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**Legal
Brief***

Vol. 14

Number 7

**August-September
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TYPES OF INDEMNITIES FROM THE SAAQ

The public automobile insurance plan provides for compensation, under certain conditions, to people who have been involved in automobile accidents.

The following are some possible indemnities:

(1) Income replacement indemnity

This is an indemnity paid to anyone who is unable to work at their regular job because of an automobile accident. The indemnity is calculated on the basis of the regular job the person held at the time of the accident and represents 90% of net annual income, calculated on the basis of gross annual income that cannot exceed \$88,000.

However, a victim who is unemployed but able to work at the time of the accident **is not entitled to any income replacement indemnity for the first 180 days following the date of the accident.**

(2) Expenses for personal home assistance

This is an amount determined according to a pre-established disability grid directly related to the accident. The maximum in 2022 is \$949 per week for an injured person whose condition requires ongoing care. This amount decreases as the person recovers their abilities. However, the amounts allocated do not necessarily correspond to the actual expenses incurred during this period.

(3) Reimbursement of expenses incurred for treatment

The Société de l'assurance automobile du Québec covers certain expenses, such as treatment, transportation to get to appointments and medication required as a result of the accident. Obviously, the reimbursement cannot exceed the amount allocated for such expenses. For example, in 2022, the reimbursement of a physiotherapist's professional fee cannot exceed \$55 per prescribed treatment.

Expenses may be reimbursed for psychological support.

(4) Calculation of the lump sum compensation for loss of quality of life

This compensation is paid to victims who have aftereffects that impact their quality of life. It is intended to compensate for aftereffects, quality of life, suffering or loss of enjoyment of life. In 2022, the maximum amount is \$265,939.

The compensation is based on the *Regulation respecting lump-sum compensation for non-pecuniary damage* and uses objective criteria. The injured person undergoes an examination of the injuries suffered, and the result is compared to individuals in the same age group.

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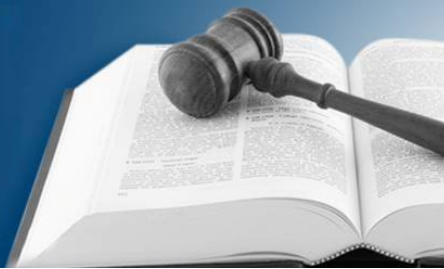
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The masculine is used to designate persons solely in order to simplify the text.



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**TYPES OF INDEMNITIES FROM THE SAAQ
(continued)**

(5) Death benefit

In 2022, the minimum death benefit paid to the deceased's spouse is \$75,840, and the maximum is \$440,000.

The amount of the death benefit is calculated by multiplying the deceased's gross annual income by 1 to 5, depending on the deceased's age.

Since these cases require special attention with regard to the decisions rendered and the time limits for contesting them, don't hesitate to make an appointment with a lawyer at a legal aid office.

Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

To find the contact information for your legal aid office, please click on the following link www.csj.qc.ca/.

* The director general can, under certain conditions, agree that the contribution will be paid in several instalments. The total period for such instalments cannot exceed six months.

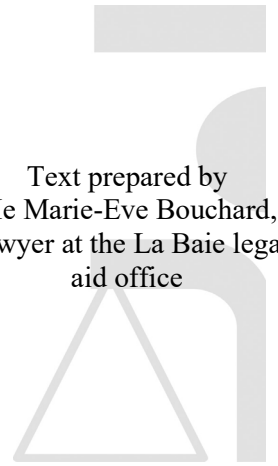
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