

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER A-35 REG 3

The Automobile Accident Insurance Act

Section 217

Order in Council 852/94, dated December 21, 1994

(Filed December 22, 1994)

PART I

Title, Interpretation and Application

Title

1 These regulations may be cited as *The Personal Injury Benefits Regulations*.

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Automobile Accident Insurance Act*;
- (b) **“educational institution”** means:
 - (i) a school within the meaning of *The Education Act*;
 - (ii) a technical or vocational school;
 - (iii) a university or college;
 - (iv) any other educational institution designated by the Lieutenant Governor in Council of a province or territory of Canada pursuant to the *Canada Loans Act* as a specified educational institution for the purposes of that Act;
 - (v) an institution in another province or territory of Canada or the United States that is, in the opinion of the insurer, similar to one mentioned in subclauses (i) to (iv);
 - (vi) an institution recognized by the Minister of Education of the Province of Quebec for the purposes of an Act respecting Financial Assistance for Students (Quebec); or
 - (vii) an institution certified by the Minister of Employment and Immigration to be an educational institution providing courses, other than courses designed for university credit, that furnish a person with skills for an occupation, or that improve a person's skills in an occupation.

Application of regulations

3 These regulations apply to Part VIII of the Act.

Industrial average wage not published

4(1) For the purposes of subsection 100(3) of the Act, where no figure for the industrial aggregate average weekly earnings for all employees in Saskatchewan is published by Statistics Canada for a month, the insurer shall determine a figure for that month in accordance with the following formula:

where:
$$M = \frac{S}{12}$$

M is the industrial aggregate average weekly earnings for that month;
and

S is the sum of the industrial aggregate average weekly earnings, as
published by Statistics Canada, for the 12 months preceding that month.

(2) The insurer may adjust the amount calculated pursuant to this section to take account of any exceptional circumstances that occurred during the 12 months preceding the month for which the amount is being calculated.

Change in method by Statistics Canada

5(1) For the purposes of subsection 100(4) of the Act, the insurer shall determine a figure for the industrial aggregate average weekly earnings based on the lower of the actual change created by the new method and the average of the new method and former method for the 12-month period prior to the introduction of the new method.

(2) After the new method has been utilized by Statistics Canada for 12 months, the insurer shall calculate a figure based on the new method.

PART II

Residence and Structured Compensation Orders

Person resident in Saskatchewan

6 For the purposes of the Act and these regulations, “**person resident in Saskatchewan**” means:

(a) in the case of an individual, an individual who is lawfully entitled to be or remain in Canada and who makes a home or is ordinarily resident in Saskatchewan, but does not include:

(i) a student from another province or territory of Canada, unless that student has established a residence in Saskatchewan; or

(ii) a student from a country other than Canada;

(b) in the case of a corporation, a corporation that has its head office in Saskatchewan.

Loss of status as resident

7 A person resident in Saskatchewan loses that status:

(a) as soon as that person maintains a residence outside Saskatchewan;

(b) where that person is absent from Saskatchewan for more than 12 consecutive months, from the last day of the 12th month following the date of that person's departure from Saskatchewan; or

(c) as soon as that person leaves Saskatchewan having manifested a clear intention to cease to reside in Saskatchewan.

Retention of status

8(1) Notwithstanding section 7, a person resident in Saskatchewan retains that status in the following circumstances:

(a) the person is registered as a student on a full-time basis in an educational institution and is pursuing a program of studies outside Saskatchewan;

- (b) the person is staying outside Saskatchewan as a full-time, unpaid trainee at a university, an institution affiliated with a university, a research institute or a governmental or international agency;
 - (c) the person is outside Saskatchewan in the employ of the Government of Saskatchewan or an agency of that government, unless the person establishes a permanent residence outside of Saskatchewan;
 - (d) the person is staying outside Saskatchewan for fewer than 12 consecutive months if:
 - (i) his or her spouse and minor children remain in Saskatchewan or he or she maintains a residence in Saskatchewan; and
 - (ii) the purpose of the stay is to assume a temporary employment or fulfil a contract;
 - (e) the person is ordinarily resident in Saskatchewan for at least 183 days per year.
- (2) Notwithstanding section 7, if a person resident in Saskatchewan leaves Saskatchewan to establish his or her ordinary residence in another province or territory of Canada or in a state of the United States and that person is designated as the owner of a vehicle in a valid certificate of registration for that vehicle issued pursuant to *The Vehicle Administration Act*, that person retains his or her status as a person resident in Saskatchewan until he or she is required by the laws of the other province, territory or state to have the vehicle registered or licensed in that other province, territory or state.
- (3) The spouse and any minor child of a person mentioned in subsection (1) or (2) having the status of a person resident in Saskatchewan retain that status while they accompany and reside with the person.

Status of minor child

9 A minor child is presumed to be a person resident in Saskatchewan where the person with whom he or she usually lives is a person resident in Saskatchewan.

Structured compensation orders

10(1) Before directing that any compensation payable pursuant to subsection 103(6) of the Act be provided for in the form of a structured compensation order, the judge of the Court of Queen's Bench making the order shall satisfy himself or herself that the security for payment is adequate.

(2) For that purpose, the judge may require the party against whom the damages are awarded or that party's liability insurer to purchase an annuity from a life insurance company that is licensed pursuant to *The Saskatchewan Insurance Act* and that has sufficient assets to ensure that its obligations will be met.

Powers of court

11(1) In structuring compensation, a judge of the Court of Queen's Bench may take into consideration any proposal for structuring compensation made by a party to the action.

(2) In order to assist the court in assessing any proposal for structuring compensation or in structuring the compensation, the court may order the insurer to engage the services of a qualified independent expert to assess any proposal or to make recommendations respecting structuring the compensation.

PART III
Rehabilitation

Rehabilitation expenses

12(1) Where the insurer considers it necessary or advisable for the rehabilitation of a victim, the insurer may provide the victim with one or more of the following:

- (a) funds to acquire, once during the victim's life, one motor vehicle that is equipped to be used and operated by the victim;
- (b) funds to reimburse the victim for extraordinary costs required to adapt a motor vehicle for the use of the victim;
- (c) funds to reimburse the victim, once during the victim's life, for extraordinary costs required:
 - (i) to alter the victim's principal residence or, where alteration is not practical or feasible, to relocate the victim if the victim owns his or her principal residence;
 - (ii) to relocate the victim or, where relocation is not practical or feasible, to alter the victim's principal residence if the victim does not own his or her principal residence; or
 - (iii) to alter the plans for or the construction of a residence that is being planned or constructed for the victim at the time of the accident;
- (d) funds to reimburse the victim for extraordinary costs required to alter the victim's primary residence, if:
 - (i) the victim is moving in order to accommodate an approved academic or vocational rehabilitation plan; or
 - (ii) the victim was a minor or dependant at the time of the accident and is moving from the family home;
- (e) funds to reimburse the victim for acquiring any or all of the following:
 - (i) wheelchairs and accessories;
 - (ii) mobility aids and accessories;
 - (iii) medically required beds, equipment and accessories;
 - (iv) specialized medical supplies;
 - (v) communication and learning aids;
 - (vi) specialized bath and hygiene equipment;
 - (vii) specialized kitchen and home-making aids;
 - (viii) cognitive therapy devices;
- (f) funds to pay for the victim's occupational, educational or vocational rehabilitation where the rehabilitation is consistent with the victim's skills and abilities after the accident and where the purpose of the rehabilitation is:
 - (i) to lessen the victim's disability; and

(ii) to facilitate the victim's recovery from an accident in order to improve his or her earning capacity and level of independence.

(2) For the purposes of clause (1)(a), the vehicle to be acquired must be a reasonable and suitable vehicle that is approved by the insurer.

Insurer's consent to expense

13(1) A victim shall not incur an expense mentioned in section 12 without obtaining the prior consent of the insurer.

(2) Before making a payment pursuant to section 12, the insurer may require a victim to provide the insurer with any information the insurer reasonably requires for the purposes of this section, and the victim shall provide that information.

PART IV
Income Replacement Benefits
EMPLOYMENT

Meaning of full-time employment

14 A person holds regular employment on a full-time basis where the person:

- (a) is employed at one employment for not less than 28 hours, not including overtime hours, in each week of the year preceding the date of the accident; or
- (b) is employed at one employment:
 - (i) for not less than 28 hours per week, not including overtime hours; and
 - (ii) for a total of not less than two years, for successive or intermittent periods of not less than 32 weeks and with intervals of not more than 16 weeks between those periods.

Meaning of part-time employment

15 A person holds regular employment on a part-time basis where the person is employed for less than 28 hours per week, not including overtime hours.

Meaning of temporary employment

16 A person holds a regular employment on a temporary basis where the person:

- (a) has held the employment for less than one year before the date of the accident;
- (b) during the course of the employment, has been employed for not less than 28 hours per week, not including overtime hours; and
- (c) is not covered by clause 14(b).

Meaning of employment being available

17 For the purposes of clause 134(c) of the Act, an employment is available to a victim in the region of Saskatchewan where the victim resides when, at the time the insurer determines an employment for the victim:

- (a) the employment is being performed or is about to be performed by the victim; or

- (b) the employment or the category of employment exists and is likely to continue as an employment or category of employment within the foreseeable future.

Meaning of unable to hold employment

18 A victim is unable to hold employment when a bodily injury that was caused by the accident renders the victim entirely or substantially unable to perform the essential duties of the employment that the victim:

- (a) performed at the time of the accident; or
- (b) would have performed but for the accident.

**CALCULATION OF INCOME REPLACEMENT
BENEFITS FOR CERTAIN PERSONS**

Calculating income replacement benefits where employment would have been held

19(1) An income replacement benefit for a temporary earner or part-time earner to be calculated pursuant to section 114 of the Act or a non-earner to be calculated pursuant to section 116 of the Act, is to be calculated based solely on the time that the victim would have actually been employed during the first 180 days after the accident.

(2) An income replacement benefit for a student to be calculated pursuant to section 120 of the Act or a youth to be calculated pursuant to section 125 of the Act is to be calculated based solely on the time that the victim would have actually been employed during the period for which the income replacement benefit is being calculated.

DETERMINATION OF GROSS YEARLY EMPLOYMENT INCOME

GYEI not derived from self-employment

20 Subject to these regulations, a victim's gross yearly employment income not derived from self-employment at the time of the accident is the sum of the following amounts:

- (a) in the case of a full-time earner, the salary or wages, excluding benefits or commissions in clauses (d) and (e), received or receivable with respect to employment that the full-time worker held or would have held if the accident had not occurred and that are the greater of:
 - (i) the salary or wages received or receivable for the pay period in which the accident occurred, multiplied by the number of pay periods in the year; and
 - (ii) the salary or wages received or receivable in the 12-month period prior to the date of the accident;
- (b) in the case of a temporary earner or part-time earner, the salary or wages excluding benefits or commissions in clauses (d) and (e), received or receivable with respect to employment that the temporary earner or part-time earner held or would have held if the accident had not occurred and that are the greater of:

- (i) the salary or wages received or receivable for the pay period in which the accident occurred multiplied by the number of pay periods in the year;
 - (ii) the salary or wages received or receivable in the 12-month period prior to the date of the accident; and
 - (iii) the salary or wages received or receivable during the first 180 days after the date of the accident divided by 180 and then multiplied by 365;
- (c) in the case of a non-earner, the salary or wages, excluding benefits or commissions in clauses (d) and (e), from an employment that the non-earner would have held, if the accident had not occurred, during the first 180 days after the date of the accident divided by the number of days the employment would have been held and then multiplied by 365;
- (d) any of the following benefits, to the extent that the benefit is not received as a result of the accident and to the extent that the benefit is regularly payable to the claimant:
- (i) a bonus received or earned in the 52 weeks before the date of the accident;
 - (ii) tips, in the amount that is the greater of:
 - (A) the amount reported in the victim's personal income tax return for the calendar year before the year in which the accident occurred; and
 - (B) the amount reported in the victim's personal income tax return for the calendar year in which the accident occurred;
 - (iii) remuneration for overtime hours that is received or earned in the 52 weeks before the date of the accident;
 - (iv) the cash value from a profit-sharing plan allocation received or earned in the 52 weeks before the date of accident;
 - (v) the value of the personal use of a motor vehicle provided by an employer at the time of the accident, in the amount reported in the victim's personal income tax return for the calendar year before the year in which the accident occurred or, where no amount was reported, in an amount calculated pursuant to subsection 6(1) of the *Income Tax Act* (Canada) as an annualized benefit;
 - (vi) the cash value of premiums of employer funded benefit plans paid to the victim in the 52 weeks before the date of the accident;
 - (vii) the cash value of any other benefit received or that the victim was entitled to receive in the 52 weeks before the date of the accident, excluding employer funded benefit plans;
- (e) commissions, in the amount that is the greatest of the commissions earned or to which the victim was entitled:
- (i) for the 52 weeks before the date of the accident;

- (ii) for the calendar year before the date of the accident;
- (iii) for the three calendar years before the date of the accident divided by three.

GYEI derived from self-employment

21(1) In this section, “**business income**” means the income derived from self-employment, by way of a proprietorship or partnership interest, less any expense that relates to the income and is allowed pursuant to the *Income Tax Act* (Canada) and *The Income Tax Act* but does not include:

- (a) any capital cost allowance or allowance on eligible capital property;
 - (b) any capital gain or loss;
 - (c) any loss deductible pursuant to section 111 of the *Income Tax Act* (Canada); or
 - (d) any mandatory or optional inventory adjustments pursuant to section 28 of the *Income Tax Act* (Canada).
- (2) Subject to section 22, a victim’s gross yearly employment income derived from self-employment that was carried on at the time of the accident is the greatest amount of business income that the victim received or to which the victim was entitled within the following periods:
- (a) the 52 weeks before the date of the accident;
 - (b) the 52 weeks before the fiscal year-end preceding the date of the accident;
 - (c) where the victim has operated the business for not less than two fiscal years before the date of the accident, the 104 weeks before the fiscal year-end preceding the date of the accident divided by two;
 - (d) where the victim has operated the business for not less than three fiscal years before the date of the accident, the 156 weeks before the fiscal year-end preceding the date of the accident divided by three.

GYEI of a temporary or part-time earner

22(1) The gross yearly employment income of a temporary or part-time earner for the first 180 days after the date of the accident is the amount calculated pursuant to sections 20 and 21.

(2) The gross yearly employment income for a temporary earner or part-time earner after the 180th day after the date of the accident is the greatest of the amounts calculated pursuant to:

- (a) subsection (1); and
 - (b) sections 23 and 24.
- (3) Where the gross yearly employment income for a part-time earner is determined on the basis of the class of employment as required by sub-clause 114(2)(b)(i) of the Act and clause 25(b) of these regulations, the gross yearly employment income is to be reduced in accordance with section 29.

GYEI for determined employment

23 The gross yearly employment income of a victim who, at the time of the accident, held employment corresponding to employment determined for him or her by the insurer and who, in the five calendar years preceding the date of the accident, held that employment is the greatest gross yearly employment income earned by the victim from the employment in any of those calendar years, including any benefits mentioned in sections 20 and 21, where the income is annualized, indexed pursuant to section 28 and then adjusted pursuant to section 27.

GYEI for determined employment held previously

24(1) The gross yearly employment income of a victim who, at the time of the accident, does not hold the employment determined for him or her by the insurer but who, in the five calendar years preceding the date of the accident, held that employment is the greatest gross yearly employment income earned by the victim from the employment in any of those calendar years, including any benefits mentioned in sections 20 and 21, where the income is annualized, indexed pursuant to section 28 and then adjusted pursuant to section 27.

(2) The gross yearly employment income of a victim who, at the time of the accident, does not hold employment corresponding to employment determined for him or her by the insurer and who, in the five calendar years preceding the date of the accident, never held that employment is the gross yearly employment income set out in Appendix A for the employment determined by the insurer and adjusted pursuant to section 27.

(3) The gross yearly employment income of a non-earner after the 180th day after the date of the accident is the greater of the amounts calculated pursuant to subsections (1) and (2).

GYEI for classes of employment

25 The classes of employment and the corresponding gross yearly employment incomes set out in Appendix A apply to calculating the gross yearly employment income pursuant to the following provisions of the Act:

- (a) subclause 112(2)(b)(i) in the case of full-time earners;
- (b) subclause 114(2)(b)(i) in the case of temporary earners or part-time earners;
- (c) subclause 120(2)(b)(i) in the case of students;
- (d) subclause 125(2)(b)(i) in the case of youths;
- (e) section 131 in the case of an employment determined for 181st day after the date of the accident;
- (f) section 132 in the case of an employment determined pursuant to that section;
- (g) section 133 in the case of an employment determined at end of a student's current studies or a youth's studies.

GYEI for part-time determined employment

26 Where the insurer determines that a victim can hold only part-time employment, the gross yearly employment income of the victim calculated pursuant to sections 23 to 25 is to be reduced in accordance with section 29 and not adjusted pursuant to section 27.

Income adjustment

27(1) In this section, “**reference period**” means a maximum of the five calendar years preceding the date of an accident.

(2) Subject to subsections (3) and (6), the adjustment mentioned in sections 22 to 24 is based on the victim’s ratio of presence at work during the reference period and is the greatest of the following:

- (a) the number of months the victim held any employment in the calendar year preceding the date of the accident divided by 12;
- (b) the number of months the victim held any employment in the reference period divided by 60;
- (c) the sum of the number of months that the victim held any employment in each consecutive calendar year preceding the date of the accident in which the victim held employment, to a maximum of five calendar years, divided by the product resulting from multiplying the number of those years by 12.

(3) The divisors in clauses (2)(a) to (c) are to be reduced by the number of months in those periods in which the victim was a youth or student or not capable of holding employment.

(4) For the purposes of calculating a victim’s ratio of presence at work, a month in which a period of employment begins or ends is deemed to be a complete month of presence at work.

(5) For the purposes of sections 23 to 25, the gross yearly employment income of a victim mentioned in those sections is the greater of:

- (a) the amount calculated in accordance with the following formula:

$$AGYEI = A \times B$$

where:

AGYEI is the adjusted gross yearly employment income;

A is the gross yearly employment income determined pursuant to section 22, 23 or 24 of these regulations and indexed, if applicable, pursuant to section 28; and

B is the victim’s ratio of presence at work determined pursuant to subsection (2); and

- (b) the minimum wage established pursuant to Part II of *The Labour Standards Act* determined, except in the case of a part-time employment, on the basis of a 40-hour work week.

(6) For the purposes of sections 22 to 24, no adjustment is to be made pursuant to this section when the victim:

- (a) at the time of the accident, had been unemployed for less than 12 consecutive months or had held a temporary or part-time employment for less than 12 consecutive months; and
- (b) either:
 - (i) held regular full-time employment for the rest of the reference period; or
 - (ii) became able to hold full-time employment only in the last year of the reference period.

Indexation

28 The indexation required by section 23 and subsection 24(1) is to be calculated in accordance with the following formula:

$$\text{UGYEI} = C \times D$$

where:

UGYEI is the unadjusted gross yearly employment income of a victim;

C is the victim's gross yearly employment income calculated pursuant to section 23 or subsection 24(1) before indexation pursuant to this section and adjustment pursuant to section 27; and

D is the ratio of the industrial average wage, as calculated in accordance with subsections 100(2), (3) and (4) of the Act, for the year of the accident to the industrial average wage for the terminating year of the employment determined for the purposes of sections 115 and 117 of the Act.

Reduction of GYEI

29 The reduction of gross yearly employment income mentioned in subsection 22(3) and section 26 is to be calculated in accordance with the following formula:

$$R = \text{GYEI} \times \frac{30 - N}{30}$$

where:

R is the reduction in gross yearly employment income;

GYEI is the gross yearly employment income calculated pursuant to section 22, 23 or 25; and

N is the number of hours the victim can work on a weekly basis.

COMPUTATION OF NET INCOME

Net income is GYEI less certain deductions

30(1) In these regulations, the net income of a victim is the gross yearly employment income of the victim calculated pursuant to these regulations less:

- (a) any income tax payable by the victim, calculated pursuant to subsection (3);

- (b) any premiums payable by the victim respecting unemployment insurance, calculated pursuant subsection (5); and
 - (c) any contributions payable by the victim respecting the *Canada Pension Plan*, calculated pursuant subsection (6).
- (2) In these regulations, a victim's taxable income is the gross yearly employment income of the victim calculated pursuant to these regulations less:
- (a) any amount allowable to the victim pursuant to clauses 60(b), (c) and (c.2) of the *Income Tax Act* (Canada) in the calendar year before the year for which the taxable income is calculated and prorated as required when the gross yearly employment income exceeds the maximum insurable earnings; and
 - (b) any amount of the gross yearly employment income that would have been exempt from the victim's income tax pursuant to clause 81(1)(a) of the *Income Tax Act* (Canada) as that clause was at the time of the accident.
- (3) For the purposes of these regulations, the income tax payable by a victim is the tax payable on the taxable income of the victim calculated in accordance with the *Income Tax Act* (Canada) and *The Income Tax Act* (Saskatchewan), allowing only the following credits:
- (a) the credit allowed pursuant to section 118.7 of the *Income Tax Act* (Canada), where "B" in the formula set out in that section is the total of:
 - (i) the premium payable for unemployment insurance, as determined pursuant to subsection (5) of this section; and
 - (ii) the contributions payable respecting the *Canada Pension Plan*, as determined pursuant to subsection (6) of this section;
 - (b) the credits allowed in the following sections of the *Income Tax Act* (Canada), without reducing the credit or deduction respecting the income of a dependant mentioned in clause 137(2)(b) of the Act:
 - (i) subsections 118(1) and (2);
 - (ii) section 118.3;
 - (iii) section 118.8 with respect to the credit for the mental or physical impairment of a spouse;
 - (c) any credit or deduction from tax allowed pursuant to *The Income Tax Act* (Saskatchewan), without reducing the credit or deduction respecting the income of a dependant mentioned in clause 137(2)(b) of the Act.
- (4) For the purposes of subsections (5) and (6), the gross yearly employment income of a victim, as calculated pursuant to these regulations, is the pensionable earnings of the victim for the purposes of the *Canada Pension Plan* and the insurable earnings of the victim for the purposes of the *Unemployment Insurance Act* (Canada) not derived from self-employment.

(5) In these regulations, the premiums payable pursuant to the *Unemployment Insurance Act* (Canada) are the amounts payable by the victim as an employee's premium for the year pursuant to that Act respecting the victim's insurable earnings, not exceeding the maximum amount payable by him or her for the year pursuant to that Act.

(6) In these regulations, the contributions payable pursuant to the *Canada Pension Plan* are the amounts payable by the victim as an employee's contribution for the year pursuant to the *Canada Pension Plan* respecting the victim's pensionable earnings, not exceeding the maximum amount payable by him or her for the year pursuant to the plan.

REPLACEMENT WORKER BENEFIT

Election for replacement worker ceases

31 For the purposes of subsection 141(1) of the Act, if a victim has elected to receive a benefit to hire a replacement worker and the victim subsequently sells, leases, dissolves, terminates or otherwise disposes of the business operation carried on by the victim at the time of the accident, the election to receive the replacement worker ceases to have effect on that sale, lease, dissolution, termination or disposition and, if the victim is otherwise entitled, the victim shall receive an income replacement benefit.

Only one benefit receivable

32 A victim may receive either, but not both of:

- (a) an income replacement benefit; or
- (b) a replacement worker benefit pursuant to section 141 of the Act.

PART V

Death Benefits

Calculation of death benefit

33 In the definition of IRB in subsection 146(1) of the Act, the phrase "**the weekly income replacement benefit that the deceased victim would have been entitled to arising out of the accident**" means the weekly income replacement benefit the deceased victim would have been entitled to calculated on the basis of the gross yearly employment income that the deceased victim earned from his or her employment at the time of the accident.

Method of capitalization

34 For the purposes of subsection 148(3) of the Act, the insurer shall determine the capitalized value of the surviving spouse's benefit based on standard mortality tables published by Statistics Canada using a discount rate of 3% per year.

Entitled to educational benefit

35(1) A surviving spouse shall apply for an educational benefit within five years from the date of the accident.

(2) For the purposes of subsection 152(2) of the Act, an educational benefit is to be used to reimburse the surviving spouse for the following expenses actually incurred by the surviving spouse to attend an educational institution:

- (a) tuition fees;
- (b) required books or other course materials;
- (c) child care;
- (d) room and board, where the course of study at the educational institution is not available at the surviving spouse's place of residence and the surviving spouse is required to relocate in order to attend that educational institution.

(3) A surviving spouse is eligible for not more than 25% of the maximum educational benefit payable in any one calendar year.

(4) The insurer may waive or modify the limitation mentioned in subsection (3) if it is satisfied that the waiver or modification is reasonably required by the surviving spouse.

PART VI

Permanent Impairment Benefits

Compensation for permanent impairment based on Appendix B

36 Compensation for permanent impairments is to be determined on the basis of Appendix B.

Evaluation of impairment to symmetrical parts of the body

37 Subject to sections 38 and 39 and Appendix B, where a permanent anatomical or physiological deficit resulting from an accident impairs symmetrical parts of the body, or impairs a part of the body that is symmetrical to a part of the body that was permanently impaired before the accident, the percentage of the permanent impairment for that deficit for the purposes of Division 6 of Part VIII of the Act is determined in accordance with the following formula:

$$P = PB + (TB \times 0.25)$$

where:

P is the percentage to be used pursuant to Division 6 of Part VIII of the Act;

PB is the percentage attributed to the deficit arising from the accident;
and

TB is the total percentage of anatomical or physiological deficits impairing the more severely impaired symmetrical part of the victim's body.

Application of section 37

38 Section 37 does not apply to an anatomical or physiological deficit that:

- (a) affects an internal organ;
- (b) affects an organ controlling vision, balance or hearing; or
- (c) results from an injury to the central nervous system.

Percentage fixed for deficit existing before accident

39 For the purposes of section 37, the percentage of an anatomical or physiological deficit existing before an accident is to be determined using Appendix B or, if the anatomical or physiological deficit does not appear in Appendix B, by using Appendix B as a guideline.

Computation of more than one permanent impairment

40(1) Where a victim has more than one permanent impairment, the percentage of the most severe impairment is computed on the basis of 100% and the percentages of the other impairments, starting with the highest, are computed on the successive remainders, in accordance with Appendix C.

(2) Notwithstanding subsection (1), a percentage of 5% or less attributed to a permanent impairment is not to be computed on the successive remainders, but is to be added to the percentage resulting from the computation of the most severe impairment pursuant to subsection (1).

Section 40 not to be applied to percentage based on enhancement factor

41 Section 40 does not apply to the percentage obtained by applying the enhancement factor mentioned in section 37.

Enhancement factor to be added after computation of successive remainders

42 Where sections 36 to 40 apply to a victim, the percentage resulting from the enhancement factor mentioned in section 37 is added to the other percentages of deficits after the computation on successive remainders has been made.

PART VII Benefits for Expenses

Reimbursement is subject to Appendices and limits

43 An expense for which the insurer may be or is required to reimburse a victim pursuant to Division 7 of Part VIII of the Act or this Part is subject to any limit set out in the Act or these regulations or, where there is no limit as to amount, to an amount that the insurer considers is reasonable.

Reimbursement of personal home assistance under Appendix D

44 Subject to the maximum amount set pursuant to section 158 of the Act, where a victim incurs an expense for personal home assistance that is not covered pursuant to any other Act and provides the insurer with receipts for that expense, the insurer shall reimburse the victim for the expense in accordance with Appendix D.

Interpretation “regularly unable to hold any employment”

45 For the purposes of sections 159 and 161 of the Act and in clauses 47(b) and (d) of these regulations, “**regularly unable to hold any employment**” means regularly unable to hold employment as a result of a mental or physical impairment.

Meaning of unable to take care

46 For the purposes of sections 159 and 161 of the Act, a victim is unable to take care of a person when a bodily injury that was caused by the accident renders the victim entirely or substantially unable to perform the essential duties that:

- (a) the victim performed in taking care of the person at the time of the accident; or

- (b) the victim would have performed but for the accident.

Adjustment of expenses of victim who cares for other person

47 Subject to the maximum amounts set out in subsections 159(3) and 161(3) of the Act, the insurer shall adjust the expenses to which a victim is entitled pursuant to sections 159 and 161 of the Act in the following circumstances:

- (a) the addition of a child under 16 years of age as a resident in the victim's residence;
- (b) the addition of a person who is regularly unable to hold any employment and is a resident in the victim's residence;
- (c) the death of a person mentioned in clause (a) or (b);
- (d) the 16th birthday of a child residing in the victim's residence unless, on that day, he or she is regularly unable to hold any employment;
- (e) where the person mentioned in clause (b) becomes regularly able to hold employment;
- (f) the absence from the victim's residence of a person mentioned in clause (a) or (b) for not less than 28 consecutive days, if the absence is not owing to the victim's accident;
- (g) the return to the victim's residence of a person mentioned in clause (f) for at least 14 consecutive days.

Benefit payable for replacement worker

48 The insurer shall determine the amount of the benefit payable pursuant to section 162 of the Act on the basis of the cost of replacement labour.

Reimbursement of medical expenses

49 The insurer shall reimburse a victim for an expense incurred by a victim to receive medical or paramedical care where:

- (a) the care is medically required and is dispensed by a practitioner, whether inside or outside Saskatchewan; and
- (b) the cost of the care would not be reimbursed pursuant to any other Act.

Travel, meals and accommodation

50(1) Subject to this section and to sections 51 to 57, the insurer shall reimburse a victim for travel, meals and accommodation expenses incurred by a victim to receive care from a practitioner.

(2) The maximum amount the insurer shall reimburse a victim for the following expenses is:

- (a) in the case of ambulance costs, the amount billed;
- (b) in the case of travel by automobile, \$0.26 per kilometre;
- (c) in the case of meals:
 - (i) for breakfast, \$6;
 - (ii) for lunch, \$8.50;
 - (iii) for dinner, \$10.50;

to a maximum of \$25 per day;

(d) in the case of commercial accommodation, all expenses the insurer considers reasonable;

(e) in the case of private accommodation, \$15 per day.

Expenses beyond 100 kilometres from victim's residence

51(1) Where a victim incurs an expense for travel or accommodation to receive care at a distance of more than 100 kilometres from the victim's residence when the care is available on a timely basis within 100 kilometres of the victim's residence, the insurer shall pay only the expenses for travel or accommodation that would have been incurred by the victim if the care had been received within the 100 kilometre radius.

(2) Subsection (1) does not apply to an expense incurred by a victim for transportation from the scene of the accident to a hospital.

Ambulance prescribed by physician

52 Where a physician requires that a victim be transported by ambulance to receive care, the insurer shall reimburse the victim for the expense incurred by the victim for the transportation.

Common carrier

53 Subject to section 55, the insurer shall reimburse a victim for an actual expense incurred by a victim for transportation by common carrier.

Parking and tolls while using private vehicle

54 The insurer shall reimburse a victim for an expense incurred by a victim for parking, if the expense:

- (a) is incurred while the victim is using a private vehicle; and
- (b) is incurred for a purpose related to Division 7 or Division 8 of Part VIII of the Act.

Transportation by air

55 The insurer shall reimburse a victim for an expense incurred by the victim for air transportation if:

- (a) other available means of transportation are inadequate or dangerous because of travel time or road or weather conditions; or
- (b) air transportation is less expensive than other available means of transportation.

Emergency transportation

56 The insurer shall reimburse a victim for an expense incurred by a victim for emergency transportation when circumstances warrant its use.

Accommodation away from residence

57 The insurer shall reimburse a victim for an expense incurred by a victim for accommodation away from the victim's residence:

- (a) when the distance between the place where the victim must receive care and the residence so warrants; or
- (b) when the victim's state of health so warrants.

Travel and accommodation for person accompanying victim

58 The insurer shall reimburse a person accompanying a victim for travel and accommodation expenses covered by sections 164 and 171 of the Act, and sections 50 to 57 of these regulations apply, with any necessary modification, to calculating the amount of the reimbursement paid.

Loss of earnings by person accompanying victim

59 The insurer shall reimburse a victim or a person accompanying a victim for any actual loss of earnings incurred by the victim or the person in order for the victim to undergo an examination pursuant to section 170 of the Act.

Long-distance telephone calls

60 The insurer shall reimburse a hospitalized victim for expenses incurred by the victim for long-distance telephone calls made by the victim, to a maximum of \$50 for each 30-day period.

Long-distance telephone call for medical reason

61 The insurer shall reimburse a victim for an expense incurred by a victim for a long-distance telephone call made by the victim to make an appointment to undergo an examination required pursuant to section 170 of the Act.

Prosthesis and orthosis

62 Subject to sections 63 to 73, the insurer shall reimburse the victim for any expense that the insurer considers reasonable and proper and that the victim incurs for the purchase, rental, repair, replacement, fitting or adjustment of a prosthesis or orthosis if the prosthesis or orthosis is medically required and prescribed by a practitioner.

Eyeglasses, ocular prosthesis or contact lenses not worn before accident

63 Where a victim did not wear eyeglasses, an ocular prosthesis or contact lenses before the accident, the insurer shall reimburse the victim for any expense incurred by the victim to purchase, fit and adjust eyeglasses, an ocular prosthesis or contact lenses.

Hairpiece not worn before accident

64 Where a victim did not wear a hairpiece before the accident, the insurer shall reimburse the victim for expenses incurred by the victim to purchase, fit and adjust a hairpiece.

Dentures not worn before accident

65(1) Subject to subsection (2), where a victim did not have a denture before the accident, the insurer shall reimburse the victim for expenses incurred by the victim to purchase, fit and adjust a denture.

(2) The insurer shall reimburse the victim for expenses incurred by the victim to purchase, fit and adjust a fixed dental prosthesis resting on an implant only where a fixed prosthesis not resting on an implant would not be medically effective.

Repair, replacement, fitting or adjustment of prosthesis or orthosis

66 The insurer shall reimburse a victim for expenses incurred by a victim to repair, replace, fit or adjust anything in sections 62 to 65 that the victim did not wear before the accident where the expenses:

- (a) are incurred:
 - (i) owing to a change in condition resulting from the accident; or

- (ii) owing to ordinary usage of the prosthesis or orthosis; or
- (b) are incurred to enhance the performance of the prosthesis or orthosis.

Prosthesis or orthosis worn before accident

67(1) Subject to subsection (2), the insurer shall reimburse the victim for any expenses incurred by the victim to repair, replace, fit or adjust a prosthesis or orthosis that the victim wore before the accident.

(2) The insurer shall not reimburse a victim for any further expense incurred respecting a prosthesis or orthosis that the victim wore before the accident unless the expense relates to a change in a condition resulting from the accident.

Medication, dressings and other medical supplies

68 The insurer shall reimburse a victim for an expense incurred by the victim to purchase medication, dressings and other medical supplies required for a medical condition resulting from the accident.

Salvage

69 Where the insurer purchases any item pursuant to this Part, it shall, at its discretion, be entitled to retain the salvage of the replaced item.

Prescribed appliance, medical equipment, clothing

70 Subject to sections 71 to 73, the insurer shall reimburse a victim for an expense incurred by the victim to purchase, rent, repair, replace, fit or adjust clothing or a medical appliance or medical equipment if the expense is incurred for a medical reason related to the accident, and on the prescription of a practitioner.

Where victim did not wear or use object before accident

71 Where an expense is incurred pursuant to section 70 for an object the victim did not wear or use before the accident, the insurer shall not reimburse the victim for the expense unless:

- (a) it is incurred:
 - (i) owing to a change in condition resulting from the accident; and
 - (ii) owing to ordinary usage of the object; or
- (b) it is incurred in order to enhance the performance of the object.

Where victim wore or used object before accident

72(1) Where an expense is incurred pursuant to section 70 for an object the victim wore or used before the accident, the insurer shall reimburse the victim for the expense only once.

(2) Notwithstanding subsection (1), if the expense is incurred owing to a change in condition resulting from the accident, the insurer shall reimburse the victim for the expense.

Cost of repair not to exceed 80% of purchase price

73 Notwithstanding sections 66, 67, 70, 71 and 72, the maximum amount the insurer may reimburse a victim for an expense incurred by the victim to repair a prosthesis or orthosis is an amount equal to 80% of the price that was paid for the prosthesis or orthosis.

Clothing worn at the time of the accident

74 Subject to section 75, the insurer shall reimburse a victim for an expense incurred by the victim to clean, repair or replace clothing worn at the time of the accident to a maximum of \$1,000.

Replacement

75 The insurer shall reimburse a victim for an expense incurred to replace clothing if:

- (a) the clothing cannot be adequately repaired or cleaned; or
- (b) the cost of replacement is less than the cost of repair.

Volunteer giving emergency assistance to victim

76(1) If a person voluntarily and without expecting compensation renders emergency first aid assistance or other assistance to a victim, the insurer shall reimburse that person for:

- (a) an expense incurred by that person to clean, repair or replace clothing damaged as a result of rendering the assistance; and
- (b) any other expense necessarily incurred by the person to render the assistance.

(2) Sections 74 and 75 apply, with any necessary modification, to calculating the amount of reimbursement pursuant to clause (1)(a).

Shoes

77 The insurer shall reimburse a victim for an expense incurred by the victim to purchase, manufacture, alter, repair or replace shoes that are prescribed by a physician.

Guardian

78 Where a guardian is appointed for a victim or claimant pursuant to *The Dependent Adults Act*, or a guardian of property is appointed for a victim or claimant pursuant to *The Children's Law Act*, because of circumstances directly related to an accident, the insurer shall reimburse the estate of the victim or claimant for any expenses that the guardian incurred in obtaining the appointment and that are claimed by the guardian from that estate.

PART VIII

Claims

Form of applications

79(1) A claimant shall:

- (a) apply on a form provided by or acceptable to the insurer; and
- (b) sign his or her application.

(2) Notwithstanding subsection (1), if a claimant is incapable of conducting his or her own affairs or is otherwise incapable, a claim on behalf of that claimant may be submitted and signed by the person authorized to represent him or her.

(3) A person who submits a claim on behalf of another person shall state in what capacity he or she is acting and provide proof of his or her authority to act.

Medical examination

80 The examination by a practitioner conducted pursuant to section 170 of the Act must include the following points with respect to the victim:

- (a) a case history, including:
 - (i) reasons for consultation; and
 - (ii) if known to the practitioner:
 - (A) concurrent or pre-existing disorders and diseases;
 - (B) signs or symptoms of concurrent or pre-existing physical or, in the case of an examination by a physician or surgeon or a psychologist, mental disorders at the time of the examination; and
 - (C) a record of treatments prescribed for concurrent or pre-existing disorders and results;
- (b) if known to the practitioner, an occupational history, including:
 - (i) previous occupations and reasons for departure; and
 - (ii) actual or presumed occupation and the abilities required to carry out that occupation in relation to the victim's present condition;
- (c) a physical or, in the case of an examination by a physician or surgeon or a psychologist, a mental examination giving in detail the signs and symptoms of bodily injury caused by the accident;
- (d) an analysis of all reports in relation to bodily injury that are presented to the practitioner by the insurer or the victim;
- (e) a summary of the causal relationship between:
 - (i) the accident and the bodily injury;
 - (ii) the bodily injury and the permanent impairment; and
 - (iii) the bodily injury and the victim's inability to hold real or presumed employment;
- (f) any additional information required by the insurer.

Medical report ordered in support of review or appeal

81 The insurer shall reimburse a person for the cost of a report mentioned in section 174 of the Act to the following maximum amounts:

- (a) \$250 for a report prepared by a practitioner who examined the person for the purpose of making the report;
- (b) where the report is prepared by more than one practitioner, after the person is jointly examined by the practitioners for the purpose of making the report, \$250 for each practitioner to a maximum of three practitioners.

PART IX
Indexation of Benefits

CPI not published

82(1) For the purposes of subsection 187(3) of the Act, where no figure for the “all-items” Consumer Price Index for Saskatchewan is published by Statistics Canada for a month, the insurer shall determine a figure for that month in accordance with the following formula:

$$\text{CPI} = \frac{\text{SCPI}}{12}$$

where:

CPI is the consumer price index to be used in the month; and

SCPI is the sum of the “all items” Consumer Price Index for Saskatchewan, as published by Statistics Canada, for the 12 months preceding that month.

(2) The insurer may adjust the amount calculated pursuant to this section to take account of any exceptional circumstances that occurred during the 12 months preceding the month for which the amount is being calculated.

Change in method of Statistics Canada

83(1) For the purposes of subsection 187(4) of the Act, the insurer shall determine a figure for the “all-items” Consumer Price Index for Saskatchewan based on the lower of the actual change created by the new method and the average of the new method and former method for the 12-month period prior to the introduction of the new method.

(2) After the new method has been utilized by Statistics Canada for 12 months, the insurer shall calculate a figure based on the new method.

PART X
Insurer’s Decisions, Reviews and Appeals

Applications for review

84(1) A claimant who wishes to apply for a review shall:

- (a) apply for review on a form provided by or acceptable to the insurer; and
- (b) sign his or her application for review.

(2) An application for review must include:

- (a) the victim’s name and address;
- (b) the claimant’s name and address, if different from that of the victim;
- (c) the file number assigned by the insurer when the application for compensation was made;
- (d) a summary of the reasons supporting the application for review; and
- (e) any other information that the insurer may reasonably require.

Application by others

85(1) Notwithstanding section 84, if a claimant is incapable of conducting his or her own affairs or is otherwise incapable, an application for review on behalf of that claimant may be submitted and signed by the person authorized to represent him or her.

(2) A person who submits an application for review on behalf of another person shall state in what capacity he or she is acting and provide proof of his or her authority to act.

Receipt of application

86 For the purposes of subsection 194(1) of the Act, an application for review is deemed to be filed with the insurer on the date it is received at an office of the insurer.

Acknowledgment of application

87 On receipt of an application for review from a claimant, the insurer shall send an acknowledgment of receipt to the claimant.

Change in application

88 A claimant may amend or withdraw an application for review at any time by providing the insurer with written notice of the amendment or withdrawal.

Material to be used on review

89 Unless a claimant indicates on the application for review that he or she wishes a hearing to be held, the insurer shall render its decision on the basis of the information in the insurer's records.

Hearing may be requested

90 Where a claimant indicates on the application for review that he or she wishes a hearing to be held, the insurer shall give the claimant not less than 30 days' written notice of the date, time and place of the hearing.

Adjournments

91 On the request of the claimant or on its own initiative, the insurer may adjourn a hearing.

Hearing not public

92 A hearing is not open to the public, but the claimant may authorize any person to attend a hearing.

Experts at hearing

93(1) For the purposes of a review, the insurer or claimant may seek the assistance of an expert and may:

(a) request the expert to attend and make a submission at a review hearing;
or

(b) authorize the expert to prepare a report or opinion for the party retaining the expert.

(2) The party retaining the expert shall:

(a) serve on the opposite party a copy of any submission, report or opinion received pursuant to subsection (1); and

(b) give the opposite party the opportunity to rebut the submission, report or opinion and make a reply respecting all or any part of the submission, report or opinion.

Insurer to notify claimant

94 The insurer shall serve a copy of its decision respecting an application for review on the claimant.

Fee for mediation

95(1) For the purposes of section 196 of the Act, a claimant who requests mediation shall pay the insurer a fee of \$35.

(2) The claimant shall pay the fee at the time the claimant submits his or her written request for mediation.

Appeal to Court of Queen's Bench

96 Every appeal to the Court of Queen's Bench is to be instituted by notice of motion.

Insurer's decision with notice of motion

97 The claimant shall file with his or her notice of motion a copy of the insurer's written decision.

Notice of motion

98 Every notice of motion must set forth:

- (a) the findings of fact made by the insurer;
- (b) the facts that are admitted by the claimant;
- (c) the facts that are denied by the claimant;
- (d) any other material fact;
- (e) the grounds to be argued, including a reference to any statutory provisions relied on;
- (f) a list of the documentary evidence to be used at the hearing of the motion; and
- (g) the relief sought.

Queen's bench location of proceeding

99 A claimant who appeals to the Court of Queen's Bench shall make the appeal at the judicial centre nearest to the place where the claimant resides unless the claimant and insurer agree otherwise.

Queen's Bench rules apply

100(1) Where the procedure is not specially set forth in these regulations, the practice and procedure as set forth in *The Queen's Bench Rules* apply, with any necessary modification, to the proceedings.

(2) In the absence of a provision in *The Queen's Bench Rules*, the Court of Queen's Bench or a judge of that Court may issue any directions that the court or judge considers necessary or appropriate respecting the proceedings.

Solicitor and client costs

101(1) For the purposes of subsection 198(5) of the Act, the insurer shall reimburse a claimant only for solicitor and client costs respecting services rendered and disbursements incurred from the date of filing the claimant's notice of motion to the date judgment is received.

(2) Subject to subsection (3), if a claimant is successful on an appeal pursuant to section 198 or 199 of the Act, the insurer shall reimburse the claimant for costs associated with preparing and filing the claimant's notice of motion in an amount to be determined by the court.

(3) The maximum amount payable to a successful claimant pursuant to subsection (2) is \$600.

PART XI General

Calculation of interest

102 Interest payable pursuant to Part VIII of the Act is to be calculated in accordance with *The Pre-judgment Interest Act*.

Manner of service

103(1) Where notice or other document is required to be given, sent or otherwise served on a person, service may be effected:

- (a) personally;
- (b) by registered mail to the last address provided by the person to the insurer, with post office acknowledgment of the receipt card; or
- (c) by certified mail to the last address provided by the person to the insurer.

(2) A notice or document served by mail pursuant to subsection (1) is deemed to be served on the day that Canada Post confirms is the day on which the notice or document was delivered to the address to which it is mailed.

(3) Where a victim or claimant is represented by an agent who has provided the insurer with proof of his or her authority to act as agent for the person, service on the agent constitutes service on the person.

Advances

104(1) Where the insurer is authorized or required by these regulations to reimburse a victim or claimant for an expense incurred by a victim or claimant, the insurer may advance moneys to or on behalf of the victim or claimant to pay for the expense before it is incurred if the insurer considers it necessary or appropriate to do so.

(2) Where the insurer advances moneys to or on behalf of a victim or claimant pursuant to subsection (1), the victim or claimant shall provide the insurer with any receipts or other information the insurer may reasonably require to show that the expense for which the advance was made has been incurred.

PART XII Coming Into Force

Coming into force

105(1) Subject to subsection (2), these regulations come into force on the day that section 100 of the Act, as enacted by *The Automobile Accident Insurance Amendment Act, 1994*, comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day that section 100 of the Act, as enacted by *The Automobile Accident Insurance Amendment Act, 1994*, comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix A

[Subsection 24(2) and section 25]

Classes of Employment

Determination of level of experience

1 For the purposes of Table 1 of this Appendix, the insurer shall determine the level of experience that the victim has in the class of employment determined for the victim, in accordance with the following:

- (a) “**Level 1**” means less than 36 months of experience immediately prior to the accident;
- (b) “**Level 2**” means 36 months or more but less than 120 months of experience immediately prior to the accident;
- (c) “**Level 3**” means 120 months or more of experience immediately prior to the accident.

Calculation of months

2 For the purpose of calculating the number of months of experience pursuant to section 1 of this Appendix, a month in which an employment begins or ends is deemed to be a complete month of experience.

Indexation of gross yearly employment incomes

3(1) The gross yearly employment incomes appearing in Table 1 are to be adjusted in accordance with the following formula:

$$AGYEI = GYEI \times \frac{IAWY}{IAWY95}$$

where:

AGYEI is the adjusted gross yearly employment income;

GYEI is the gross yearly employment income appearing in Table 1;

IAWY is the average of the industrial average wage for the 12 months before July 1 of the year before the year for which the adjustment in gross income is being calculated; and

IAWY95 is the average of the industrial average wage for the 12 months before July 1, 1994.

(2) The first adjustment pursuant to this section is to be made on January 1, 1996.

Table

4 In Table 1:

- (a) “**n.e.c.**” means not elsewhere classified;
- (b) the dollar figures are for full-time work for a full year; and

(c) when an income level in the Table is less than the annual minimum income established pursuant to Part II of *The Labour Standards Act* on the basis of a 40-hour work week, the annual minimum income is to be used.

Non-classified occupations

5 For occupations that are not classified in this Appendix, the insurer shall calculate the gross yearly employment income on the basis of the gross yearly employment income the victim earned from his or her employment.

TABLE 1
[Appendix A]

**TABLE OF CLASSES OF EMPLOYMENT
Employment Income by Occupation**

	Level 1	Level 2	Level 3
	\$	\$	\$
1. MANAGERIAL, ADMINISTRATIVE AND RELATED OCCUPATIONS			
Officials and Administrators Unique to Government			
Government Administrators	28,819	47,859	57,302
Post Office Management Occupations	22,386	31,491	36,036
Inspectors and Regulatory Officers, Government	35,300	42,124	50,533
Officials and Administrators Unique to Government	41,087	43,842	52,826
Other Managers and Administrators			
General Managers and Other Senior Officials Management Occupations, Natural Sciences and Engineering	28,568	53,759	67,653
Management Occupations, Social Sciences and Related Fields	43,794	65,105	77,175
Administrators in Teaching and Related Fields	43,680	44,815	54,600
Administrators in Medicine and Related Fields	46,888	56,318	67,384
Financial Management Occupations	41,592	45,461	54,600
Personnel and Industrial Relations Management Occupations	31,628	47,845	59,182
Sales and Advertising Management Occupations	24,570	44,321	62,500
Purchasing Management Occupations	22,198	33,804	46,633
Service Management Occupations	26,873	37,158	48,372
Production Management Occupations	12,324	22,149	31,561
Management Occupations, Construction Operations	31,488	44,990	58,317
Farm Management Occupations	27,300	45,732	58,559
Management Occupations, Transport and Communications Operations	5,233	17,715	27,547
Mines, Quarries and Oil Wells	32,383	51,873	62,482
Manufacturing Durable Goods	40,950	61,737	85,050
	27,710	48,211	62,205

Manufacturing Non-Durable Goods	27,300	34,526	53,124
Construction	22,750	35,463	40,950
Transportation and Communication and other Utilities	37,947	47,869	56,408
Trade	27,300	34,439	41,828
Community, Business and Personal Services	23,027	34,715	45,396
Other Managers and Administrators, n.e.c.	27,788	42,052	56,637

**Occupations Related to Management
and Administration**

Accountants, Auditors and Other Financial Officers	29,476	38,434	47,136
Organization and Methods Analysts	38,220	55,079	61,740
Personnel and Related Officers	29,382	44,121	48,744
Purchasing Officers and Buyers, Except Wholesale and Retail Trade	30,526	38,579	49,140
Occupations Related to Management and Administration, n.e.c.	25,116	40,078	51,786

**2. OCCUPATIONS IN NATURAL SCIENCES,
ENGINEERING AND MATHEMATICS**

Occupations in the Physical Sciences

Chemists	30,788	47,445	51,633
Geologists and Meteorologists	38,903	53,975	69,342
Physical Sciences Technologists and Technicians	31,315	40,969	52,078

Occupations in Life Sciences

Agriculturists and related Scientists	29,156	44,978	52,065
Biologists and related Scientists	43,680	47,860	54,600
Life Sciences Technologists and Technicians	32,608	33,545	39,761

**Architects Engineers and
Community Planners**

Civil Engineers	37,485	46,379	59,413
Electrical Engineers	43,680	46,256	55,519
Industrial Engineers	32,760	45,287	60,060
Mechanical Engineers	35,180	54,868	61,916
Metallurgical, Mining and Petroleum Engineers	42,390	55,263	73,206
Professional Engineers n.e.c. and Community Planners	42,560	46,374	58,272

**Other Occupations in Architecture
and Engineering**

Surveyors	30,240	36,012	49,140
Draughting Occupations	32,760	35,377	43,680
Engineering Technologists and Technicians	32,305	40,970	49,372

Occupations in Mathematics, Statistics, Systems Analysis and Related Fields			
Systems Analysts, Computer Programmers and Related Occupations	35,692	42,878	53,319
3. OCCUPATIONS IN SOCIAL SCIENCES AND RELATED FIELDS			
Occupations in Social Services			
Economists and Psychologists	35,100	47,336	54,709
Occupations in Social Work and Related Fields			
Social Worker	24,954	36,107	42,874
Other Occupations in Welfare, Social Work and Community Services	17,574	25,114	33,593
Occupations in Law			
Lawyers and Notaries	30,899	56,462	63,728
Occupations in Library, Museum and Archival Sciences			
Librarians, Archivists and Conservators	22,181	33,345	43,680
Occupations in Social Sciences Related Fields			
Education and Vocational Counsellors	23,825	41,936	54,600
4. OCCUPATIONS IN RELIGION			
Ministers of Religion	17,693	26,317	32,152
5. TEACHING AND RELATED OCCUPATIONS			
University Teachers	40,523	66,762	81,047
University Teaching and Related Occupations, n.e.c.	14,333	34,166	40,131
Elementary and kindergarten Teachers	32,790	41,310	49,140
Secondary School Teachers	32,790	46,079	54,600
Community College and Vocational School Teachers	23,708	41,222	57,504
Teachers of Exceptional Students	15,868	29,982	46,872
Instructors and Training Officers	25,935	41,889	55,575
Other Teaching and Related Occupations, n.e.c.	33,670	37,541	43,290

6. OCCUPATIONS IN MEDICINE AND HEALTH

Health Diagnosing and Treating Occupations

Physicians and Surgeons	34,808	99,299	Greater than 100,000
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Nursing, Therapy and Related Assisting Occupations

Supervisors: Nursing, Therapy and Related Assisting Occupations	43,680	44,252	49,140
Nurses, Registered and Graduate	29,360	38,515	41,297
Registered Nursing Assistants	23,888	26,494	32,760
Nursing Attendants	18,564	23,523	27,300
Physiotherapists, Occupational Therapists and Audio and Speech Therapists	24,842	34,486	45,010
Nursing, Therapy and Related Assisting Occupations, n.e.c.	20,475	24,464	29,069

Other Occupations in Medicine and Health

Pharmacists	39,414	44,712	50,676
Radiological Technologists and Technicians	38,220	38,207	40,950
Medical Laboratory Technologists and Technicians	30,526	34,697	42,225
Dental Hygienists and Dental Assistants, and Dental Laboratory Technicians	21,000	22,650	29,235
Other Occupations in Medicine and Health, n.e.c.	15,805	25,635	33,784

7. ARTISTIC, LITERARY, RECREATIONAL AND RELATED OCCUPATIONS

Advertising and Illustrating Artists and Product/Interior Designers	21,704	27,138	32,555
Photographers and Camera Operators	23,400	33,695	38,220

Occupations in Performing and Audiovisual Arts

Producers and Directors, Performing and Audio-visual Arts	21,840	31,642	43,243
Radio and Television Announcers	16,380	22,303	29,575

Occupations in Writing

Writers and Editors	22,560	35,221	43,316
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Occupations in Sports and Recreation

Supervisors: Coaches, Trainers and Instructors	22,534	30,874	47,320
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8. CLERICAL AND RELATED OCCUPATIONS

Stenographic and Typing Occupations

Supervisors: Stenographic and Typing Occupations	25,935	28,497	30,576
Secretaries and Stenographers	21,840	23,666	29,536
Typists and Clerk-typists	16,485	23,513	26,788

Bookkeeping, Account-recording, E.D.P. Operators and Related Clerical Occupations

Supervisors: Bookkeeping, Account-recording and Related Occupations	27,300	29,237	36,343
Bookkeepers and Accounting Clerks	18,095	24,257	31,333
Cashiers and Tellers	16,380	18,130	23,794
Insurance, Bank and Other Finance Clerks	19,656	22,508	27,300
Electronic Data-Processing and Machine Operators	17,395	25,277	31,122
Supervisors: Material Handling, Recording, Library and Related Occupations	24,024	31,554	38,423
Shipping and Receiving Clerks	16,324	26,205	33,769
Stock, Material Recording, Scheduling, Distributing and Related Clerks	19,565	24,798	30,772
Library and File Clerks	21,840	23,518	30,188
Supervisors: Receptionists, Mail, Telephone Operators	33,852	38,460	39,585
Receptionists and Information Clerks	14,333	20,632	27,300
Mail Carriers	30,526	33,771	36,036
Mail and Postal Clerks	23,316	29,271	38,220
Telephone Operators	27,300	27,704	32,760

Other Clerical and Related Occupations

Supervisors: Other Clerical and Related Occupations	22,425	29,628	38,331
Claim Adjusters and Collectors	25,116	29,151	32,241
Travel Clerks, Ticket, Station and Freight Agents	15,416	24,425	31,450
Hotel Clerks	12,558	13,965	16,598
General Office Clerks	17,365	25,190	32,644

9. SALES OCCUPATIONS

Sales Occupations, Commodities

Supervisors	14,478	25,508	36,020
Technical Sales Occupations	41,087	45,177	57,330
Commercial Travellers	26,618	38,939	46,481
Sales Clerks and Sales Persons	11,764	22,677	32,168
Street Vendors and Door-to-door Sales Occupations	5,850	15,359	19,397
Service Station Attendants	8,372	12,916	16,953

Sales Occupations, Services

Supervisors	26,775	39,156	50,800
Insurance Sales Occupations	20,917	33,264	43,680
Real Estate Sales Occupations	15,624	33,039	43,524
Sales Agents and Traders, Securities	25,480	34,304	46,906
Advertising Sales Occupations	21,525	33,791	43,328
Buyers, Wholesale and Retail	23,319	31,751	37,912
Route Drivers	19,500	33,204	40,950

10. SERVICE OCCUPATIONS

Protective Service Occupations

Fire-fighters	41,496	45,128	52,953
Police Officers and Detectives, Government	47,502	52,678	57,876
Guards and Related Security Occupations	14,998	31,369	39,805
Commissioned Officers, Armed Forces	29,738	45,452	56,076
Other Ranks, Armed Forces	34,632	37,033	43,680
Protective Service Occupation, n.e.c.	27,300	36,438	43,680

Food and Beverage Preparation and Related Service Occupations

Supervisors	10,696	18,297	25,755
Chefs and Cooks	8,873	15,671	21,994
Bartenders	11,168	14,340	18,428
Food and Beverage Serving Occupations	10,920	11,436	14,826
Food and Beverage Preparation and Related Service Occupations, n.e.c.	12,881	20,322	26,484

Occupations in Lodging and Other Accommodation

Supervisors	15,095	17,157	23,329
Lodging Cleaners, Except Private Households	9,555	12,294	14,682

Personal Service Occupations

Funeral Directors, Embalmers	25,662	32,616	45,630
Housekeepers, Servants and Cleaners	5,278	10,504	13,195
Barbers, Hairdressers and Related Occupations	10,230	16,389	21,840
Child-care Occupations	5,569	11,303	16,933

Apparel and Furnishings Service Occupations

Laundering and Dry Cleaning Occupations	12,578	20,350	27,300
Pressing Occupations, Apparel Service and Related Occupations, n.e.c.	10,920	14,603	23,500

Other Service Occupations			
Supervisors	13,887	25,561	36,062
Janitors, Charworkers and Cleaners	12,758	22,448	26,023
Occupations in Labouring and Other Elemental Work:	9,173	16,062	23,929
11. FARMING HORTICULTURAL AND ANIMAL HUSBANDRY OCCUPATIONS			
Farmers	4,178	12,011	22,043
Foremen/women: Farming, Horticultural and Animal Husbandry	19,793	24,000	35,627
Livestock Farm Workers	3,742	13,373	20,630
Crop Farm Workers	2,958	9,277	14,196
Nursery and Related Workers	11,931	20,573	29,828
Farm Machinery Operators	3,356	10,031	16,662
Other Farm Workers	2,895	9,452	11,904
12. FISHING, TRAPPING AND RELATED OCCUPATIONS			
N/A			
13. FORESTRY AND LOGGING OCCUPATIONS			
N/A			
14. MINING AND QUARRYING, INCLUDING OIL AND GAS FIELD OCCUPATIONS			
Foremen/women	36,302	55,856	62,961
Rotary Well Drilling and Related Occupations	24,067	34,576	46,590
Rock and Soil Drilling and Blasting Occupations	23,888	42,958	49,140
Mining, Cutting, Handling and Loading Occupations	35,490	43,693	49,564
Labouring and Other Elementary Work	25,315	37,909	47,286
Mining, Including Oil and Gas Fields Occupations, n.e.c.	28,293	41,147	48,854
15. PROCESSING OCCUPATIONS			
Food, Beverage and Related Processing Occupations			
Supervisors	25,025	36,280	47,003
Baking, Confectionery Making and Related Occupations	9,828	18,097	27,504
Slaughtering and Meat Cutting, Canning, Curing and Related Occupations	19,001	27,256	33,335
Milk and Other Beverage Processing and Related Occupations	34,440	36,584	39,764
Labouring and Other Elementary Occupations	26,520	30,411	38,220

16. MACHINING AND RELATED OCCUPATIONS

Metal Machining Occupations

Foremen/women	32,760	35,661	41,695
Machinist and Machine Tool Setting-up Occupations	27,300	28,057	35,100
Tool and Die Making and Machine Tool Operating Occupations	23,758	29,326	32,509

Metal Shaping and Forming Occupations, Except Machining

Foremen/women	24,570	34,573	49,754
Sheet Metal Workers and Metal Working Machine Operators, n.e.c.	15,971	23,551	37,265
Welding and Flame Cutting Occupations	19,592	31,601	39,560

17. PRODUCT FABRICATING, ASSEMBLING AND REPAIRING OCCUPATIONS

Fabricating and Assembling Occupations

Foremen/women	21,060	31,426	38,698
Industrial, Farm, Construction and Other Mechanical	19,656	28,022	30,576
Other Fabricating and Assembling Occupations, Motor Vehicle and Metal Products	19,110	23,462	31,350

Electrical, Electronic and Related Equipment Occupations

Foremen/women	27,300	34,614	51,597
Electrical/Electronic and Related Equipment Fabricating and Assembling Occupations	20,475	31,660	38,084
Electrical/Electronic and Related Equipment Installing and Repairing Occupations	26,513	38,305	48,493
Radio and Television Repairers	17,472	26,442	38,220

Fabricating, Assembling and Repairing Occupations: Wood Products

Foremen/women	16,380	24,875	34,687
Cabinet and Wood Furniture Makers	21,840	21,535	32,760

Fabricating, Assembling and Repairing Occupations: Textile, Fur and Leather Products

Foremen/women	9,828	16,074	22,523
Tailors and Dressmakers	9,282	17,062	18,789
Shoemaking and Repairing Occupations	10,010	19,203	37,096
Upholsters	7,849	13,186	26,163
Sewing Machine Operators, Textile and Similar Materials	9,796	13,499	17,843

Mechanics and Repairers			
Foremen/women	19,538	32,112	42,488
Motor Vehicle Mechanics and Repairers	17,829	26,090	33,943
Aircraft Mechanics and Repairers	31,643	36,681	43,680
Industrial, Farm and Construction Machinery Mechanics and Repairers	24,094	35,780	46,121
Business and Commercial Machine Mechanics and repairers	21,840	30,957	35,831
Watch/Clock and Precision Instrument Repairs	31,489	35,986	44,340
Other Mechanics and Repairers, n.e.c.	20,930	31,627	50,607
Other Product Fabricating, Assembling and Repairing Occupations			
Painting and Decorating Occupations, n.e.c.	20,323	30,643	36,237
Other Product Fabricating, Assembly and Repair	10,920	18,608	32,760
18. CONSTRUCTION TRADES OCCUPATIONS			
Excavating, Grading, Paving and Related Occupations			
Foremen/women	29,610	37,284	43,992
Excavating, Grading and Related Occupations	19,692	31,900	41,695
Railway Section and Track Workers	31,112	33,613	38,077
Occupations in Labouring and Other Elemental Work	17,472	29,100	35,738
Excavating, Grading, Paving and Related Activities, n.e.c.	25,480	31,552	34,398
Electrical Power, Lighting and Wire Communications Equipment Erecting, Installing and Repairing Occupations			
Foremen/women	32,105	47,105	59,307
Electrical Power Line Workers and Related Occupations	45,607	50,693	57,330
Construction Electricians and Repairers	20,001	32,892	45,476
Wire Communications and Related Equipment Installing and Repairing Occupations	40,404	42,606	46,956
Other Construction Trades Occupations			
Foremen/women	18,226	34,895	43,375
Carpenters and Related Occupations	15,754	26,801	36,257
Brick, Stonemasons and Concrete Finishing	18,045	32,119	40,091
Plasters and Related Occupations	14,333	27,305	37,158
Painters, Paper-hangers and Related Occupations	16,683	27,113	36,523
Insulating	26,163	32,296	41,860
Pipefitting, Plumbing and Related Occupations	23,350	32,171	42,758
Structural Metal Erectors	17,940	35,552	43,680
Occupations in Labouring and Other Elementary Work	15,600	27,885	36,400
Other Occupations in Construction Trades, n.e.c.	21,403	27,824	36,483

19. TRANSPORT EQUIPMENT OPERATING OCCUPATIONS

Air Transport Operating Occupations

Air Pilots, Navigators and Flight Engineers	23,400	45,104	57,812
Air Transport Operating Support Occupations	36,628	47,634	60,943

Railway Transport Operating Occupations

Supervisors	39,858	43,692	52,962
Locomotive Operating Occupations	50,778	57,261	62,790
Conductors and Brake Workers, Railway	36,036	46,727	58,754
Railway Transport Operating Support Occupations	43,680	40,548	52,031

Motor Transport Operating Occupations

Foremen/women	20,280	36,088	41,049
Bus Drivers	13,909	29,227	37,899
Taxi Drivers and Chauffeurs	9,339	16,195	27,161
Truck Drivers	20,437	30,031	37,788
Motor Transport Operating Occupations, n.e.c.	15,015	26,142	38,156

20. MATERIAL HANDLING AND RELATED OCCUPATIONS

Foremen/women	20,134	30,959	40,268
Hoisting Occupations	36,855	39,702	49,140
Longshore workers, Stevedores and Freight Handlers	21,973	29,490	38,220
Material Handling Equipment Operators, n.e.c.	23,329	31,112	38,220
Packaging Occupations, n.e.c.	16,153	22,893	32,915
Occupations in Labouring and Other Elemental Work:	25,620	29,507	38,220

21. OTHER CRAFTS AND EQUIPMENT OPERATING OCCUPATIONS

Printing and Related Occupations

Foremen/women	23,825	38,175	47,174
Typesetting and Composing Occupations	16,892	24,552	35,253
Printing Press Occupations	20,748	31,629	41,105
Bookbinding and Related Occupations	21,840	24,401	38,220
Printing and Related Occupations, n.e.c.	14,560	15,344	26,208

Stationary Engine and Utilities Equipment Operating and Related Occupations

Foremen/women	37,256	49,741	65,520
Power Station Operators	34,320	48,079	60,060
Stationary Engine and Utilities Equipment Operating and Related Occupations, n.e.c.	32,140	40,961	53,929

**Electronic Photographic and
Related Communications**

Radio and Television Broadcasting			
Equipment Operators	25,025	33,219	47,695
Photographic Processing	14,519	20,074	25,759

Appendix B

[Section 36]

Schedule of Permanent Impairments

PART 1

ANATOMICAL AND PHYSIOLOGICAL DEFICITS

DIVISION 1

MUSCULO-SKELETAL SYSTEM

SUBDIVISION 1

UPPER LIMB AND SCAPULA

1. Amputation

(a) Inter-scapulo-thoracic disarticulation:	60%
(b) Disarticulation at the shoulder:	56%
(c) Amputation at the proximal third of the humerus:	54%
(d) Amputation at the middle third of the arm:	52%
(e) Disarticulation at the elbow or amputation at the proximal third of the forearm:	50%
(f) Amputation at the middle third of the forearm:	47%
(g) Disarticulation or amputation of the distal third of the forearm:	45%

2. Clavicle, scapula and thoracic cage

(a) Clavicle and scapula:	
(i) acromioclavicular or sternoclavicular dislocation requiring or not requiring resection:	2%
(ii) partial acromioclavicular or sternoclavicular dislocation:	1%
(iii) pseudarthrosis or misalignment:	1%
(b) Sternum:	
(i) pseudarthrosis or misalignment:	1%
(ii) loss of xiphoid process:	0.5%
(c) Rib fractures: pseudoarthrosis or misalignment:	0.5%

3. Humerus

(a) Axial deviation	
(i) of more than 15°:	3 to 5%

(ii) between 10° and 15°:	2.5%
(iii) between 5° and 10°:	1.5%
(b) Shortening	
(i) of more than 4 cm:	5%
(ii) between 2 and 4 cm:	3%
(iii) of less than 2 cm:	1.5%
4. Shoulder	
(a) Rupture of the rotator cuff, including reduction of muscular strength and atrophy, if applicable: depending on the degree of restriction of movement.	
(b) Ankylosis, including the loss of the head of the humerus and shortening,	
(i) with complete ankylosis of the scapula:	25%
(ii) in a faulty position with the scapula being functional:	20%
(iii) in functioning position with the scapula being functional:	15%
(c) Restriction of movement of the shoulder joint	
(i) partial to complete loss of abduction:	0.5 to 6%
(ii) partial to complete loss of front elevation:	0.5 to 3%
(iii) partial to complete loss of external rotation:	0.5 to 2%
(iv) partial to complete loss of internal rotation:	1%
(v) partial to complete loss of adduction or extension:	0.5%
(d) Loss of the head of the humerus, including its prosthetic replacement and any shortening:	5%
5. Biceps: Musculo-tendinous rupture, including any reduction of muscular strength:	2%
6. Elbow	
(a) Ankylosis in a faulty position, including loss of the radial head and any shortening:	14%
(b) Ankylosis in functioning position between 60° and 110°, including loss of the radial head and any shortening:	12%
(c) Restriction of movement of the elbow joint:	
(i) extension:	
(A) loss of more than 100°:	6%
(B) loss between 75° and 100°:	5%
(C) loss between 50° and 74°:	3%

(D) loss between 25° and 49°:	2%
(E) loss of less than 25°:	1%
(ii) flexion:	
(A) loss of more than 100°:	6%
(B) loss between 75° and 100°:	5%
(C) loss between 50° and 74°:	3%
(D) loss between 25° and 49°:	2%
(E) loss of less than 25°:	1%
(d) Loss of the radial head, including any prosthetic replacement:	2%
7. Forearm	
(a) Restriction of movement:	
(i) loss of pronation and supination in a faulty position:	9%
(ii) loss of pronation and supination in functioning position:	8%
(iii) in pronation:	1 to 4%
(iv) in supination:	1 to 4%
(b) Axial deviation:	1 to 3%
(c) Loss of the distal end of the ulna:	2%
8. Wrist	
(a) Ankylosis:	
(i) in a faulty position with more than 10° of ulnar or radial inclination or with more than 30° of dorsiflexion or palmar flexion:	8%
(ii) in functioning position from 0° to 20° of dorsiflexion and in neutral position of radial or ulnar inclination:	6%
(b) Restriction of movement:	
(i) in flexion:	0.5 to 2%
(ii) in extension:	0.5 to 2%
(iii) in ulnar angulation:	0.5%
(iv) in radial angulation:	0.5%
(c) Loss of scaphoid or lunate, including any prosthetic replacement:	1%
(d) Pseudarthrosis or avascular necrosis of the scaphoid or lunate:	1%
(e) Alteration of tissue following a decompression of the median nerve in the Carpal tunnel:	0.5%

9. Hand

- (a) Amputation
 - (i) of the hand: 45%
 - (ii) of the medial four fingers: 30%
 - (iii) of the thumb
 - (A) two phalanges: 15%
 - (B) one phalanx: 10%
 - (iv) of the metacarpals
 - (A) first metacarpal: 10%
 - (B) 2nd or 3rd metacarpals: 4%
 - (C) 4th or 5th metacarpals: 3%
 - (v) of fingers other than the thumb: according to Tables 1, 2 and 3.
- (b) Ankylosis, including the loss or reduction of dexterity:
 - (i) of the thumb:
 - (A) ankylosis of the two joints: 1 to 7.5%
 - (B) ankylosis of the metacarpophalangeal joint: 1 to 3%
 - (C) ankylosis of the interphalangeal joint: 1 to 2.5%
 - (ii) of a finger other than the thumb: according to Tables 1, 2 and 3.

TABLE 1
[Item 9 in Subdivision 1 of Division 1]

Value of each phalange when a finger, other than the thumb, is ankylosed in a faulty position or is partially or totally amputated, whether or not due to the accident.

Note: When the thumb is impaired, the lesser of the two percentages of anatomicophysiological deficit is multiplied by two.

TABLE 2
[Item 9 in Subdivision 1 of Division 1]

Value of each phalange when two or three fingers, other than the thumb, are ankylosed in a faulty position or are partially or totally amputated, whether or not due to the accident.

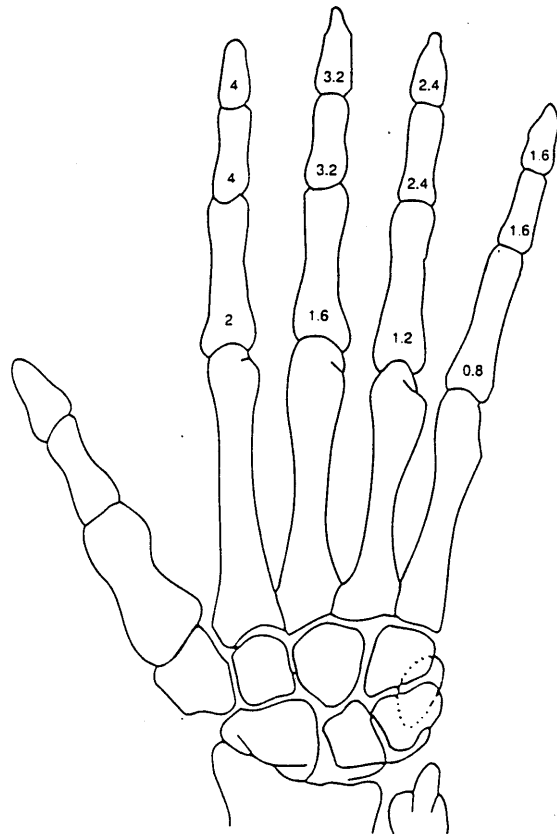
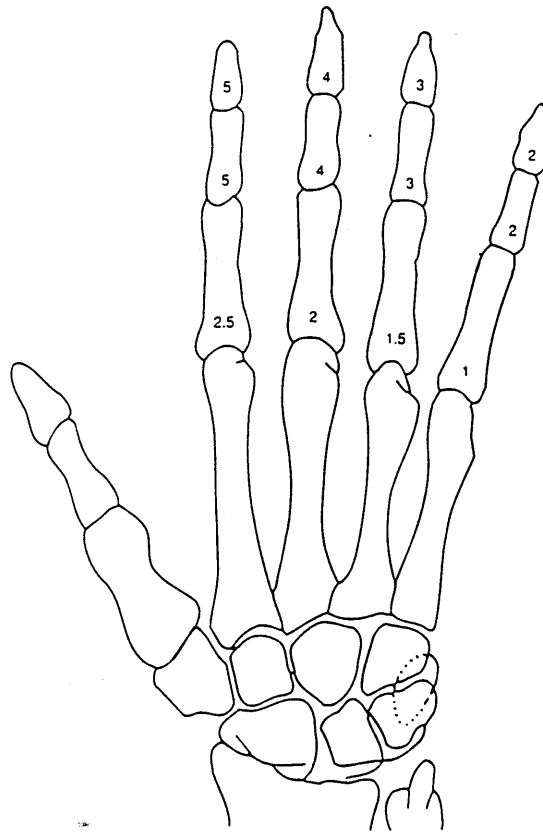


TABLE 3
[Item 9 in Subdivision 1 of Division 1]

Value of each phalange when four fingers, other than the thumb, are ankylosed in a faulty position or are partially or totally amputated, whether or not due to the accident.



**SUBDIVISION 2
PELVIS AND LOWER LIMB**

10. Pelvis

- (a) Deformity, pubic disjunction or sacro-iliac injury, including dystocia, if applicable:
- (i) severe: 2 to 4%
 - (ii) minor: 1%
- (b) acetabular impairment: according to the range of restriction of movement of the hip.

11. Amputation and shortening

- (a) Hemipelvectomy: 50%
- (b) Disarticulation at the hip or amputation within the proximal third of the femur: 45%
- (c) Amputation at the middle third of the femur: 40%
- (d) Disarticulation of the knee, supra-condylar amputation, or amputation below the knee, not permitting the wearing of a prosthesis with patellar support: 35%
- (e) Amputation below the knee permitting the wearing of a prosthesis with patellar support: 30%
- (f) Amputation at the ankle (Symes): 20%
- (g) Mediotarsal amputation (Chopart): 18%
- (h) Tarsometatarsal amputation (Lisfranc): 12%
- (i) Transmetatarsal amputation: 10%
- (j) Amputation of all five toes: 7%
- (k) Amputation with loss of the distal end of the first metatarsal bone: 5%
- (l) Amputation of the big toe: 3%
- (m) Amputation of the distal end of the fifth metatarsal bone: 2%
- (n) Amputation of the distal phalanx of the big toe: 2%
- (o) Total or partial amputation of the (second) 2nd, (third) 3rd, (fourth) 4th and (fifth) 5th toes, per toe: 1%
- (p) Shortening of the leg:
 - (i) by 7.5 cm or more: 10%
 - (ii) by 6.5 cm but less than 7.5 cm: 8%
 - (iii) by 5.5 cm but less than 6.5 cm: 6%
 - (iv) by 4.5 cm but less than 5.5 cm: 5%

(v) by 3.5 cm but less than 4.5 cm:	3%
(vi) by 2.5 cm but less than 3.5 cm:	2%
(vii) by more than 1 cm but less than 2.5 cm:	1.5%
(q) Loss of function of the thigh or leg:	
(i) loss of function of the thigh of 2 cm or more, measured 15 cm above the upper pole of the patella, including any resulting muscular weakness:	2%
(ii) loss of function of the leg of 1.5 cm or more, measured 15 cm below the lower pole of the patella, including any resulting muscular weakness:	2%

12. Hip

(a) Loss of the head and neck of the femur without a replacement prosthesis, including ankylosis and shortening of the lower limb:	30%
(b) Damage to the acetabulum or the head of the femur replaced by a total prosthesis, including any shortening of the lower limb:	15%
(c) Damage to the head of the femur, with replacement by a femoral prosthesis, including any shortening of the lower limb:	10%
(d) Ankylosis	
(i) in faulty position:	25%
(ii) in functioning position:	20%
(e) Restriction of movement	
(i) of flexion:	1 to 8%
(ii) of abduction:	1 to 4%
(iii) of external rotation:	1 to 3%
(iv) of internal rotation:	0.5 to 2%
(v) of extension:	0.5 to 2%
(vi) of adduction:	1%
(f) Deformity of the head or neck of the femur, without acetabular impairment:	0.5 to 2%

13. Femur

(a) Single or multiple axial angulation:	
(i) more than 20°:	4%
(ii) from 10° to 20°:	2%

- (b) Faulty rotation:
 - (i) more than 20°: 4%
 - (ii) from 10° to 20°: 2%

14. Knee

- (a) Ankylosis:
 - (i) in a faulty position, including any loss of the patella, shortening, recurvatum, varus, valgus, rotation as well as muscular atrophy and muscular weakness of the thigh: 20%
 - (ii) in functioning position, including any loss of the patella, shortening by 3 cm or less, recurvatum, varus, valgus, rotation as well as muscular atrophy and muscular weakness of the thigh: 15%
- (b) Restriction of movement:
 - (i) of extension:
 - (A) over 35°: 9 to 18%
 - (B) from 20° to 35°: 5 to 8%
 - (C) under 20°: 1 to 4%
 - (ii) of flexion:
 - (A) over 80°: 6 to 12%
 - (B) from 20° to 80°: 2 to 5%
 - (C) under 20°: 0.5 to 1.5%
- (c) Knee impairment, including any shortening of the lower limb:
 - (i) requiring a total prosthesis: 8%
 - (ii) requiring a partial prosthesis: 3%
- (d) Instability:
 - (i) severe, requiring the regular wearing of a support or brace: 7%
 - (ii) moderate, requiring the occasional wearing of a support or brace: 4%
 - (iii) minor, not requiring the wearing of a support or brace: 2%
- (e) Functional limitations following a tendinous rupture, including muscular weakness and muscular atrophy of the thigh of less than 2 cm: 0.5 to 2%
- (f) Recurvatum of more than 10°: 2%
- (g) Varus of more than 10°: 2%
- (h) Valgus of more than 10°: 2%
- (i) Rotation of more than 10°: 2%

15. Patella and meniscus

(a) Loss of the patella, including muscular atrophy of the thigh:	5%
(b) Rotular or femoropatellar syndrome:	1%
(c) Alteration of the patella, including any muscular atrophy of the thigh of less than 2 cm:	0.5 to 2%
(d) Alteration of the internal or external meniscus including its loss, including any muscular atrophy of the thigh of less than 2 cm:	0.5 to 2%

16. Lower Leg

(a) Single or multiple axial angulation:	
(i) of more than 15°:	3%
(ii) from 10° to 15°:	2%
(b) Faulty rotation:	
(i) of more than 20°:	3%
(ii) from 10° to 20°:	2%

17. Ankle and foot

(a) Ankylosis of the ankle or foot:	
(i) ankylosis:	
(A) subastragal, mediotarsal, tibiotarsal (panarthrodesis):	12%
(B) tibio-tarsal up to 10° of plantar flexion, without inversion or eversion:	8%
(C) subastragal and mediotarsal (triple arthrodesis):	4%
(D) subastragal:	3%
(E) tarsal-metatarsal:	2.5%
(F) metatarso-phalangeal:	
– big toe:	1.5%
– any other toe:	0.25%
(G) inter-phalangeal:	
– big toe:	0.5%
– any other toe:	0.25%
(ii) restriction of movement:	
(A) tibiotarsal:	1 to 7%
(B) subastragal:	2%
(C) mediotarsal:	1%

(b) Impairment requiring the presence of an ankle prosthesis, including osteoarticular shortening required for fitting the prosthesis:	5%
(c) Chronic instability of the ankle confirmed radiologically:	1.5%
(d) Alteration of the calcaneum or other bones of the forefoot making it necessary to wear a custom-fitted shoe due to this pathological condition:	0.5%

**SUBDIVISION 3
SPINE**

18. Cervical spine

(a) Ankylosis from the occiput to C2 or C3, including bone alterations:	18%
(b) Ankylosis C1 and C2, including bone alterations:	12%
(c) Ankylosis of other vertebrae, including bone alterations and discectomies, if applicable; per space:	4%
(d) Pseudoarthrosis of the odontoid:	
(i) with instability:	6%
(ii) without instability:	3%
(e) The compression of a vertebral body with instability, including any restriction of movement:	
(i) compression of over 50%:	6%
(ii) compression between 25 to 50%:	4%
(iii) compression under 25%:	3%
(f) The compression of a vertebral body without instability, including any restriction of movement:	
(i) compression of over 50%:	4%
(ii) compression between 25 and 50%:	3%
(iii) compression under 25%:	2%
(g) Functional limitations by alterations of the atlas or odontoid, including any restriction of movement and instability:	1 to 4%
(h) Functional limitations due to chronic instability confirmed radiologically:	2%
(i) Bone alterations following a compartmented fracture of a vertebral body:	0.5%

19. Thoracic spine, excluding T12

(a) The compression of a vertebral body with instability, including any restriction of movement:	
(i) compression of over 50%:	5%

(ii) compression between 25 and 50%:	4%
(iii) compression under 25%:	2%
(b) The compression of a vertebral body without instability, including any restriction of movement:	
(i) compression of over 50%:	4%
(ii) compression between 25 and 50%:	3%
(iii) compression under 25%:	1%
(c) Ankylosis of vertebrae, including any compression and discectomies; per space:	3%
(d) Bone alterations following a compartmented fracture of a vertebral body:	0.5%

20. Lumbar spine, including T12

(a) The compression of a vertebral body with instability, including any restriction of movement:	
(i) compression of over 50%:	6%
(ii) compression between 25 and 50%:	5%
(iii) compression under 25%:	3%
(b) The compression of a vertebral body without instability, including any restriction of movement:	
(i) compression of over 50%:	5%
(ii) compression between 25 and 50%:	4%
(iii) compression under 25%:	2%
(c) Ankylosis of vertebrae, including any compression and discectomies; per space:	4%
(d) Bone alteration following a compartmented fracture of a vertebral body:	0.5%

21. Other spinal impairments

(a) Alteration following the herniation of an intervertebral disc:	
(i) with discectomy, including any ankylosis following a graft, functional limitation and chemonucleolysis; per space:	6 to 8%
(ii) with discectomy but without ankylosis, including any functional limitations and chemonucleolysis; per space:	5%
(iii) without discectomy or chemonucleolysis, including any functional limitations, per space:	3 to 5%
(iv) with chemonucleolysis, including any functional limitation; per space:	2%

(b) Loss of two laminae of a vertebra following a laminectomy, including loss of spinous process:	2%
(c) Loss of a vertebral lamina following a unilateral laminectomy:	1%
(d) Alteration of the coccyx with or without coccygectomy:	1%
(e) Alteration of a spinous process, a transverse process or of a lamina following a fracture, a chip fracture or pseudoarthrosis:	0.5%

**DIVISION 2
CENTRAL AND PERIPHERAL NERVOUS SYSTEM**

**SUBDIVISION 1
SKULL, BRAIN AND CAROTIDS**

1. Hydrocephalus justifying a diversion of the cerebrospinal fluid:	15%
2. Occlusion of the internal carotid:	10%
3. Stenosis of the internal carotid	
(a) Over 70%:	8%
(b) Between 50% and 70%:	5%
(c) Under 50%:	2%
4. Bone alteration following a skull fracture	
(a) With depression but without dura mater laceration:	
(i) requiring a craniectomy and cranioplasty, including elevation:	3 to 5%
(ii) requiring elevation:	1 to 3%
(iii) not requiring elevation:	1%
(b) With or without depression but with dura mater laceration:	
(i) leading to a carotidocavernous fistula:	
(A) treated unsuccessfully or not treated:	15%
(B) treatment requiring the occlusion of one or more carotids:	10%
(C) treatment not requiring the occlusion of one or more carotids:	5%
(ii) leading to a subarachnoid fistula via one of the paranasal sinuses or via the external auditory duct, including any elevation, craniotomy, craniectomy and plasty:	3 to 7%
(iii) with one or more cortical lacerations, whether or not complicated by lacerations and extrusion of brain matter, including any elevation, craniectomy and plasty:	3 to 7%

- 5. Alteration of cerebral tissue following a concussion, contusion, laceration or intracerebral haematoma**
- (a) Severe: 3 to 5%
 - (b) Minor: 0.5 to 2%
- 6. Alteration of tissue**
- (i) Following a craniotomy or a craniectomy: 2%
 - (ii) Following trephination, per incision: 0.5%
- 7. Bone alteration following a linear skull fracture**
- (a) of the base: 2%
 - (b) of the calvarium: 1%

**SUBDIVISION 2
CRANIAL NERVES**

- 8. Olfactory nerves: Complete anosmia:** 4%
- 9. Trigeminal nerve**
- (a) Unilateral motor loss: 4%
 - (b) Unilateral sensory loss: 8%
 - (c) Sensory loss of the ophthalmic branch:
 - (i) ophthalmic division: 2%
 - (ii) supraorbital division: 1%
 - (d) Sensory loss of the superior maxillary branch:
 - (i) affecting the hard palate, dental arch and lip: 2%
 - (ii) affecting the dental arch and lip: 1%
 - (iii) affecting the lip: 0.5%
 - (e) Sensory loss of the inferior maxillary branch affecting the dental arch and lip: 3%
- 10. Facial nerve**
- (a) Temporofacial branch:
 - (i) paralysis: 6%
 - (ii) paresis: 1 to 5%
 - (b) Cervicofacial branch:
 - (i) paralysis: 3%
 - (ii) paresis: 1%

11. Glossopharyngeal, vagal, hypoglossal nerve

- (a) Dysphagia:
 - (i) requiring permanent tube feeding: 20%
 - (ii) liquids and solids, occasionally requiring tube feeding: 15%
 - (iii) liquids and solids, not requiring tube feeding: 10%
 - (iv) liquids or solids, not requiring tube feeding: 5%
- (b) Dysphonia with or without dysarthria or inversely, according to the reduction of functional efficiency resulting from audibility and intelligibility:
 - (i) severe, totally preventing articulated language: 15%
 - (ii) moderate, entailing serious restrictions and limiting the expression of essential needs: 10%
 - (iii) minor, allowing the expression of most needs: 5%

12. Spinal-accessory nerve

- (a) sterno-cleido-mastoid or trapezius paralysis: 4%
- (b) sterno-cleido-mastoid or trapezius paresis: 1 to 3%

**SUBDIVISION 3
SPINAL CORD AND BRAIN**

13. Spinal cord or brain

- (a) Quadriplegia, including all anatomicophysiological deficits inherent in this pathology and any osseous or discal impairments and grafting, if applicable:
 - (i) C4 or C5 level: 100%
 - (ii) C6 level: 95%
 - (iii) C7 level: 90%
 - (iv) C8 or T1 level: 85%
- (b) Paraplegia, including all anatomicophysiological deficits inherent in this pathology and any osseous or discal impairments and grafting, if applicable:
 - (i) upper motor neuron between T2 and T7: 80%
 - (ii) upper motor neuron under T7: 75%
 - (iii) lower motor neuron: 70%
- (c) Impairment affecting use of an upper limb, excluding quadriplegia, causing
 - (i) inability to use either limb for self care: 80%

(ii) inability to use one limb for self care:	60%
(iii) difficulty in using both limbs for self care:	40 to 60%
(iv) difficulty in using one limb for self care:	25 to 40%
(v) difficulty in handling nonetheless allowing the use of both limbs for grasping and holding, but without problems for self care:	25 to 35%
(vi) difficulty in handling nonetheless allowing the use of one limb for grasping and holding, but without problems for self care:	15 to 20%
(vii) a degree of awkwardness nonetheless allowing the use of both limbs for grasping and holding, but without problems for self care:	8 to 15%
(vii) a degree of awkwardness nonetheless allowing the use of one limb for grasping and holding, but without problems for self care:	5 to 10%
(d) Impairment affecting posture and ability to walk, excluding quadriplegia and paraplegia, resulting in	
(i) inability to stand or walk:	50%
(ii) ability to stand, but great difficulty or inability to walk:	20 to 40%
(iii) moderate difficulty in walking as seen on irregular surfaces, stairways and uneven terrain:	10 to 15%
(iv) slight difficulty in walking:	5%
(e) Functional alteration of breathing: according to Subdivision 5	
(f) Bladder impairment: according to Subdivision 4	
(g) Anorectal impairment: according to Subdivision 6	
(h) Dysphasia, aphasia, alexia, agraphia, acalculia and other communication disturbances	
(i) disturbances leading to inability to understand and use language:	100%
(ii) disturbances not affecting the ability to understand linguistic symbols, but severely or totally disturbing the ability to use sufficient or appropriate language:	50 to 70%
(iii) disturbances not affecting the ability to understand linguistic symbols, but moderately disturbing the ability to use sufficient or appropriate language:	20 to 45%
(iv) disturbances entailing minor communication difficulties:	1 to 15%

- (i) Posttraumatic epilepsy, syncope, cataplexy, narcolepsy and other neurological disorders and disturbances of consciousness:
- (i) stupor, coma or other disorder or disturbance that prevents the performance of the activities of daily living or require constant supervision for the performance of such activities or confinement, including the side effects of medication: 100%
 - (ii) a disorder or disturbance that severely disrupts the performance of the activities of daily living and requires an almost constant supervision for the performance of such activities, including the side effects of medication: 50 to 80%
 - (iii) a disorder or disturbance that moderately disrupts the performance of the activities of daily living and requires occasional supervision for the performance of such activities, including the side effects of medication: 20 to 45%
 - (iv) a disorder or disturbance that hinders the performance of the activities of daily living, including the side effects of medication: 1 to 15%
- (j) Disturbances of vision: according to Subdivision 3
- (k) Organic cerebral syndrome, dementia and neurologic deficiencies:
- (i) alteration of the higher cognitive or integrative mental functions which markedly impair the performance of the tasks necessary for every day life or require continuous supervision for performing such activities or confinement including any side effects of medication: 100%
 - (ii) alteration of the higher cognitive or integrative mental functions which significantly impair the performance of the tasks necessary for every day life and require near-continuous supervision for performing such activities, including any side effects of medication: 50 to 80%
 - (iii) alteration of the higher cognitive or integrative mental functions which moderately impair the performance of the tasks necessary for every day life and require occasional supervision for performing such activities, including any side effects of medication: 20 to 45%
 - (iv) alteration of the higher cognitive or integrative mental functions which slightly impair the performance of the tasks necessary for every day life, including any side effects of medication: 7 to 15%
 - (v) alteration of the higher cognitive or integrative mental functions which very slightly impair the performance of the tasks necessary for every day life, including any side-effects of medication: 1 to 5%

**SUBDIVISION 4
PERIPHERAL NERVOUS SYSTEM**

14. Motor and sensory impairments

Motor impairments or sensory impairment is assessed according to Table 4 and the following classes:

- (a) Motor impairment:
 - (i) class 1: no loss of motor function and absence of weakness;
 - (ii) class 2: weakness against strong resistance (25% loss of function), including any muscular atrophy;
 - (iii) class 3: weakness against minor resistance (50% loss of function), including any muscular atrophy;
 - (iv) class 4: weakness against gravity (75% loss of function), including any muscular atrophy;
 - (v) class 5: no motor strength (100% loss of function), including muscular atrophy;
- (b) Sensory impairment:
 - (i) class 1: no sensory impairment;
 - (ii) class 2: hypoaesthesia including dysesthesia, paresthesia, hyperaesthesia and pain (25% loss of function);
 - (iii) class 3: anesthesia including pain (100% loss of function).

TABLE 4
[Item 14 in Subdivision 1 of Division 2]

Table of anatomicophysiological deficits of the peripheral nervous system in relation with the classes of motor and sensory impairments.

A. Brachial plexus	complete motor and sensory impairment:	60%
Upper trunk C-5, C-6, Erb-Duchesne syndrome	complete motor and sensory impairment	35%
Middle trunk C-7	complete motor and sensory impairment:	20%
Lower trunk C-8 T-1, Klumpke-Dejerine syndrome	complete motor and sensory impairment:	45%

B. Root nerves

Impaired structures	Motor impairments (classes)					Sensory impairments (classes)		
	1	2	3	4	5	1	2	3
C-5	N/A	3%	6%	9%	12%	N/A	1%	2%
C-6	N/A	4%	8%	12%	16%	N/A	2%	5%
C-7	N/A	4%	8%	12%	16%	N/A	1%	4%
C-8	N/A	5%	10%	15%	20%	N/A	1%	5%
T-1	N/A	3%	6%	9%	12%	N/A	1%	3%
L-2	N/A	3%	5%	11%	10%	N/A	1%	3%
L-3	N/A	3%	5%	8%	10%	N/A	1%	3%
L-4	N/A	3%	5%	9%	12%	N/A	1%	3%
L-5	N/A	4%	8%	11%	16%	N/A	1%	3%
S-1	N/A	4%	8%	12%	16%	N/A	1%	3%

C. Peripheral nerves

1. Head and neck

Greater occipital						N/A	0.25%	1%
Lesser occipital						N/A	0.25%	1%
Auricular ramus C2, C3						N/A	0.25%	2%

2. Upper limbs

Anterior thoracic nerves	N/A	1%	2%	3%	4%			
Circumflex (axillary)	N/A	3%	6%	9%	12%	N/A	1%	2%
Dorsal scapular	N/A	1%	2%	3%	4%			
Long thoracic (serratus anterior nerve)	N/A	2%	4%	6%	8%			
Medical brachial cutaneous internal accessory						N/A	1%	3%
Median (above middle forearm)	N/A	6%	12%	18%	24%	N/A	4%	16%
Median (below the junction of the middle and distal thirds of the forearm)	N/A	4%	8%	12%	16%	N/A	4%	16%

Median (digital branches)								
*								
						N/A	.05%	1%
*						N/A	1.2%	5%
*						N/A	1.2%	5%
*						N/A	0.5%	1%
*						N/A	1%	2%
*						N/A	.25%	1%
*						N/A	0.5%	1%
Musculocutaneous	N/A	4%	7%	10%	16%	N/A	1%	3%
Radial (triceps lost)	N/A	7%	15%	22%	29%	N/A	1%	3%
Radial (triceps spared)	N/A	5%	10%	15%	20%	N/A	1%	3%
Subscapular nerve (subscapularis)	N/A	1%	2%	3%	4%			
Suprascapular nerve (suprascapularis)	N/A	2%	4%	6%	8%	N/A	0.5%	1%
Thoracodorsal nerve (thoracodorsalis)	N/A	2%	3%	5%	7%			
Ulnar (above the middle and distal thirds) (ulnaris)	N/A	5%	10%	15%	20%	N/A	1%	3%
Ulnar (below the junction of the middle and distal thirds) (ulnaris)	N/A	4%	8%	12%	16%	N/A	1%	3%
Ulnar (digital branches)								
*						N/A	0.25%	1%
*						N/A	0.25%	1%
*						N/A	0.25%	1%
3. Inguinal region								
Greater abdominogenital (iliohypogastricus)						N/A	1%	4%
Lesser abdominogenital (ilioinguinalis)						N/A	1%	4%
4. Lower limbs								
Femoral (cnemial)	N/A	4%	7%	10%	13%	N/A	1%	3%
Genitocnemial (genitofemoralis)						N/A	1%	4%
Inferior gluteal	N/A	2%	4%	5%	7%			
Lateral cutaneous nerve of thigh						N/A	1%	4%
Obturator nerve	N/A	2%	4%	5%	7%	N/A	1%	4%

Posterior cutaneous nerve of thigh						N/A	1%	4%
Superior gluteal	N/A	3%	5%	8%	10%			
Large sciatic, above rami to ischiotibial muscles	N/A	8%	16%	24%	32%	N/A	4%	16%
External popliteal sciatic (common peroneal)	N/A	4%	7%	10%	13%	N/A	1%	3%
Deep peroneal above mid-leg (peroneus profundus)	N/A	3%	5%	8%	10%			
Deep peroneal below mid-leg (peroneus profundus)	N/A	1%	2%	3%	4%			
Superficial peroneal (peroneus superficialis)	N/A	1%	3%	4%	5%	N/A	1%	3%
Internal popliteal nerve above knee	N/A	4%	7%	10%	13%	N/A	2%	7%
Posterior tibial in the annular soleus region	N/A	2%	4%	5%	7%	N/A	2%	7%
Posterior tibial at mid-calf	N/A	2%	4%	5%	7%	N/A	1%	3%
Internal plantar (medial plantaris)	N/A	1%	2%	3%	4%	N/A	0.5%	2%
External plantar (lateral plantaris)	N/A	1%	2%	3%	4%	N/A	0.5%	2%
External sapheneus (cutaneous sural)						0	0.5%	2%

**DIVISION 3
MAXILLOFACIAL SYSTEM AND VISION**

**SUBDIVISION 1
TEMPOROMANDIBULAR ARTICULATIONS**

1. Temporomandibular articulations

- (a) Ankylosis of the two articulations: 30%
- (b) Restriction of movement:
 - (i) reduction of opening according to the distance measured between free edge of the upper and lower incisors:
 - (A) 40 mm of lost movement: 9%

(B) 30 mm of lost movement:	7%
(C) 20 mm of lost movement:	5%
(D) 10 mm of lost movement:	3%
(ii) laterotrusion:	
(A) 50% reduction or more:	8%
(B) reduction under 50%:	1 to 4%
(iii) protrusion:	
(A) 50% reduction or more:	8%
(B) reduction under 50%:	1 to 4%

2. Maxilla

(a) Loss of hard palate and dental arch:	20%
(b) Loss of hard palate:	10%
(c) Loss of soft palate:	
(i) with rhinolalia:	
(A) severe:	10%
(B) minor:	3%
(ii) with tubal dysfunction:	3%
(iii) without rhinolalia or tubal dysfunction:	1%
(d) Loss of dental arch:	
(i) loss of edentulous supporting tissues, precluding successful wear of a removable prosthesis:	5%
(ii) allowing a complex prosthesis to be worn:	4%
(iii) allowing a simple prosthesis to be worn:	3%
(e) Misalignment of the palate and dental arch:	
(i) with serious malocclusion and temporomandibular dysfunction:	5%
(ii) with obstruction to the rhinopharynx and tubal dysfunction:	3%
(iii) with minor malocclusion:	2%
(f) Periodontal problems despite adequate consolidation of the palate and dental arch:	5%
(g) Pseudarthrosis of the palate and dental arch:	4%

3. Mandible

(a) Horizontal portion:	
(i) loss of tissue with severe pseudarthrosis:	10%
(ii) misalignment:	
(A) with malocclusion and temporomandibular dysfunction:	3 to 10%
(B) with malocclusion, but without temporomandibular dysfunction:	2%
(b) Ascending portion:	
(i) misalignment:	
(A) with malocclusion and temporomandibular dysfunction:	3 to 10%
(B) with malocclusion, but without temporomandibular dysfunction:	2%
(ii) loss of tissue with severe pseudarthrosis:	5%
(iii) loss of tissue with dissolution of continuity of mandibular arch:	2%
(c) Neck of condyle:	
(i) misalignment: according to restriction of movement of temporomandibular articulations	
(ii) pseudoarthrosis: according to ankylosis of temporomandibular articulations	
(iii) loss of tissue resulting in unilateral or bilateral temporomandibular dysfunction:	1 to 3%

4. Alteration or loss of teeth

(a) Healthy teeth:	
(i) central incisor:	1%
(ii) lateral incisor:	0.75%
(iii) canine:	1.5%
(iv) first premolar:	1%
(v) second premolar:	1%
(vi) first molar:	1.25%
(vii) second molar:	1%
(viii) third molar:	1%

(b) Damaged teeth:	
(i) central incisor:	0.5%
(ii) lateral incisor:	0.375%
(iii) canine:	0.75%
(iv) first premolar:	0.5%
(v) second premolar:	0.5%
(vi) first molar:	0.75%
(vii) second molar:	0.5%
(viii) third molar:	0.5%

**SUBDIVISION 2
FRONTO-ORBITO-NASAL AREA**

5. Orbit

(a) Impairment of orbital walls, including any displacement of the eyeball:	1 to 4%
(b) Impairment of canthus, including any change in palpebral fissure:	1 to 3%
(c) Modification of the palpebral fissure:	1%
(d) Blockage of a lacrimal duct:	1%

6. Molar bone and zygoma

– Functional limitations:	0.5 to 2%
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7. Nose

(a) Alteration of air flow:	0.5% to 2%
(b) Trophic problems:	1%
(c) Hypertelorism:	1%
(d) Perforation of the nasal septum:	0.5%

8. Sinus

(a) Alteration of the walls and mucosa of an ethmoid or sphenoidal sinus:	1.5%
(b) Alteration of the walls and mucosa of a frontal or maxillary sinus:	1%

**SUBDIVISION 3
SALIVARY GLANDS**

9. Hyposalivation: 1 to 2%

**SUBDIVISION 4
TONGUE**

10. Anatomic loss

- (a) Loss of the tongue: 5%
- (b) Alteration of the tongue due to loss of the lateral edge and tip: 1 to 3%

**SUBDIVISION 5
VISION**

11. Bilateral loss of vision: 80%

12. Alteration of vision:

- (a) homonymous or bitemporal quadrantanopsia or hemianopsia: 20 to 50%
- (b) aphakia: 12%
- (c) pseudophakia: 6%

13. Unilateral loss of vision with or without enucleation: 25%

14. Paralysis of accommodation or loss of near vision: 3%

**15. Iridoplegia or fixed mydriasis causing photophobia,
disturbance of close-up vision or dizziness:** 1 to 3%

16. Problems with colour vision: 0.5%

17. Other impairments to vision: 0.5%

Other impairments to vision are evaluated in accordance with the following evaluation process.

PROCESS FOR EVALUATING VISION

1. Criteria for evaluating vision

A deficit of the visual system occurs where there is a deviation from normal in one or more functions of the eye.

Visual integrity requires:

- (a) integrity of corrected visual acuity for distance and close up
- (b) integrity of the field of vision, and
- (c) ocular motility without diplopia.

The evaluation of these three functions is necessary in determining the visual deficit. Although not of equal importance, their coordinated action is essential to optimal sight.

Other ocular functions or problems that affect the coordinated functions of the eye are awarded percentages of deficit in accordance with the scale prescribed for those functions.

2. Methods for evaluating vision

- (a) Determination of central visual acuity

Central vision is measured with the best corrected vision possible for distance and close-up, based on Tables 5 and 6.

- (b) Determination of extent of visual fields

The extent of the visual field is determined by use of the usual perimetric methods.

The result is plotted on an ordinary visual field chart of each of the eight principal meridians separated from one another by 45°, as shown in Table 7.

The minimum normal extent of the visual field from the point of fixation is indicated in Table 7.

The percentage of retained visual field in one eye is obtained by adding the number of degrees of the eight principal meridians shown in Table 7 for the 3/330 isopter – which for the normal eye is 500 degrees – and by dividing the total by five; conversely, the percentage of deficit of visual field is obtained by adding the degrees lost, as measured according to the norms in Table 7, in each of the eight principal meridians and dividing the total by five.

Where there is a deficit of a quadrant or a half field, the total of the deficit in each meridian must be added to half the sum of the two adjacent meridians. The deficit of visual field, calculated for other defects in the same way.

Table 8 shows percentages of deficit of visual field, calculated on the basis of degrees lost, expressed in increments of 5 degrees.

- (c) Determination of ocular motility

Unless diplopia is present within 30 degrees of the centre of fixation, it rarely causes a visual deficit except on looking downward. The extent of the diplopia when the patient looks in various directions is determined on the perimeter at 330 mm or on any campimeter at a distance of 1 m from the patient in each of the eight principal meridians, using a small test light and without coloured lenses or correcting prisms.

The Hess Lancaster diplopia screen may also be used with the patient 1 m distance and using lenses coloured red, green, etc.

To determine loss of ocular motility:

- * plot the results of the separation of two images on an ordinary visual field chart;
- * add the corresponding percentages of loss of ocular motility caused by diplopia when the patient looks in various directions as given in Table 9.

(d) Determination of the visual efficiency of an eye

The methods described in clauses (a), (b) and (c) above were used to evaluate:

- * visual acuity,
- * the field of vision, and
- * ocular motility.

The percentage of visual efficiency of an eye is obtained by multiplying the percentage of visual acuity retained by the percentage of the visual field retained and by the percentage of ocular motility retained.

	% of visual acuity retained	x	% of visual field retained	x	% of ocular motility retained	x	% of efficiency of eye
Right eye							
Left eye							

(e) Determination of efficiency of entire visual system

Multiply the percentage of efficiency of the better eye by 3, add the percentage of efficiency of the other eye and divide the sum obtained by 4 to obtain the percentage of function of the entire visual system or efficiency of binocular vision. Subtract the percentage of efficiency of binocular vision from 100% (normal vision) to obtain the percentage of deficit for the entire visual system.

% of efficiency of better eye	% of efficiency of other eye	% of efficiency of binocular vision
(<u> </u> x3)	+ <u> </u>	= <u> </u>
4	% of efficiency binocular vision	% of deficit of the entire visual system
100 -	<u> </u>	= <u> </u>

TABLE 5
[Item 17 in Subdivision 5 of Division 3]
RATING OF CENTRAL VISUAL ACUITY

A. DISTANCE VISION

Snellen anglais	Snellen métrique	% of deficit central vision
20/16	6/5	0
20/20	6/6	0
20/25	6/7.5	5
20/32	6/10	10
20/40	6/12	15
20/50	6/15	25
20/64	6/20	35
20/80	6/24	40
20/100	6/30	50
20/125	6/38	60
20/160	6/48	70
20/200	6/60	80
20/300	6/90	85
20/400	6/120	90
20/800	6/240	95

B. CLOSE-UP VISION

Snellen	Jaeger	Point % of deficit central vision
14/14	1- 3 or 0.35	0
14/18	2- 4 0.46	0
14/22	... 5 0.56	5
14/28	3- 6 0.71	10
14/35	6 8 0.89	50
14/45	7- 9+ 1.14	60
14/56	8 12 1.42	80
14/70	11 14 1.78	85
14/87 2.21	90
14/112	14 22 2.34	95
14/140 3.56	98

TABLE 6
 [Item 17 in Subdivision 5 of Division 3]

**DEFICIT OF CENTRAL VISION
 (Snellen's Scale)**

Distance vision	14*	14	14	14	14	14	14	14	14	14	14
	14**	18	22	28	35	45	56	70	87	112	140
20*	0	0	3	5	25	30	40	43	45	48	49
16**	50	50	52	53	63	65	70	72	73	74	75
20	0	0	3	5	25	30	40	43	45	48	49
20	50	50	52	53	63	65	70	72	73	74	75
20	3	3	5	8	28	33	43	45	48	50	52
25	52	52	53	54	64	67	72	73	74	75	76
20	5	5	8	10	30	35	45	48	50	53	54
32	53	50	54	55	65	68	73	74	75	77	77
20	8	8	10	13	33	38	48	50	53	55	57
40	54	54	55	57	67	69	74	75	77	78	79
20	13	13	15	18	38	43	53	55	58	60	62
50	57	57	58	59	69	72	77	78	79	80	81
20	18	18	20	23	43	48	58	60	63	65	67
64	59	59	60	62	72	74	79	80	82	83	84
20	20	20	23	25	45	50	60	63	65	68	69
80	60	60	62	63	73	75	80	82	83	84	85
20	25	25	28	30	50	55	65	68	70	73	74
100	63	63	64	65	75	78	83	84	85	87	87
20	30	30	33	35	55	60	70	73	75	78	79
125	65	65	67	68	78	80	85	87	88	89	90
20	35	35	38	40	60	65	75	78	80	83	84
160	68	68	69	70	80	83	89	89	90	91	92
20	40	40	43	45	65	70	80	83	85	88	89
200	70	70	72	73	83	85	90	91	93	94	95
20	43	43	45	48	68	73	83	85	88	90	92
300	72	72	73	74	84	87	91	93	94	95	96
20	45	45	48	50	70	75	85	88	90	93	94
400	73	73	74	75	85	88	93	94	95	97	97
20	48	48	50	53	73	78	88	90	93	95	97
800	74	74	75	77	87	89	94	95	97	98	99

* Higher number: percentage of deficit of central vision without allowance for monocular aphakia.

** Lower number: percentage of deficit of central vision with allowance for monocular aphakia. Add any percentage of deficit prescribed of pseudoaphakia.

TABLE 7
[Item 17 in Subdivision 5 of Division 3]

VISUAL FIELDS

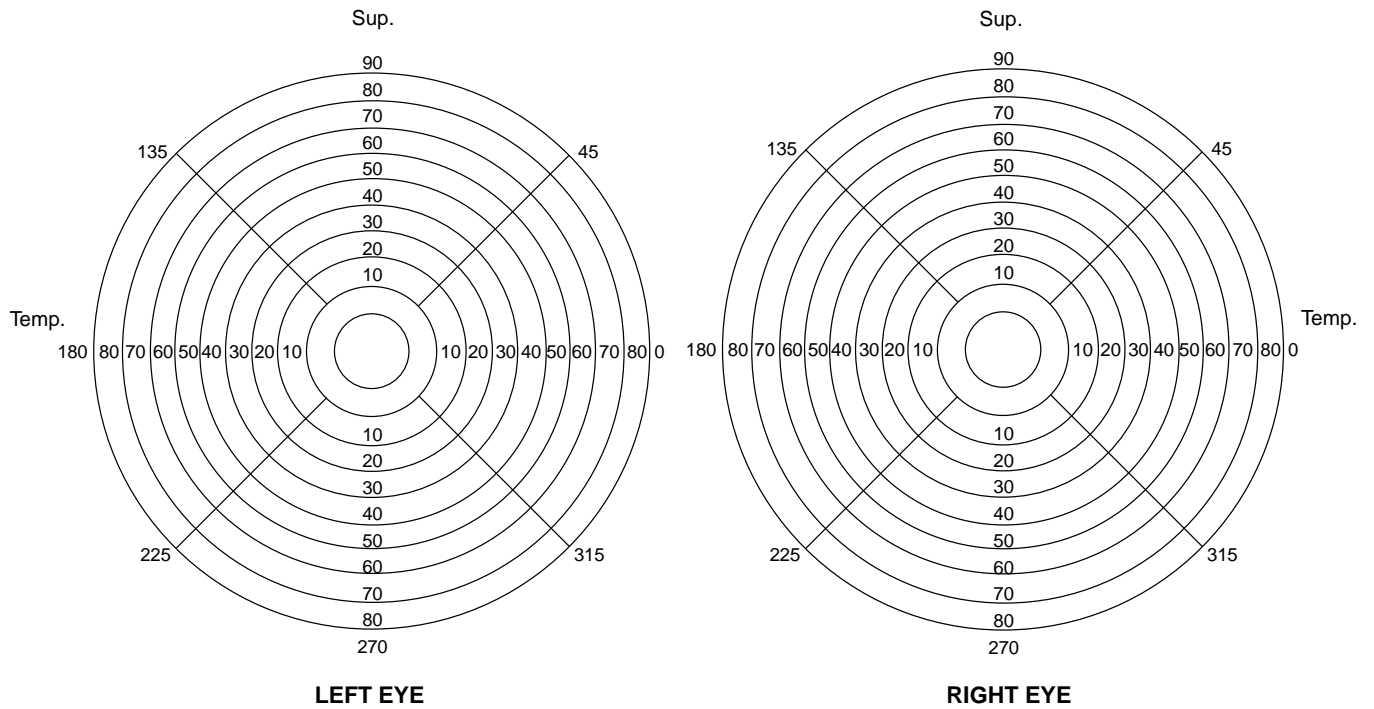


TABLE 8
 [Item 17 in Subdivision 5 of Division 3]

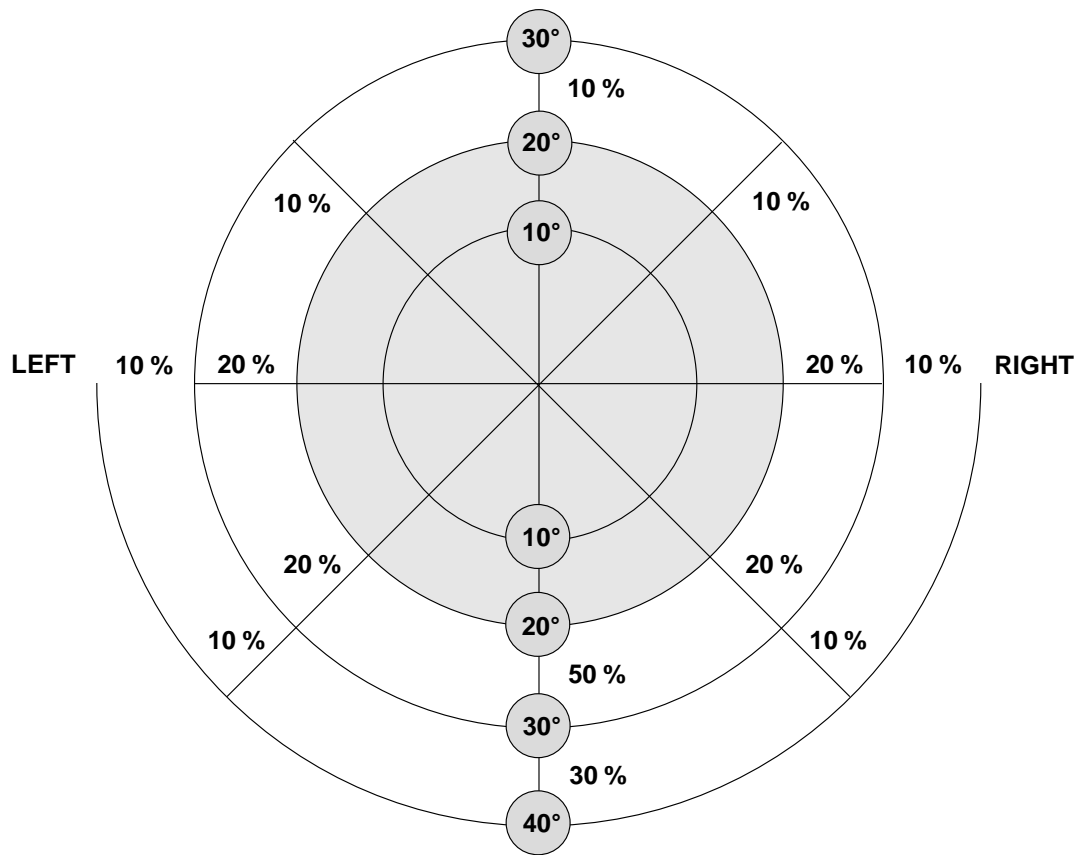
DEFICIT OF VISUAL FIELD

Degrees lost (total)	Degrees retained (total)	Deficit %	Degrees lost (total)	Degrees retained (total)	Deficit %	Degrees lost (total)	Degrees retained (total)	Deficit %
0	500*	0	170	330	34	340	160	68
5	495	1	175	325	35	345	155	69
10	490	2	180	320	36	350	150	70
15	485	3	185	315	37	355	145	71
20	480	4	190	310	38	360	140	72
25	475	5	195	305	39	365	135	73
30	470	6	200	300	40	370	130	74
35	465	7	205	295	41	375	125	75
40	460	8	210	290	42	380	120	76
45	455	9	215	285	43	385	115	77
50	450	10	220	280	44	390	110	78
55	445	11	225	275	45	395	105	79
60	440	12	230	270	46	400	100	80
65	435	13	235	265	47	405	95	81
70	430	14	240	260	48	410	90	82
75	425	15	245	255	49	415	85	83
80	420	16	250	250	50	420	80	84
85	415	17	255	245	51	425	75	85
90	410	18	260	240	52	430	70	86
95	405	19	265	235	53	435	65	87
100	400	20	270	230	54	440	60	88
105	395	21	275	225	55	445	55	89
110	390	22	280	220	56	450	50	90
115	385	23	285	215	57	455	45	91
120	380	24	290	210	58	460	40	92
125	375	25	295	205	59	465	35	93
130	370	26	300	200	60	470	30	94
135	365	27	305	195	61	475	25	95
140	360	28	310	190	62	480	20	96
145	355	29	315	185	63	485	15	97
150	350	30	320	180	64	490	10	98
155	345	31	325	175	65	495	5	99
160	340	32	330	170	66	500	0	100
165	335	33	335	165				

* or more

When the central vision field is impaired, the percentage of deficit is that of the concomitant loss of visual acuity. If the visual acuity is normal, the percentage of deficit is calculated on the basis of the degrees lost.

TABLE 9
[Item 17 in Subdivision 5 of Division 3]
PERCENTAGE OF DEFICIT OF OCULAR MOTILITY



**DIVISION 4
GENITO-URINARY SYSTEM AND FOETUS**

18. Impairment of the bladder

(a) Loss of the bladder, including absence of control over the functioning of the bladder and urinary by-pass:	35%
(b) Incontinence or retention:	
(i) partial to complete loss of control:	10 to 30%
(ii) dysfunction in the form of precipitant urination:	1 to 5%
(c) Alteration of the bladder with enterocystoplasty:	10%
(d) Alteration of the bladder without enterocystoplasty:	1 to 5%

19. Impairment of renal functions

(a) Loss of both kidneys, including loss of renal function:	40%
(b) Loss of one kidney:	10%
(c) Reduction or loss of renal functions:	
(i) reduction of more than 50% or loss:	21 to 30%
(ii) reduction of 25 to 50%:	11 to 20%
(iii) reduction of less than 25%:	1 to 10%

20. Male genital organs

(a) Loss of penis:	15%
(b) Alteration of penis:	1 to 15%
(c) Loss of both testicles:	
(i) before the end of puberty:	20%
(ii) after puberty:	10%
(d) Loss of a testicle:	5%

21. Female genital organs

(a) Internal genital organs:	
(i) loss of two ovaries:	
(A) before the end of puberty:	20%
(B) after puberty:	10%
(ii) loss of the uterus:	
(A) before the end of menopause:	10%

(B) after menopause:	5%
(iii) loss of an ovary with or without connecting fallopian tube:	5%
(iv) alteration of tissue following a caesarian section:	2%
(b) External genital organs:	
(i) loss of clitoris:	5%
(ii) loss of vagina:	5%
(iii) loss of vulva:	5%
(iv) alteration of vagina:	1 to 4%
(v) alteration of vulva:	1 to 4%
22. Urinary by-pass:	12%
23. Impairment of the urethra	
(a) Surgically incurable fistula:	5 to 10%
(b) Stenosis requiring monthly treatments:	6%
(c) Stenosis requiring quarterly treatments:	3%
24. Loss of fetus:	7%
25. Alteration of tissue following a posterolumbar incision or a laporotomy:	2%

**DIVISION 5
RESPIRATORY APPARATUS**

26. Absence of spontaneous respiration:	100%
27. Restrictive functional alteration, with regard to vital capacity, respiratory volume and other pulmonary volumes, the percentage of functional alteration corresponding to the percentage of the deficit, a percentage of alteration of 60% or more corresponding, however, to a deficit of 80%:	20 to 80%
28. Stenosis of the trachea	
(a) Requiring permanent tracheostomy, depending on phonetic alterations:	10 to 20%
(b) Without permanent tracheostomy:	3%

29. Loss of a lung:	20%
30. Paralysis of the phrenic nerve	
(a) With restrictive functional alteration: depending on the restrictive functional alteration.	
(b) Without restrictive functional alteration:	15%
31. Pleural impairment	
(a) With restrictive functional alteration: depending on the degree of restrictive functional alteration	
(b) Without restrictive functional alteration: according to Table 10	
32. Loss of two pulmonary lobes:	6%
33. Loss of a pulmonary lobe:	3%
34. Alteration of tissue following a thoracotomy:	2%

TABLE 10
[Item 31 in Division 4]

ASSESSMENT OF PLEURAL IMPAIRMENT

Pleural impairment is assessed in accordance with the 1980 ILO classification as follows:

A. PLEURAL THICKENING

Thickness

For pleural thickening visible along with the thoracic wall, maximum thickness is measured from the osseous line of the thorax to the internal limit of the pleural opacity, as most clearly delimited:

(a) maximum thickness of under 5 mm:	1%
(b) maximum thickness of between 5 mm and 10 mm:	2%
(c) maximum thickness of over 10 mm:	3%

Front view

The presence of pleural thickening observed by a front view is notable even if it can also be seen from a side view. In the event that it is only visible by a front view, usually the thickening cannot be measured.

Extent

The extent of pleural thickening is defined in terms of maximum length of the surface observed from a front or side view:

- (a) total length up to a quarter of the distance on the projection of the lateral thoracic wall: 1%
- (b) total length exceeding a quarter of the distance on the projection of the lateral thoracic wall up to a half of this distance: 2%
- (c) total length exceeding a half of the distance on the projection of the lateral thoracic wall: 3%

Assessment of deficit

The percentage obtained for the width is multiplied by the figure obtained for the extent, which determines the percentage of deficit assigned to the pleural thickening.

In the case of bilateral pleural thickening, the percentages are added for each side, to a total maximum allowed of 18%.

B. FILLING OF A CAVITY

From the TT 1/1 image to the horizontal line touching the crest of the diaphragm: 1 to 5%

Note: Total pleural impairment cannot exceed a maximum deficit of 20%.

**DIVISION 6
DIGESTIVE SYSTEM AND SPLEEN**

1. Oesophageal stenosis: 5 to 10%

2. Alteration of tissue following a laparotomy: 2%

3. Stomach, duodenum, small intestine or colon

– alteration of tissue, including any functional problems:

- (a) with resection: 3 to 15%
- (b) without resection: 2%

4. Anus and rectum

(a) Loss of anus and rectum, including the absence of control over anorectal functions and by-passes: 15%

- (b) Anorectal function:
 - (i) absence of control: 12%
 - (ii) limited control: 3 to 10%

- 5. Liver**
 - (a) Complication of fistulae with impairment of the hepatic function, including lacerations: 10 to 15%
 - (b) Lacerations with or without important loss of tissue, including any functional problems: 2 to 10%

- 6. Pancreas**
 - (a) Alteration with digestive problems: 5 to 10%
 - (b) alteration without digestive problems: 3%

- 7. Spleen**
 - (a) Loss of the spleen with disturbance of the hematopoietic system: 5%
 - (b) Loss of the spleen without disturbance of the hematopoietic system: 3%
 - (c) Laceration of the spleen with or without loss of tissue: 1%

- 8. Abdominal wall, inguinal and femoral regions**
 - (a) Recurring hernia, whatever the number of recurrences: 2%
 - (b) Non-recurring hernia: 1%

**DIVISION 7
CARDIOVASCULAR SYSTEM**

- 1. Cardiac lesions:** According to Table 11
- 2. Thoracic arterial lesions**
 - (a) Surgically corrected alteration of the ascending thoracic aorta: 2 to 6%
 - (b) Surgically corrected alteration of the descending thoracic aorta: 2 to 4%
 - (c) Functional limitations: According to Table 11

3. Peripheral arterial lesions

- | | |
|---|-------------------------------|
| (a) Surgically corrected alteration of the abdominal artery: | 2 to 4% |
| (b) Surgically corrected alteration of a peripheral artery: | 0.5 to 2% |
| (c) Functional alteration following a unilateral sympathectomy: | 2% |
| (d) Alteration of a blood vessel corrected by transluminal angioplasty: | 2% |
| (e) Functional limitations: | According to Tables 12 and 13 |

4. Venous and lymphatic lesions

- | | |
|---|-----|
| (a) Postphlebotic venous insufficiency or lymphatic insufficiency: | |
| (i) very severe, not controlled by standard medical treatment, with trophic problems and recurring ulceration: | 12% |
| (ii) severe, not controlled by standard medical treatment, with trophic problems, but without recurring ulceration: | 8% |
| (iii) moderate, not completely controlled by standard medical treatment: | 5% |
| (iv) minor, well controlled by standard medical treatment: | 3% |
| (b) Superficial venous insufficiency: | 1% |

TABLE 11
[Items 1 and 2 in Division 7]

FUNCTIONAL LIMITATIONS FOLLOWING CARDIOVASCULAR LESION

Class 5 (under 2 mets)

- Severe limitation characterized by angina or shortness of breath for physical activities such as walking a few steps or while performing movements needed for personal hygiene; angina or shortness of breath may occur at rest or during sleep: 80%

Class 4 (2, 3 mets)

- Moderate limitation characterized by angina or shortness of breath for physical activities such as climbing stairs at a normal pace or while walking on level ground over a distance of one or two city blocks: 40 to 50%

Class 3 (4 mets)

- Minor limitation characterized by angina or shortness of breath for physical activities such as walking at a brisk pace on rough ground or on level ground after a meal, in cold or windy weather, under emotional stress, in the morning after waking, when climbing one flight of stairs at a fast pace or more than one flight of stairs at a normal pace: 25 to 35%

Class 2 (5, 6, 7 mets)

- Cardiovascular lesion without angina nor shortness of breath when performing physical activities such as walking, climbing stairs or carrying packages: 10 to 20%

Class 1 (over 7 mets)

- (a) cardiovascular lesion with angina or shortness of breath when undergoing a maximum stress test: 5 to 10%
- (b) cardiovascular lesion without angina nor shortness of breath when undergoing a maximum stress test: 1 to 4%

TABLE 12
[Item 3 to Division 7]

FUNCTIONAL LIMITATIONS FOLLOWING VASCULAR LESION IN A LOWER LIMB

1. Severe arterial insufficiency, with trophic problems and ulcerations, with inability to walk: 45%
2. Intermittent claudication, occurring when walking at an ordinary pace over a distance of less than 75 metres: 30 to 35%
3. Intermittent claudication, occurring when walking at an ordinary pace over a distance of 75 to 120 metres: 20 to 25%
4. Intermittent claudication, occurring when walking at an ordinary pace for a distance of over 120 metres, but less than 300 metres: 10 to 15%
5. Slightly inhibiting intermittent claudication, occurring when walking at an ordinary pace over a distance of 300 to 500 metres: 5%

TABLE 13
[Item 3 in Division 7]

**FUNCTIONAL LIMITATIONS FOLLOWING
 VASCULAR LESION IN AN UPPER LIMB**

1. Severe arterial insufficiency, with trophic problems and ulcerations, inhibiting exertion or causing ischemic pain at rest:	45%
2. Arterial insufficiency causing significant intermittent ischemic pain that occurs under light exertion:	25 to 35%
3. Arterial insufficiency causing intermittent ischemic pain that occurs under moderate exertion:	10 to 20%
4. Arterial insufficiency causing intermittent ischemic pain that occurs under heavy exertion:	5%

**DIVISION 8
 ENDOCRINE SYSTEM**

**SUBDIVISION 1
 HYPOTHALAMUS, HYPOPHYSIS, THYROID
 GLAND AND THE PARATHYROIDS**

1. Total hypopituitarism, including diabetes insipidus:	60%
2. Partial hypopituitarism, excluding diabetes insipidus:	10 to 45%
3. Diabetes insipidus:	5 to 10%
4. Impairment of the parathyroids	
(a) not controlled by replacement therapy:	10 to 15%
(b) controlled by replacement therapy:	5 to 8%
5. Alteration or loss of the thyroid gland requiring hormone therapy:	5 to 10%
6. Alteration of the thyroid gland not requiring hormone therapy:	2%

**SUBDIVISION 2
 PANCREAS**

7. Diabetes	
(a) requiring insulin therapy:	15 to 25%
(b) controlled by diet and oral medication:	6 to 10%
(c) controlled by diet:	5%

**SUBDIVISION 3
ADRENAL GLANDS**

- | | |
|--|-----|
| 8. Loss of two adrenal glands with hormone therapy: | 20% |
| 9. Loss of one adrenal gland: | 5% |

**DIVISION 9
COCHLEOVESTIBULAR APPARATUS**

**SUBDIVISION 1
HEARING**

- | | |
|--|-----------------------|
| 1. Complete and sudden bilateral deafness: | 50% |
| 2. Complete and sudden unilateral deafness: | 5% |
| 3. Reduction of hearing: | According to Table 14 |

**SUBDIVISION 2
VESTIBULAR FUNCTION**

- | | |
|---|-----------|
| 4. Loss of both labyrinths: | 15% |
| 5. Loss of one labyrinth: | 5% |
| 6. Impairment of the vestibular function | |
| (a) Peripheral or central vertigo requiring continuous supervision for the performance of ordinary daily activities other than personal hygiene and requiring confinement of the victim at home or in an institution: | 50 to 60% |
| (b) Peripheral or central vertigo requiring continuous supervision for the performance of ordinary daily activities other than personal hygiene: | 35 to 45% |
| (c) Peripheral or central vertigo requiring continuous supervision for the performance of ordinary daily activities such as personal hygiene, household chores or walking: | 20 to 30% |

- (d) Peripheral or central vertigo not affecting the capacity to perform ordinary daily activities except for certain activities which may endanger the victim's or other people's safety such as driving an automobile or riding a bicycle: 5 to 15%
- (e) Peripheral or central vertigo not affecting the capacity to perform ordinary daily activities: 2%

TABLE 14
[Item 3 in Division 9]
LOSS OF HEARING

Reduction of hearing in decibels*	Most impaired ears	Less severely impaired ear
DB	%	%
25 ISO	0.5	2.5
Over 25 to 30 ISO	1.01	5.0
Over 30 to 35 ISO	1.5	7.5
Over 35 to 40 ISO	2.0	10.0
Over 40 to 45 ISO	2.5	12.5
Over 45 to 50 ISO	3.0	15.0
Over 50 to 55 ISO	3.5	17.5
Over 55 to 60 ISO	4.0	20.0
Over 60 ISO	5.0	25.0

* According to the average obtained by a valid audiogram on frequencies of 500, 1000 and 2000 cycles.

PART 2
DISFIGUREMENT
DIVISION 1
DEFINITIONS

1. In this Part,
- “Cicatrical impairment”** (scarring) means any qualitative or quantitative change in the skin including flat and faulty scars;
- “flat scar”** means a scar that is almost linear, at the same level as the adjoining tissue and almost the same colour, causing no contraction or distortion of neighbouring structures;
- “faulty scar”** means a scar that is misaligned, irregular, depressed, deeply adhering, pigmented, scaly, retractile, keloidal or hypertrophic.

DIVISION 2
DISFIGUREMENT OF THE FACE

- 1.** For the purpose of assessing disfigurement of the face, reference is made to each of the following anatomical elements:
 - (a) the forehead;
 - (b) the orbits;
 - (c) the eyelids;
 - (d) the visible part of the ocular globes;
 - (e) the cheeks;
 - (f) the nose;
 - (g) the lips;
 - (h) the ears;
 - (i) the chin.

- 2.** The extent of disfigurement affecting the face must first be assessed overall in terms of the physiognomy, in order to determine the class of impairment.

- 3.** For classes 1 to 4, within the class of impairment of the physiognomy determined, the percentage of disfigurement is fixed in relation to the changes in the form and symmetry of the scarring, without exceeding the maximum percentage of disfigurement prescribed for that class, according to Table 15.

Where there are both scarring and changes in the form and symmetry, the percentages of the two are totalled up to the maximum percentage prescribed for the class.

- 4.** For classes 5 and 6, the changes in the form and symmetry and the scarring are considered as a whole and the percentage awarded is the maximum prescribed for the class, according to Table 16.

TABLE 15
 [Item 3 in Division 2]

EVALUATION OF PHYSIOGNOMY IMPAIRMENTS

Class of physiognomy impairments	Changes in the form and symmetry	Cicatricial Impairment	Max. Disfig.
Class 1 No impairment	Inconspicuous change	Inconspicuous Impairment	—
Class 2 Very minor impairment	Very minor change	Conspicuous Impairment 1% per cm ²	3%
Class 3 Minor impairment	Conspicuous change and: (a) affecting one anatomical element: 3% (b) affecting two anatomical elements: 4% (c) affecting more than two anatomical elements: 7%	Conspicuous Impairment and: (a) flat scar: 1% per cm ² (b) faulty scar: 2% per cm ²	7%
Class 4 Moderate impairment	Conspicuous change that holds one's attention and: (a) affecting one anatomical element: 10% (b) affecting two anatomical elements: 12% (c) affecting more than two anatomical elements: 15%	Conspicuous Impairment and: (a) flat scar: 1% per cm ² (b) faulty scar: 3% per cm ²	15%

TABLE 16
[Item 4 in Division 2]

EVALUATION OF PHYSIOGNOMY IMPAIRMENTS

Class of physiognomy impairments	Changes in the form and symmetry and cicatricial impairment	Disfigurement
Class 5 Severe impairment	Changes and impairment affecting several elements	20%
Class 6 Disfigurement	Change and impairment affecting all elements	30%

DIVISION 3
DISFIGUREMENT OF OTHER PARTS OF THE BODY

1. Where there is impairment only by changes in form and symmetry, the degree of impairment is calculated and the percentage of disfigurement prescribed for that part of the body is awarded, according to Table 17.
2. Where there is impairment only by scarring, the surface area of the scar is measured and the percentage prescribed per cm² is awarded, without exceeding the maximum percentage prescribed for that part of the body, according to Table 17.
3. Where there are both changes in the form and symmetry and scarring, the higher percentage obtained under either heading is awarded, without exceeding the maximum percentage prescribed for that part of the body, according to Table 17.

TABLE 17
[Item 2 and 3 in Division 3]

EVALUATION OF IMPAIRMENTS TO OTHER PARTS OF THE BODY

Parts of the body	Change of form and symmetry	Cicatricial impairment
Scalp and skull	Minor or moderate change: 1 to 3% Severe change: 5% The maximum percentage of disfigurement for scalp and skull together is 5%	Conspicuous impairment: 0.5%/cm ²
Neck	Minor or moderate change: 1 to 5% Severe change: 8% The maximum percentage of disfigurement for the neck is 8%	Conspicuous impairment: 1%/cm ²
Arms, shoulders and elbows	Minor/moderate change: 0.5 to 2% Severe change: 4% The maximum percentage of disfigurement for the arms, shoulders and elbows together is 8%	Conspicuous impairment: 0.5%/cm ²
Forearms and wrists	Minor/moderate change: 0.5 to 2% Severe change: 5% The maximum percentage of disfigurement for forearms and wrists together is 10%	Conspicuous impairment: 1%/cm ²
Hands	Minor/moderate change: 1 to 3% Severe change: 6% The maximum percentage of disfigurement for the hands is 12%	Conspicuous impairment: 1% /cm ²
Trunk	Minor or moderate change: 1 to 3%	Conspicuous impairment: 0.5%/cm ²

	Severe change: 6%	
	The maximum percentage of disfigurement for the trunk (front and back) is 12%	
Lower limbs	Minor or moderate change: 1 to 4%	Conspicuous impairment: 1%/cm ²
	Severe change: 8%	
	The maximum percentage of disfigurement for the lower limb is 16%	

**DIVISION 4
DISFIGUREMENT FROM PARTIAL OR TOTAL AMPUTATION**

1. The percentage awarded for a disfigurement due to amputation takes into account the scars inherent in amputation.

2. **Eye**
 Enucleation with or without replacement by prosthesis, including impairment inherent in the physiognomy: 5%

3. **Upper limb**
 - (a) Interscapulothoracic disarticulation: 12%
 - (b) Disarticulation of a shoulder: 11%
 - (c) Amputation through the humerus: 10%
 - (d) Amputation at the elbow: 9%
 - (e) Amputation through the forearm: 8%
 - (f) Amputation at the radiocarpal or transcarpal level: 8%
 - (g) Amputation of a thumb:
 - per phalanx: 1.5%
 - (h) Amputation of a finger other than the thumb:
 - per phalanx, up to a maximum of 6%: 0.5%
 - (i) Amputation of a metacarpal:
 - per metacarpal, up to a maximum of 2%: 0.4%

4. **Lower limb**
 - (a) Hemipelvectomy: 12%
 - (b) Disarticulation of the hip: 10%

(c) Amputation through the femur:	8%
(d) Amputation at the knee:	7%
(e) Amputation through the lower leg:	6%
(f) Ankle amputation (Symes):	5%
(g) Midtarsal amputation (Chopart):	4%
(h) Tarsometatarsal amputation (Lisfranc):	3%
(i) Transmetatarsal amputation:	2%
(j) Amputation of a great toe:	
– per phalanx:	0.4%
(k) Amputation of a metatarsal:	
– per metatarsal, up to a maximum of 1%:	0.25%
(l) Amputation of a toe other than the big toe:	
– per phalanx:	0.1%

Appendix C
[Section 40]

Calculation of Successive Remainders

Table for combining two or more permanent impairments in order to obtain the adjusted value in conformity with the successive remainders principle:

- (a) Ordinate A% combined with abscissa B% adjusted value.
- (b) Decimals have been rounded to the next highest unit.
- (c) Where several impairments are to be combined, the same procedures is utilized by taking adjusted value as ordinate and combining, in the same manner, as abscissa, the percentage of the third impairment or others where applicable.

A	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
1	2																									
2	3	4																								
3	4	5	6																							
4	5	6	7	8																						
5	6	7	8	9	10																					
6	7	8	9	10	11	12																				
7	8	9	10	11	12	13	14																			
8	9	10	11	12	13	14	15	16																		
9	10	11	12	13	14	15	16	17	18																	
10	11	12	13	14	15	16	17	18	19	20																
11	12	13	14	15	16	17	18	19	20	21	22															
12	13	14	15	16	17	18	19	20	21	22	23	24														
13	14	15	16	17	18	19	20	21	22	23	24	25	26													
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28												
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30											
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32										
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34									
18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36								
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38							
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40						
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42					
22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43					
23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44					
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44						
25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44							
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	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60																									
	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61																									
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	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67																									
	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68																									
	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69																									
	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70																									
	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71																									
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B	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50

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51	51	52	53	54	54	55	55	56	57	58	58	59	59	60	60	61	61	62	62	63	63	64	64	65	65	66	66	67	67	68	68	69	69	70	70	71	71	72	72	73	73	74	74	75	75	76	76	77	77	78	78	79	79	80	80	81	81	82	82	83	83	84	84	85	85	86	86	87	87	88	88	89	89	90	90	91	91	92	92	93	93	94	94	95	95	96	96	97	97	98	98	99	99	100	100

THE SASKATCHEWAN GAZETTE

51	76
52	76 77
53	77 77 78
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63	82 82 83 83 83 84 84 84 85 85 86 86 86
64	82 83 83 83 84 84 85 85 85 86 86 86 87 87
65	83 83 84 84 84 85 85 85 86 86 86 87 87 87 88
66	83 84 84 84 85 85 85 86 86 86 87 87 87 88 88 88
67	84 84 84 85 85 85 86 86 86 87 87 87 88 88 88 89 89
68	84 85 85 85 86 86 86 87 87 87 88 88 88 88 89 89 89 90
69	85 85 85 86 86 86 87 87 87 88 88 88 89 89 89 89 90 90 90
70	85 86 86 86 87 87 87 87 88 88 88 89 89 89 90 90 90 90 91 91
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73	87 87 87 88 88 88 88 89 89 89 89 90 90 90 91 91 91 91 92 92 92 92 93
74	87 88 88 88 88 89 89 89 89 90 90 90 90 91 91 91 91 92 92 92 92 93 93 93
75	88 88 88 89 89 89 89 90 90 90 90 91 91 91 91 92 92 92 92 93 93 93 94 94
76	88 88 89 89 89 89 90 90 90 90 91 91 91 91 92 92 92 92 93 93 93 93 94 94 94 94
77	89 89 89 89 90 90 90 90 91 91 91 91 91 92 92 92 92 93 93 93 93 94 94 94 94 94 95
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79	90 90 90 90 91 91 91 91 91 92 92 92 92 92 93 93 93 93 93 94 94 94 94 95 95 95 95 96

Appendix D
[Section 44]
STANDARDS FOR REIMBURSEMENT OF THE COST
OF PERSONAL AND HOME CARE

A. Evaluation grid of personal care assistance requirements

Activities	C. Completely dependent on assistance			Does not apply		
	C	B	A	B. Partially in need of assistance		
				A. No need assistance		
				a	b	c
Arising from bed	2	1	0	d	e	
Dressing	2	1	0	a	b	c
Washing	4	2	0	d	e	
Bladder Relief	2	1	0	a	b	c
Bowel Movement	2	1	0	d	e	
Undressing	2	1	0	a	b	c
Going to Bed	2	1	0	d	e	
Eating	4	2	0	a	b	c
Use of available facilities	4	2	0	d	e	
Sub-total	/24					
(A)						

The points obtained on Grid A are added to those on the evaluation grid of home assistance requirements (Grid B, below) and the total is carried over to the chart of qualifying personal care expenses at home, below.

B. Evaluation grid of home assistance requirements

Activities	C. Completely dependent on assistance					
	B. Partially in need of assistance			Does not apply		
	A. No need assistance					
	C	B	A			
Preparation of breakfast	4	2	0	a	b	c
				d		e
Preparation of lunch	8	4	0	a	b	c
				d		e
Preparation of dinner	11	5.5	0	a	b	c
				d		e
Light housekeeping	1	0.5	0	a	b	c
				d		e
Housecleaning	1	0.5	0	a	b	c
				d		e
Laundry	1	0.5	0	a	b	c
				d		e
Purchase of supplies	1	0.5	0	a	b	c
				d		e
Sub-total						
(B)				/27		

Need for Assistance

- A) No need of assistance: the victim is capable of performing the activity without the help of another person, being able to use the equipment or facilities provided.
- B) Partially in need of assistance: the victim is capable of performing part of the activity but requires the help of another person to carry out the activity completely.
- C) Completely dependent on assistance: the victim alone is unable to perform even part of the activity, being completely dependent on another person's help to carry out the activity.

Not Applicable

- a: Does not apply in terms of the victim's chronological age.
- b: Covered by a health care facility or program.
- c: Covered by an integration facility or program (craniocerebral trauma).
- d: The victim was not usually able to do this before the accident.
- e: Other reason (specify).

The points obtained on Grid B are added to those on the evaluation of personal care assistance requirements (Grid A) and the total is carried over to the following chart of qualifying personal care expenses at home.

In the case of a victim under the age of 16: no evaluation is made of home assistance requirements for a person living in a family environment or its equivalent.

Total points from A and B: _____ /51

Points are carried over to the following chart of qualifying personal care expenses at home.

CHART OF QUALIFYING PERSONAL CARE EXPENSES AT HOME

Score	Percentage*
0 – 4	0%
5 – 8	16%
9 – 12	24%
13 – 16	31%
17 – 20	39%
21 – 24	47%
25 – 28	55%
29 – 32	63%
33 – 36	71%
37 – 40	78%
41 – 44	86%
45 – 51	100%

* The percentage of the maximum amount prescribed by section 158 of the Act.

Amount of qualifying expenses: the percentage is applied to the maximum amount provided under section 158 of the Act.

The result (rounded off to the nearest dollar) is entered on the summary at the end of this schedule.

Explanation or comments (criteria to be specified, details concerning certain points or aspects of the evaluation):

Description of Evaluation Items

The evaluation is conducted on the basis of the person's abilities and chronological age. The use of any orthosis, prosthesis, orthopedic or other device to compensate for disability must be taken into consideration, and the person who must use such adapted means to perform an activity is rated according to their availability and training received in their safe and proper use.

An evaluation may change according to the availability of appropriate means and the completion of training in their use.

Personal Care Assistance

- Arising from bed: the ability to arise from bed by oneself, even using special equipment.
- Washing: the ability to wash one's body, regardless of independent ability to use a bathroom.
- Dressing: the ability to put on clothing oneself, including clothes for outdoors.
- Bladder relief: the ability to independently relieve one's bladder, including the use of special equipment or facilities.
- Bowel movement: the ability to independently relieve one's bowels, including the use of special equipment or facilities.
- Eating: the ability to carry appropriately prepared food from a plate to one's mouth, including the use of special equipment.
- Undressing: the ability to remove one's clothing, including outdoor clothes.
- Going to bed: the ability to get into bed by oneself, including the use of special equipment.
- Use of available facilities: the ability to independently make use of the facilities (appropriately adapted) regularly used by family members (such as bathroom, telephone, radio, television) as well as use of public services and neighbourhood facilities.

At-home Maintenance Assistance

- Light housekeeping: the ability to carry out regular housekeeping activities such as sweeping and dusting by oneself.
- Housecleaning: the ability to independently carry out major housecleaning activities such as washing floors and walls and cleaning a refrigerator or oven.
- Laundry: the ability to independently use appliances for washing and drying clothes.
- Purchase of supplies: the ability to make the necessary purchases of supplies such as groceries and hardware.
- Preparation of breakfast, lunch, dinner: the ability to prepare meals and perform activities related to the washing of dishes. Preparation of each meal is evaluated separately.

C. Evaluation of the need for supervision due to neurological or psychological after effects

Higher cerebral functions	D. In need of constant supervision						
	C. Completely dependent on assistance				Does not apply		
	B. Partially in need of assistance						
	A. No need assistance						
	D	C	B	A			
Memory	3	2	1	0	a	b	c
					d		e
Temporal orientation	3	2	1	0	a	b	c
					d		e
Spatial orientation	3	2	1	0	a	b	c
					d		e
Communication	3	2	1	0	a	b	c
					d		e
Self-control	3	2	1	0	a	b	c
					d		e

Need for Supervision

A) No need of supervision: the victim is able to function in this respect without the help of another person. The victim has normal ability for someone of that age.

B) In need of slight supervision: the victim has some difficulty in connection with this function and help is required in certain situations.

C) In need of moderate supervision: the victim has moderate difficulty in connection with this function. Help is needed on an intermittent basis in certain situations.

D) In need of constant supervision: the victim cannot function in this respect without regular help and must be constantly supervised.

Not Applicable

a: Does not apply in terms of a victim's chronological age.

b: Covered by a health care facility or program

c: Covered by an integration teacher (craniocerebral trauma).

d: The victim had significant difficulty in this area prior to the accident.

e: Other reason (specify).

Evaluation score: _____

Points are carried over to the following chart of qualifying personal care expenses for supervision.

CHART OF QUALIFYING PERSONAL CARE EXPENSES FOR SUPERVISION

Score	Percentage*
0	0%
1	33%
2	67%
3	100%

* The percentage of the maximum amount provided under section 158 of the Act.
Amount of qualifying expenses: the percentage is applied to the maximum amount provided under section 158 of the Act.
The result (rounded off to the nearest dollar) is entered on the summary at the end of this schedule.

Explanation and comments (specify the areas of activity or aspect of life affected and the degree of supervision or help required):

Description of evaluation items

The need for supervision of the victim is established on the basis of medical or other information on file.

The need for supervision is determined according to its requirement during the person's waking hours.

- Memory: the ability to recall very recent events (such as a running bath, something cooking on the stove), recent events (an activity of a few hours earlier) or to remember things for the longer term (paying one's rent).
- Temporal orientation: the ability to situate oneself in the context of passing hours and days, such as to follow a schedule, and to keep appointments.
- Spatial orientation: the ability to situate oneself in a known or familiar environment, such as to know one's address and to find one's way around the neighbourhood.
- Communication: the ability to express one's needs verbally, in writing, with gestures, or using sounds, and to understand simple orders and directions in everyday living.
- Self-control: the ability to behave appropriately in terms of the surroundings or people present, to control one's impulses so as to avoid placing oneself or another in a socially unacceptable or dangerous situation.

D. Evaluation of need for particular supervision

A. This evaluation may be used in a case where the score on Grid A or C does not correspond to the real needs of a victim because the grids identify the needs as inapplicable.

B. Based on the after effects of injury, why is particular supervision of the victim required?

C. Description of care, treatment and medication dispensed to the victim:

D. Other relevant details:

RECOMMENDATION

THE VICTIM REQUIRES PARTICULAR SUPERVISION OVER A MAXIMUM 8-HOUR PERIOD DAILY:

POINTS: NONE FOUR HOURS OR LESS MORE THAN 4 HOURS

FOR THE PERIOD FROM TO

EVALUATION BY:

The evaluation score of particular supervision requirements is carried over to the following chart of qualifying particular supervision expenses.

CHART OF QUALIFYING PARTICULAR SUPERVISION EXPENSES

Score	Percentage*
0	0%
1	24%
2	47%

* The percentage of the maximum amount prescribed by section 158 of the Act.

Amount of qualifying expenses: the percentage is applied to the maximum amount provided under section 158 of the Act.

The result (rounded off to the nearest dollar) is entered on the summary at the end of this schedule.

Explanations and comments (specify the areas of activity or aspect of life affected and the degree of supervision or help required):

SUMMARY

PERSONAL CARE: _____/24							
HOME ASSISTANCE: _____/27	SUB-TOTAL _____/51 \$ _____						
NEED FOR SUPERVISION BECAUSE OF HIGHER LEARNING FUNCTION DAMAGE (0, 1, 2 or 3) _____	+ \$ _____						
NEED FOR PARTICULAR SUPERVISION (0, 1 or 2) _____	+ \$ _____						
TOTAL WEEKLY QUALIFYING EXPENSES (SUBJECT TO MAXIMUM ALLOWED):	\$ _____						
EVALUATION COVERING THE PERIOD FROM	<table border="1"><tr><td> </td><td> </td><td> </td></tr></table> TO <table border="1"><tr><td> </td><td> </td><td> </td></tr></table>						
NUMBER OF WEEKS: _____							