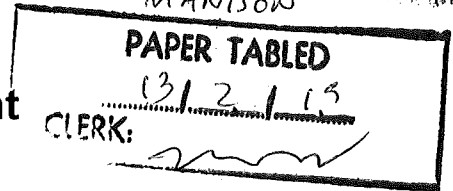MANISON

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13 / 2 / 19

CLERK:

Explanatory Statement

Motor Accidents (Compensation) Amendment Bill 2019
SERIAL NO. ....

LEGISLATIVE ASSEMBLY OF THE
NORTHERN TERRITORY

TREASURER

ORIGINAL PAPER

No.....1056

Laid upon the Table

13 / 2 / 19

EXPLANATORY STATEMENT

GENERAL OUTLINE

This Bill amends the *Motor Accidents (Compensation) Act*.

The purpose of this Bill is to ensure anybody who is working and injured in a motor vehicle accident (regardless of their age) is eligible to receive LOEC benefits, subject to a two-year time limit for those who have reached or exceed pension age.

NOTES ON CLAUSES

Clause 1.   Short Title.

This is a formal clause which provides for the citation of the Bill. The Bill when passed will be cited as the *Motor Accidents (Compensation) Amendment Act 2019*.

Clause 2.   Commencement.

This clause sets out how the amendment Act will be commenced. In this case this will be done by notice given by the Administrator in the Northern Territory Government Gazette.

Clause 3.   Act Amended

This clause provides the legislation that will be amended. In this case this Act amends the *Motor Accidents (Compensation) Act 1979*.

Clause 4.   Section 13 amended (Compensation for loss of earning capacity)

This is a new section where a person stops being entitled to loss of earning benefits:

(i)   if the day of the accident is more than 2 years before the day the person reaches pension age – on the day the person reaches pension age; or

(ii)   in any other case – 104 weeks after the day of the accident.

If the person involved in the motor vehicle accident is pension age or older on the day of the accident, compensation is not payable unless the Commission is satisfied that, on the day of the accident, the person earns income from personal exertion.

Clause 5.   Part 8, Division 4 inserted

This is a new section which provides that the changes only apply in relation to motor accidents that happen after the day on which section 4 of the *Motor Accidents (Compensation) Amendment Act 2019* commences.