



New South Wales

Motor Accident Injuries Regulation 2017

under the

Motor Accident Injuries Act 2017

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Accident Injuries Act 2017*.

VICTOR DOMINELLO, MP
Minister for Finance, Services and Property

Explanatory note

The object of this Regulation is to provide for the transitional application of provisions of the *Motor Accident Injuries Act 2017* relating to:

- (a) the filing of premiums for third-party policies by insurers licensed to issue third-party policies under the *Motor Accidents Compensation Act 1999* or authorised by the State Insurance Regulatory Authority, and
- (b) the making of indexation orders for the adjustment of the maximum weekly statutory benefits amount and the maximum amount of damages that may be awarded for non-economic loss.

This Regulation is made under the *Motor Accident Injuries Act 2017*, including section 11.12 (the general regulation-making power) and clause 1 of Schedule 4.

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely, matters of a savings or transitional nature.

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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Motor Accident Injuries Regulation 2017*.

2 Commencement

This Regulation commences on 8 September 2017 and is required to be published on the NSW legislation website.

3 Definition

(1) In this Regulation:

the Act means the *Motor Accident Injuries Act 2017*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

Part 2 Transitional provisions

4 Insurers deemed to be licensed during pre-commencement period

For the purposes of Division 2.3 of the Act, each of the following is deemed to be a licensed insurer during the period starting on 8 September 2017 and ending on the commencement of the Act:

- (a) a licensed insurer within the meaning of the *Motor Accidents Compensation Act 1999*,
- (b) an insurer authorised by the Authority as a licensed insurer for the purposes of that Division.

5 Indexation orders during pre-commencement period

An order may be made under section 3.9 or 4.22 of the Act before the commencement of those sections but does not have effect until the commencement of those sections.