

**U.M.P. COVERAGE LIMIT IS “FOR ALL”
AND NOT “FOR EACH” SAYS B.C. COURT OF APPEAL**

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| Reported Case: | Lougheed v. Co-operators General Insurance Co. |
| Citation: | 2007 BCCA 503 |
| At Issue: | Whether insurer’s liability under Underinsured Motorist Protection (“UMP”) coverage is \$1 million for all or for each of the dependents of a passenger killed in a MVA. |
| The Court: | British Columbia Court of Appeal |
| Judgment Rendered: | October 18 and November 5, 2007 |
| Factual Summary: | UMP coverage is mandatory in British Columbia and the limit prescribed by regulation is \$1 million. Deceased passenger’s sons argued that UMP coverage limit was \$1 million for each beneficiary of a family compensation action. |
| Disposition By Lower Court: | The British Columbia Supreme Court held that limit to be \$1 million for all dependants. |
| Appellate Decision: | Appeal dismissed. Had the passenger survived, he would have recovered no more than \$1 million UMP in respect of his injuries. In the absence of clear language in governing regulation to support the dependents’ contention that UMP coverage arising from the passenger’s death is expanded, such an argument is not tenable. |