

# Motor Accidents Compensation (Determination of Loss) Order 2023

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 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, 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 2023*.

## 2 Commencement

This Order commences on 1 October 2023.

## 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 1 October 2023, 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 \$5,685.

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

It is declared that, on and from 1 October 2023, the maximum amount that a court may award for non-economic loss is the amount \$620,000.