

TASMANIA

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**MOTOR ACCIDENTS (LIABILITIES AND  
COMPENSATION) AMENDMENT  
(TERRORISM) BILL 2002**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 2 amended (Interpretation)
5. Section 2A inserted
  - 2A. Meaning of “act of terrorism”
6. Section 14 amended (General liability of Board in respect of motor accidents)
7. Section 24 amended (Exclusions from scheduled benefits)



**MOTOR ACCIDENTS (LIABILITIES AND  
COMPENSATION) AMENDMENT  
(TERRORISM) BILL 2002**

*(Brought in by the Minister for Infrastructure, the  
Honourable James Glennister Cox)*

**A BILL FOR**

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

Be it enacted by His 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:

**Short title**

1. This Act may be cited as the *Motor Accidents  
(Liabilities and Compensation) Amendment (Terrorism)  
Act 2002*.

**Commencement**

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

**Principal Act**

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

**Section 2 amended (Interpretation)**

4. Section 2(1) of the Principal Act is amended by inserting after the definition of “adult average weekly earnings” the following definition:

“**act of terrorism**” has the meaning given by section 2A;

**Section 2A inserted**

5. After section 2 of the Principal Act, the following section is inserted in Part I:

**Meaning of “act of terrorism”**

**2A. (1)** For the purposes of this Act, an “**act of terrorism**” is an act done, or threat made, by a person –

- (a) for an ethnic, ideological, political, religious or similar purpose; and
- (b) with the intention to –
  - (i) cause personal injury or damage to property; and

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\*No. 71 of 1973

- (ii) influence a government or put the public, or a section of the public, in fear.

(2) In determining whether an act or threat is an act of terrorism, it does not matter whether the person is acting alone or with others or in connection with an organisation or government.

(3) In determining whether an act is done or a threat is made for a purpose, or with an intention, referred to in subsection (1), regard may be had to the nature of the act or threat and the context in which the act was done or the threat was made.

**Section 14 amended (General liability of Board in respect of motor accidents)**

6. Section 14(4) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (b) “section 49 of the *Police Offences Act 1935*.” and substituting “section 49 of the *Police Offences Act 1935*; and”;
- (b) by inserting the following paragraph after paragraph (b):
  - (c) any liability in respect of the personal injury to a person resulting directly from a motor accident involving a motor vehicle that at the time of the accident was being used for the actual doing of an act, or making of a threat, that is an act of terrorism.

**Section 24 amended (Exclusions from scheduled benefits)**

7. Section 24(1) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (g)(ii)(B) “vehicle.” and substituting “vehicle;”;
- (b) by inserting the following paragraph after paragraph (g):
  - (h) where the personal injury to that person results directly from a motor accident involving a motor vehicle that at the time of the accident was being used for the actual doing of an act, or making of a threat, that is an act of terrorism.