

1990 - No. 647

MOTOR ACCIDENTS ACT 1988 - ORDER

NEW SOUTH WALES



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I, John Robert Arthur DOWD, being the Minister of the Crown administering the provisions of the Motor Accidents Act 1988, pursuant to section 80 of the Act (Indexation of amounts relating to non-economic loss), make the order set out in the following Schedule.

Dated 26th September 1990.

JOHN DOWD
Attorney General.

SCHEDULE

Citation

1. This Order may be cited as the MotorAccidents (Determination of Non-economic Loss) Order No. 1.

Commencement

2. This Order takes effect on 1 October 1990.

Section 79 (3)

3. It is declared that the maximum amount which may be awarded for non-economic loss of an injured person as a consequence of a motor accident is \$192,600.

Section 79 (4)

4. It is declared that if the amount of non-economic loss is assessed to be \$16,050 or less, no damages for non-economic loss shall be awarded.

Section 79 (5)

5. It is declared that if the amount of damages to be awarded for non-economic loss in accordance with section 79 (1)-(3) of the Motor Accidents Act 1988 is more than \$16,050 but less than \$58,850, the following deductions shall be made from that amount:

- (a) if the amount of damages is less than \$42,800 - the amount to be deducted is \$16,050;
- (b) if the amount of damages is not less than \$42,800 - the amount to be deducted is \$16,050, or \$16,050 reduced by \$1,070 for every \$1,070 by which the amount of damages exceeds \$42,800.

[Note: An amount declared in this Order applies to the exclusion of the corresponding amount specified in section 79 of the Motor Accidents Act 1988]
