



## Automobile Injury Appeal Commission

### *How to Appeal a No Fault Insurance Personal Injury Decision*

## What is the AIAC?

The Automobile Injury Appeal Commission (AIAC) hears appeals of benefit entitlement decisions made by SGI under the no fault insurance program.

The Commission has the authority to hear appeals and deliver legally binding decisions. The AIAC is independent of both the Government of Saskatchewan and Saskatchewan Government Insurance (SGI) in its decision making process.

## Why launch an appeal?

If you disagree with a benefit entitlement decision made by SGI, you can appeal the decision to the AIAC.

## Don't delay

Keep in mind you have a limited time to file your appeal. **The appeal period cannot be extended.**

In most circumstances, you must file your appeal within 90 days of the date of SGI's written decision or from the date of the mediation completion statement.

In certain cases involving people who don't live in Saskatchewan, impaired drivers, intentional injuries or suicides, the appeal period is 180 days from the date of SGI's decision letter.

## What do I need to do?

If you're considering an appeal, visit our office or website ([saskatchewan.ca/aiac](http://saskatchewan.ca/aiac)) to get the necessary forms.

If you're not sure whether to appeal, you may want to consult a lawyer. Our staff cannot advise you on whether or not to appeal a decision by SGI. We can, however, help you through the process once you decide to appeal.

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You must submit an application form and a \$75 fee payable to the AIAC to launch an appeal. If you win your appeal, the fee is refunded. The fee may also be waived if you submit a Fee Waiver application.

You must include a copy of your decision letter from SGI with your application. If you attended mediation, you must also include a copy of the mediation completion letter.

Next, you need to start thinking about how you will prove your case and what evidence you can provide, either through documents or testimony.

You should file documents that support your case, including medical reports that show why you disagree with SGI's decision. Our staff and the SGI Appeal Advisor staff can help you determine what supporting documents to include.

SGI will also submit documents supporting its decision. After you review their documents, you have a chance to submit additional material to help your case.

## What happens next?

Once the documents are all filed, you're informed in writing of the date, time and location of your hearing. Hearings are generally held in Regina, Saskatoon or Prince Albert, depending on which location is closest to you.

Appeals are heard by a panel of one to three Commission members in a boardroom, not a courtroom. You may choose to have a lawyer present your case, but you are not required to do so.

## Your appeal hearing

All hearings are open to the public. However, they're almost always only attended by the two parties directly involved (you and SGI). SGI is usually represented by a lawyer, but don't let that discourage you. You can still represent yourself.

For assistance, you may also contact the SGI Appeal Advisor Program at 1-833-233-1003. Advisors provide free independent advice in helping you prepare your case for appeal. You must have an active appeal to access these services.

You need to prove your case by referring to documents that were submitted by you or SGI. You can testify, or have others testify on your behalf. At the hearing, you can question any witnesses. So can SGI and the members of the panel.

If you're unable to convince someone to testify for you or give you documents you feel are relevant to your case, you can ask the Commission to issue a subpoena. Medical professionals and other witnesses can testify by video conferences.

If you don't attend your hearing, the Commission can dismiss your appeal, adjourn your appeal, or proceed and decide the appeal without you present.

## After the hearing

The Commission usually issues its decisions in writing within 60 days of a hearing. The decision is binding.

The only way it can be appealed is on a question of law.

All decisions are posted on the Canadian Legal Information Institute's website ([www.canlii.ca](http://www.canlii.ca)). To protect your privacy, your name will be removed and replaced with initials (not yours) before the decision is posted online.

## Contact us

For more information on the AIAC, or the appeal process, visit our website at: [www.saskatchewan.ca/aiac](http://www.saskatchewan.ca/aiac)

Or, contact the Automobile Injury Appeal Commission at:  
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