



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: 1 April 2019

NP 17

NOTICE TO THE PROFESSION AND PUBLIC
CHANGES TO PROVINCIAL COURT CIVIL JURISDICTION
(CIVIL RESOLUTION TRIBUNAL – ACCIDENT CLAIMS)

Purpose

The objective of this Notice to the Profession and Public is to outline the changes to the Provincial Court's civil jurisdiction effective April 1, 2019, further to the implementation of the accident¹ claims jurisdiction of the Civil Resolution Tribunal (CRT)².

Notice

1. Commencing April 1, 2019, subject to section 113 of the *Civil Resolution Tribunal Act*, the CRT has jurisdiction over a claim concerning one or more of the following:
 - a. the determination of entitlement to benefits paid or payable under the *Insurance (Vehicle) Act*, in respect of an accident arising out of the use or operation of a vehicle;
 - b. the determination of whether an injury is a minor injury for the purposes of the *Insurance (Vehicle) Act*, in respect of an accident occurring in British Columbia that is caused by a vehicle or the use or operation of a vehicle as a result of which a person suffers bodily injury;
 - c. liability and damages, if the amount is less than or equal to \$50,000, in respect of an accident occurring in British Columbia that is caused by a vehicle or the use or operation of a vehicle as a result of which a person suffers bodily injury.

**[Accident Claims Regulation, s. 7;
Civil Resolution Tribunal Act, ss. 2.1(f), 132 and 133(1);
Insurance (Vehicle) Act (IVA), ss. 1.1 and 101]**

¹ "Accident" means an accident occurring in British Columbia that is caused by a vehicle or the use or operation of a vehicle as a result of which a person suffers bodily injury, **except** in respect of benefits referred to in CRTA, s. 133(1)(a) where "accident" means an accident arising out of the use or operation of a vehicle (CRTA, s. 132; *Insurance (Vehicle) Act* (IVA), ss. 1.1 and 101).

² Pursuant to Order in Council [594/2018](#).

2. The Court continues to have jurisdiction in relation to a claim under any of the following provisions of the *Insurance (Vehicle) Act*:

- a. section 18 (2) [*financial responsibility in other provinces*];
- b. section 42.1 [*offence*];
- c. section 68 [*relief from forfeiture*];
- d. section 77 (2), (8) and (9) [*rights of insurer*];
- e. section 78 [*payment of insurance money into court*];
- f. section 79 [*defence if more than one contract*].

[Civil Resolution Tribunal Act, s. 134(1)]

3. The Court continues to hear any cases in respect of an accident that occurred before April 1, 2019 within its civil monetary jurisdiction.

[Civil Resolution Tribunal Act, s. 134(2)(c)]

History of Notice to the Profession and Public

- Original Notice to the Profession and Public dated April 1, 2019.

Related Practice Directions & Notices to the Profession and Public

- NP 12 Changes to Provincial Court Civil Jurisdiction & Procedures (CRT)

Melissa Gillespie
Chief Judge
Provincial Court of British Columbia