

Australian Capital Territory

Motor Accident Injuries (Defined Benefits Application) Guidelines 2021

Disallowable instrument DI2021-279

made under the

Motor Accident Injuries Act 2019, section 487 (MAI guidelines)

EXPLANATORY STATEMENT

Section 487 of the *Motor Accident Injuries Act 2019* (MAI Act) enables the MAI Commission to make guidelines (the MAI guidelines) about any matter required or permitted by the MAI Act to be included in guidelines.

The guidelines provide guidance about making and handling applications for defined benefits under part 2.3, 2.7 and 2.8 of the MAI Act. This includes guidelines about an insurer providing information and support to applicants for defined benefits, accepting applications and administering payments for treatment and care, income replacement and funeral and death benefits.

The guidelines have been updated to provide further clarity about insurers and the nominal defendant accepting applications which are late, are for another insurer, or involve an unidentified motor vehicle. In addition, provision is made for a receipt notice to be delayed in circumstances where a significant event has disrupted the continuity of an insurer's business. A new section also makes provision for information sharing and collaboration between insurers managing concurrent applications under the MAI Scheme.

The 2019 guidelines were made before the MAI scheme commenced. The updates are intended to ensure operations of the scheme are optimal. The 2019 guidelines will be revoked on the commencement of the new guidelines.