

TASMANIA

**MOTOR ACCIDENTS (LIABILITIES AND
COMPENSATION) AMENDMENT BILL 2019**

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 28 amended (Determination as to right to scheduled benefits)
5. Section 34 amended (Regulations)
6. Repeal of Act

**MOTOR ACCIDENTS (LIABILITIES AND
COMPENSATION) AMENDMENT BILL 2019**

*(Brought in by the Minister for Justice, the Honourable Elise
Nicole Archer)*

A BILL FOR

**An Act to amend the *Motor Accidents (Liabilities and
Compensation) Act 1973***

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Motor Accidents
(Liabilities and Compensation) Amendment Act
2019*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the *Motor Accidents (Liabilities and
Compensation) Act 1973** is referred to as the
Principal Act.

*No. 71 of 1973

*Motor Accidents (Liabilities and Compensation) Amendment Act
2019
Act No. of 2019*

s. 4

4. Section 28 amended (Determination as to right to scheduled benefits)

Section 28 of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “subsection (5)” and substituting “subsection (4)”;
- (b) by inserting the following paragraph after paragraph (b) in subsection (8):
 - (ba) prescribe the procedures for hearing and determining a matter referred to the Tribunal, including the manner in which the Tribunal may inform itself in respect of such a matter; and
- (c) by omitting subparagraph (ii) from subsection (8)(c) and substituting the following subparagraph:
 - (ii) the determination, apportionment, payment and other matters relating to the amount of costs to be paid by a party to a reference to the Tribunal; and
- (d) by inserting the following subsection after subsection (8):
 - (9) A determination of the Tribunal under this section, or an order as to costs made by the Tribunal in

*Motor Accidents (Liabilities and Compensation) Amendment Act
2019
Act No. of 2019*

s. 5

respect of a determination under this section, made before the commencement of the *Motor Accidents (Liabilities and Compensation) Amendment Act 2019*, is declared to be as valid as it would have been if the amendments effected by that Act had been in force at the time when the determination or order was made.

5. Section 34 amended (Regulations)

Section 34(3) of the Principal Act is amended by omitting “Board” and substituting “Board or the Tribunal”.

6. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.