



New South Wales

Motor Accidents Compensation Amendment (Insolvent Insurers) Regulation 2001

under the

Motor Accidents Compensation Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Accidents Compensation Act 1999*.

JOHN DELLA BOSCA, M.L.C.,

Special Minister of State

Explanatory note

The object of this Regulation is to ensure that Part 7.3 (Insolvent insurers) of the *Motor Accidents Compensation Act 1999* extends to claims arising under certain policies under the *Motor Accidents Act 1988* in respect of motor accidents occurring before the commencement of that Part.

This Regulation is made under the *Motor Accidents Compensation Act 1999*, including section 228 (the general power to make regulations) and clause 2 of Schedule 5 (the power to make regulations of a savings or transitional nature).

2001 No 220

Clause 1 Motor Accidents Compensation Amendment (Insolvent Insurers)
 Regulation 2001

Motor Accidents Compensation Amendment (Insolvent Insurers) Regulation 2001

1 Name of Regulation

This Regulation is the *Motor Accidents Compensation Amendment (Insolvent Insurers) Regulation 2001*.

2 Amendment of Motor Accidents Compensation Regulation (No 2) 1999

The *Motor Accidents Compensation Regulation (No 2) 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 16AA

Insert after clause 16:

16AA Third-party insurance policies issued under Motor Accidents Act 1988 where insurer becomes insolvent

- (1) Part 7.3 of the Act extends to any claim made under a third-party policy of insurance issued under the *Motor Accidents Act 1988* in respect of a motor accident occurring before the commencement of that Part as if the policy had been issued under the *Motor Accidents Compensation Act 1999*.
- (2) Part 7.3 of the Act extends as referred to in subclause (1):
 - (a) whether or not the third-party policy of insurance has had effect for any period after the commencement of that Part, and
 - (b) whether the claim was made before or after the commencement of that Part, and
 - (c) whether the relevant insurer became an insolvent insurer before or after the commencement of this clause.