

Motor Accident Injuries (Indexation) Order (No 2) 2023

under the
Motor Accident Injuries Act 2017

I, the Chief Executive of the State Insurance Regulatory Authority, make the following Order under the *Motor Accident Injuries Act 2017*, sections 3.9, 3.22 and 4.22.

Dated 11 September 2023.



ADAM DENT
Chief Executive, State Insurance Regulatory Authority

Explanatory note

The object of this Order is to adjust, for the year commencing 1 October 2023—

- a) the maximum amount of weekly statutory benefits payable to persons who have been injured as a consequence of a motor accident to which the *Motor Accident Injuries Act 2017* (**the Act**) applies (s 3.9), and
- b) the maximum amount of damages that may be awarded for non-economic loss to persons who have been injured as a consequence of a motor accident to which the Act applies (s 4.22).

The Act, sections 3.9 and 4.22 require 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.

This Order notifies the number that equates to the factor $\frac{B}{C}$ used in the formula set out in the Act, section 3.22 for calculating the variation of the amount of a weekly payment of statutory benefits to be paid to a person who has been injured in a motor accident to which the Act applies.

The Act, section 3.22, requires the amount of the injured person's pre-accident weekly earnings and pre-accident earning capacity to be varied on 1 April and 1 October each year.

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1 Name of Order

This Order is the *Motor Accident Injuries (Indexation) Order (No 2) 2023*.

2 Commencement

This Order commences on 1 October 2023.

3 Definitions

The *Motor Accident Injuries Act 2017* and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

4 Section 3.9: Maximum weekly statutory benefits amount

It is declared that, on and from 1 October 2023, the maximum weekly statutory benefits amount for the purposes of Division 3.3 of the Act is the amount \$4,583.

4A Section 3.22: Indexation of weekly statutory benefits

For the purposes of section 3.22 (3) of the Act, 1.011 is the number that equates to the factor $\frac{B}{C}$ for the purposes of the variation of the amount of a weekly payment of statutory benefits required on the review date of 1 October 2023.

5 Section 4.22: Indexation of maximum for non-economic loss damages

It is declared that, on and from 1 October 2023, the maximum amount of damages that may be awarded for non-economic loss as a result of an injury caused by a motor accident to which the Act applies is the amount \$620,000.