



New South Wales

Motor Accidents Compensation Amendment (Terrorism) Bill 2003

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

At present, section 15A of the *Motor Accidents Compensation Act 1999* provides that a third-party policy does not extend to insure the owner or driver of a motor vehicle against liability for an act that can reasonably be characterised as an act of terrorism. Section 35A of that Act provides the same exclusion from liability for claims made in respect of uninsured or unidentified motor vehicles against the Nominal Defendant. The exclusion of acts of terrorism as provided by those sections is temporary however, with a current expiry date of 1 January 2004.

The object of this Bill is to remove the expiry date for the exclusion of acts of terrorism from the compulsory third-party insurance coverage provided under that Act, and from claims against the Nominal Defendant, and provide instead that the exclusion of acts of terrorism will operate until a date appointed by proclamation.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision that gives effect to the amendments to the *Motor Accidents Compensation Act 1999* set out in Schedule 1.

Schedule 1 amends the *Motor Accidents Compensation Act 1999* in the manner described in the above overview.

First print



New South Wales

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New South Wales

Motor Accidents Compensation Amendment (Terrorism) Bill 2003

No. , 2003

A Bill for

An Act to amend the *Motor Accidents Compensation Act 1999* to provide that the exclusion of acts of terrorism from the compulsory third-party insurance coverage under that Act and from claims against the Nominal Defendant will operate until a date appointed by proclamation.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Motor Accidents Compensation Amendment (Terrorism) Act 2003</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Motor Accidents Compensation Act 1999 No 41	7
The <i>Motor Accidents Compensation Act 1999</i> is amended as set out in Schedule 1.	8 9

Schedule 1 Amendments

(Section 3)

[1] Section 15A Exclusion of acts of terrorism from insurance coverage

Omit section 15A (3). Insert instead:

- (3) This section applies to an act of terrorism that occurs on or after 1 January 2002 and before such date as may be appointed by proclamation for the purposes of this section.

[2] Section 35A Exclusion of acts of terrorism from claims against Nominal Defendant

Omit section 35A (3). Insert instead:

- (3) This section applies to an act of terrorism that occurs on or after 1 January 2002 and before such date as may be appointed by proclamation for the purposes of this section.