



Justice and
Public Safety

Justice et
Sécurité publique



Consumer, Corporate and
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Office of the Superintendent of Insurance - Bulletin

Automobile Insurance Minor Injury Cap - Annual Indexation

On April 1, 2004, the province enacted legislation which limited automobile accident court awards for non-pecuniary (pain and suffering) damages to \$2,500 when an injury was deemed a “minor personal injury.” The Cap amount was subsequently reset to \$7,500 and the definition of “minor personal injury” revised for accidents occurring on or after October 1, 2014.

Commencing on January 1, 2016, the Cap amount is indexed by the province’s annual average percentage change for the all-items Consumer Price Index of the preceding year, each January 1st.

Minor Injury Cap Amounts are as follows:

Accidents occurring between April 1, 2004 and September 30, 2014	-	\$2,500
Accidents occurring between October 1, 2014 and December 31, 2015	-	\$7,500
Accidents occurring during calendar year 2016 \$7,500 x (1.00 - .006)	-	\$7,455
Accidents occurring during calendar year 2017 \$7,455 x (1.00 + .012)	-	\$7,545
Accidents occurring during calendar year 2018 \$7,545 x (1.00 + .018)	-	\$7,681
Accidents occurring during calendar year 2019 \$7,681 x (1.00 + .023)	-	\$7,858

Minor Injury Cap legislation for accidents occurring between April 1, 2004 and September 30, 2014 may be viewed in section 254.1 of the *Insurance Act*.

Minor Injury Cap legislation for accidents occurring after September 30, 2014 may be viewed in section 254.2 of the *Insurance Act*.

The *Insurance Act* is available at: <https://www.princeedwardisland.ca/en/legislation/all/all/a>