

Act No. 102

**MISCELLANEOUS ACTS (TRANSPORT ACCIDENTS
COMPENSATION) AMENDMENT BILL 1987***

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Transport Accidents Compensation Bill 1987.

The objects of this Bill are—

- (a) to amend certain Acts as a consequence of and in connection with the proposed Transport Accidents Compensation Act 1987;
- (b) to specify the amounts of contributions payable in respect of motor vehicles under that Act as from 1 July 1987 (in place of premiums for third-party policies which were paid under the Motor Vehicles (Third Party Insurance) Act 1942); and
- (c) to enact savings and transitional provisions consequent upon the enactment of the proposed Transport Accidents Compensation Act 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act. Most of its provisions will commence on 1 July 1987.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Clause 4 specifies that contributions payable in respect of motor vehicles under the proposed Transport Accidents Compensation Act 1987 shall be determined in accordance with Schedule 2.

* Amended in committee—see table at end of volume.

Miscellaneous Acts (Transport Accidents Compensation) Amendment 1987

Clause 5 is a formal provision which gives effect to the Schedule of savings and transitional provisions.

Schedule 1 contains amendments to certain Acts.

The amendment to the Damages (Infants and Persons of Unsound Mind) Act 1929 excludes the application of that Act to claims made and compensation awarded under the proposed Transport Accidents Compensation Act 1987.

The amendment to the Motor Traffic Act 1909 enables penalty notices to be issued for such offences under the proposed Transport Accidents Compensation Act 1987 as may be prescribed.

The amendment to the Motor Vehicles (Third Party Insurance) Act 1942 limits the application of that Act to events occurring before 1 July 1987. It also facilitates the closure of the Third-party Fund and the transfer of its assets and liabilities to the Transport Accidents Compensation Fund.

The other amendments to the District Court Act 1973, the Industrial Arbitration Act 1940, the Law Reform (Miscellaneous Provisions) Act 1944, the Recreation Vehicles Act 1983 and the Stamp Duties Act 1920 are minor and consequential in nature.

Schedule 2 contains provisions specifying the manner of calculation of amounts payable by way of contributions under the proposed Transport Accidents Compensation Act 1987 in respect of motor vehicles as from 1 July 1987. The provisions are based on the provisions currently found in Schedule 1 to the Motor Vehicles (Third Party Insurance) Act 1942.

Schedule 3 contains savings and transitional provisions consequent upon the enactment of the proposed Transport Accidents Compensation Act 1987.
