

## FACT SHEET

### *Motor Accidents (Liabilities and Compensation) Amendment Bill*

The Motor Accidents (Liabilities and Compensation) Amendment Bill 2019 (the Bill) amends the *Motor Accidents (Liabilities and Compensation) Act 1974* (the Act) to clarify the power to make regulations in relation to the Motor Accidents Compensation Tribunal.

Section 12 of the Act establishes the Motor Accidents Compensation Tribunal (the Tribunal). The purpose of the Tribunal is to resolve or determine disputes between the Motor Accidents Insurance Board (MAIB) and parties seeking or in receipt of scheduled benefits under the Act.

Section 28(8) of the Act provides the power to make regulations in relation to the Tribunal. However, the power to make regulations in relation to the Tribunal is not clear for all aspects the Tribunal's activities.

In relation to section 28(8)(ba), the Bill clarifies that regulations can be made that 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 a matter.

In relation to section 28(8)(c)(ii), the Bill clarifies that regulations can be made relating to the amount of costs to be paid by a party to a reference to the Tribunal.

The Bill also includes a provision to remove doubt about the validity of determinations made by the Tribunal and the ordering of costs to parties by the Tribunal. Under this doubts removal provision, a determination or an order for costs, made by the Tribunal prior to commencement of the amendments, is valid.

Section 34 of the Act is further clarified to apply the general regulation-making power within the Act to the Tribunal in addition to MAIB.