

DRAFT SECOND READING SPEECH

HON ELISE ARCHER MP

Motor Accidents (Liabilities and Compensation) Amendment Bill

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Madam Speaker, I move that the Bill now be read a second time.

This Bill proposes amendments to the *Motor Accidents (Liabilities and Compensation) Act 1973* to clarify the power to make regulations relating to the Motor Accidents Compensation Tribunal.

The Act establishes the Motor Accidents Compensation Tribunal, which resolves or determines disputes between the Motor Accidents Insurance Board and parties seeking or in receipt of scheduled benefits under the Act. The Act also provides the power to make regulations in relation to the Tribunal.

Concerns have been raised about the lack of clarity concerning the power to make regulations under the Act.

The *Motor Accidents Compensation Tribunal Regulations 2009* are due to expire in June 2019. It is necessary to ensure that the power to make regulations is clearly set out to allow the Tribunal to function effectively.

This Bill clarifies the power to make regulations under the Act by amending sections 28 and 34 of the Act. These amendments will provide clear powers to make regulations in relation to awarding of costs and prescribing procedures for hearings, and determination of matters, referred to the Tribunal.

The Bill also includes a doubts removal provision in relation to previous determinations or awards for costs made by the Tribunal under section 28 of the Act. The doubts removal provision, set out in proposed new section 28(9), deems a determination, or an order as to costs, made prior to the commencement of the amendments, to have been validly made.

This Bill will provide greater clarity and certainty around the powers to make effective regulations for the Tribunal.

Madam Speaker, I commend the Bill to the House.