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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 217

(Private)

**An Act to permit the members of the  
Association québécoise des  
transporteurs aériens inc. to apply for  
the constitution of a mutual aviation  
insurance association**

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**Introduced 8 May 2002**

**Passage in principle 14 June 2002**

**Passage 14 June 2002**

**Assented to 14 June 2002**

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## **Bill 217**

(Private)

### **AN ACT TO PERMIT THE MEMBERS OF THE ASSOCIATION QUÉBÉCOISE DES TRANSPORTEURS AÉRIENS INC. TO APPLY FOR THE CONSTITUTION OF A MUTUAL AVIATION INSURANCE ASSOCIATION**

WHEREAS the Association québécoise des transporteurs aériens inc. was constituted under Part III of the Companies Act (R.S.Q., chapter C-38) by letters patent issued on 5 March 1976 and amended by supplementary letters patent on 5 March 1979 and 26 January 1990, the object of such constitution being, in particular, to promote, protect and develop in any manner the economic, social and professional interests of its members;

Whereas the active members of the Association operate a commercial air service and hold a licence issued according to law;

Whereas the Association represents that unpredictable changes in the cost of aviation insurance threaten the survival of enterprises carried on by its members;

Whereas the board of directors of the Association resolved, on 20 February 2002, to take the measures necessary to constitute a non-profit legal person whose object is to transact aviation insurance in respect of its members;

Whereas it is expedient to permit the members of the Association to apply for the constitution of a mutual insurance association whose object is the transaction of aviation insurance;

#### **THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:**

- 1.** Not fewer than 30 members of the Association québécoise des transporteurs aériens inc. who have been so authorized for the purpose by a resolution of the board of directors of the Association may apply for the constitution of a mutual insurance association pursuant to Chapter III.1 of Title III of the Act respecting insurance (R.S.Q., chapter A-32).
- 2.** The number of members of the mutual association may be less than 200 but not less than 30.
- 3.** Notwithstanding the first paragraph of section 93.64 of the Act respecting insurance, unless the internal by-laws of the mutual association provide for a greater number, seven members are a quorum at a general meeting.

**4.** The mutual insurance association need not be a member of a federation.

If the applicants are unable to fulfil the requirements of paragraphs 5 and 7 and subparagraph *c* of paragraph 6 of section 93.18 of the Act respecting insurance, the mutual association must comply with any condition the Inspector General of Financial Institutions considers appropriate to remedy the lack of affiliation with a federation.

**5.** If the mutual association holds a licence issued by the Inspector General of Financial Institutions, it may transact, exclusively, aviation insurance within the meaning of the Act respecting insurance.

**6.** This Act comes into force on 14 June 2002.