

TASMANIA

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

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MOTOR ACCIDENTS (LIABILITIES AND COMPENSATION) AMENDMENT BILL 2019

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
21 March 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.

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3. Principal Act

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

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

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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
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.