NWT)* and *Personal Information Protection and Electronic Documents Act (Canada)* and any other applicable statutes;
- Obtain consent from your clients outlining expectations of both parties. Note that clients **MUST** consent to receive the new electronic format as outlined in the *Electronic Transactions Act*;
- Deliver the EPAI in an encrypted form with a pink background format that mirrors the current pink card paper now. The EPAI shall have detailed wordings verbatim as the paper based pink card. The EPAI must have the option to be printed and include explicit instructions on the requirement to print in colour on white paper and be clearly legible;
- Create the EPAI in a downloadable format with a lock screen capability which can be stored in a secure manner on the device;
- Provide the insured with the option, in addition to EPAI, to also receive a paper copy by mail; and
- Advise your clients:
  - With clear instructions on how to access and use the electronic pink card as well as any technical requirements and limitations the use of the EPAI.
  - That the law obligates insureds to produce a pink card in certain circumstances and it is the insured's responsibility to ensure they are able to produce it. This may mean that they will be required to provide their device to a police officer or other authorized person, who may take temporary custody of their device for the purpose of verifying the insurance coverage (in the same way that they would treat a pink card);
  - That their use of EPAI is optional pursuant to the *Electronic Transactions Act* and they assume any or all risks with damage to the device when handed over to a third party;
  - Of the risks and limitations of their use of EPAI as the absence of internet services and power interruptions may limit its availability;
  - That if the insureds are travelling outside the Northwest Territories, electronic proof of insurance may not be approved in other jurisdictions; and



- That as a result of the above noted factors insureds may wish to carry a paper copy as backup.

The Superintendent of Insurance is committed to ensuring that the form of EPAI, approved by the Superintendent under the Insurance Act 125. (8), aligns with other jurisdictions in Canada. Should any changes become necessary the Superintendent will issue further bulletins to communicate the required changes.

**For any questions on the Guidance, contact the Office of the Superintendent of Insurance at 867-767-9171 Ext 15252 or by email at [superintendent\\_insurance@gov.nt.ca](mailto:superintendent_insurance@gov.nt.ca)**

Louise Lavoie  
Superintendent of Insurance