

Motor Accidents Compensation Amendment Act 2006 No 17

[2006-17]



New South Wales

Status Information

Currency of version

Current version for 6 January 2012 to date (accessed 2 May 2024 at 8:42)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Proposed repeal**

The Act is to be repealed by sec 5 (1) of this Act on the day following the day on which all of the provisions of this Act have commenced.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Motor Accidents Compensation Amendment Act 2006 No 17



New South Wales

An Act to amend the *Motor Accidents Compensation Act 1999* to make further provision with respect to the motor accidents to which the Act applies, no-fault recovery by children, blameless motor accidents, insurance premiums, claims against the Nominal Defendant and caps on insurer liability; and for other purposes.

1 Name of Act

This Act is the *Motor Accidents Compensation Amendment Act 2006*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of *Motor Accidents Compensation Act 1999* No 41

The *Motor Accidents Compensation Act 1999* is amended as set out in Schedule 1.

4 (Repealed)

5 Repeal of Act

(1) This Act is repealed on the day following the day on which all of the provisions of this Act have commenced.

(2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendment of *Motor Accidents Compensation Act 1999*

(Section 3)

[1]-[11] (Repealed)

[12] Section 23A

Insert after section 23:

23A Limit on insurer liability for single incident

- (1) If the liability of a licensed insurer under a third-party policy in respect of all claims arising from a single incident exceeds the prescribed maximum amount, the insurer is entitled to be indemnified by the Nominal Defendant for the amount by which the insurer's liability exceeds that prescribed maximum amount.
- (2) The ***prescribed maximum amount*** is:
 - (a) \$200 million, or
 - (b) such other amount as may be prescribed by the regulations as the prescribed maximum amount for the purposes of this section.
- (3) A change to the prescribed maximum amount does not apply in respect of a liability arising in connection with a motor accident that occurs before the change takes effect.
- (4) The Nominal Defendant is not personally liable to pay any amount payable in satisfaction of the liability of the Nominal Defendant to indemnify an insurer under this section, but every such amount is to be paid by the Nominal Defendant out of the Nominal Defendant's Fund established under Part 2.4.

[13]-[33] (Repealed)

Schedule 2 (Repealed)