



New South Wales

Motor Accidents Compensation (Determination of Loss) Order 2022

under the

Motor Accidents Compensation Act 1999

I, the chief executive of the State Insurance Regulatory Authority, make the following Order under the *Motor Accidents Compensation Act 1999*, section 146.

Dated 26 September 2022.

ADAM DENT
Chief executive, State Insurance Regulatory Authority

Explanatory note

The object of this Order is to adjust, for the year commencing 1 October 2022, the following amounts—

- (a) for persons who have been killed or injured by the fault of the owner or driver of a motor vehicle in the use or operation of the vehicle—the amount to be disregarded for the purposes of calculating damages for past or future economic loss,
- (b) for persons who have been injured by the fault of the owner or driver of a motor vehicle in the use or operation of the vehicle—the maximum amount that a court may award for non-economic loss.

The *Motor Accidents Compensation Act 1999*, section 146 requires the State Insurance Regulatory Authority to declare the amounts on or before 1 October each year. The amounts are indexed by reference to movements in average weekly earnings.

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1 Name of Order

This Order is the *Motor Accidents Compensation (Determination of Loss) Order 2022*.

2 Commencement

This Order commences on 1 October 2022.

3 Damages for past or future economic loss—maximum for loss of earning etc—the Act, s 125

It is declared that, on and from the operative date specified in the table, for an award under the *Motor Accidents Compensation Act 1999*, section 125(1), the court is to disregard the amount, if any, by which an injured or deceased person's net weekly earnings would, but for the injury or death, have exceeded the amount specified in the table opposite the operative date.

Operative date	Amount of maximum loss of earning etc—net weekly earnings
1 October 2022	\$5,552

4 Maximum amount of damages for non-economic loss—the Act, s 134

It is declared that, on and from the operative date specified in the table, the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident is the amount specified in the table opposite the operative date.

Operative date	Maximum amount of damages for non-economic loss
1 October 2022	\$605,000