

The insurer's duty to inform: an increasingly heavy burden

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It is known that an insurer has a considerable duty to inform in group insurance. The Superior Court in a decision specified the extent of this duty in *Tanguay et al v. L'Ordre des ingénieurs du Québec and The Manufacturers Life Insurance Company of North York, doing business under the name Manulife Financial*.

This decision reminds us that in the context of group insurance, the various intervening parties must reasonably anticipate the decrease or loss of benefits resulting, for instance, from the withdrawal by applicants of the group to which they belong.

The duty to inform must not be taken lightly. It involves rigorous monitoring of the files, particularly with respect to the status of the applicants such as to maintain the coverage in force. When a change of status occurs, the applicant must, among other things, be adequately informed of the possibility to take advantage of the conversion clause contained in the policy.