

Australian Capital Territory

Motor Accident Injuries (Premiums and Administration) Amendment Regulation 2022 (No 1)

Subordinate law SL2022-18

made under the

Motor Accident Injuries Act 2019 (s 492)

EXPLANATORY STATEMENT

Overview

The *Motor Accident Injuries (Premiums and Administration) Regulation 2019* provides the necessary delegated legislative support to the *Motor Accident Injuries Act 2019* (the Act). Among the provisions of the regulation are the premium classes that an MAI insurer is permitted to charge a premium for a motor accident injury insurance policy. A new vehicle class is being inserted into the regulation for a fourth category of vehicle in the conditional vintage, veteran, and historic registration arrangements.

Human Rights Implications

No human rights implications have been identified.

Details

Clause 1 names the regulation as the Motor Accident Injuries (Premiums and Administration) Amendment Regulation 2022 (No 1).

Clause 2 provides for the commencement of the regulation to be the date after its notification day.

Clause 3 provides the legislation being amended is the *Motor Accident Injuries (Premiums and Administration) Regulation 2019*.

Clause 4 inserts a rounding rule into section 12 of the regulation. Section 12 prescribes the amount of an interim weekly payment as 22.5 percent of the pre-injury weekly income cap, being \$2,250 Average Weekly Earning (AWE) indexed. It has been identified that a rounding rule to the nearest cent is appropriate when undertaking indexation.

Clause 5 inserts a definition into schedule 1 of the Regulation 1. Schedule 1 provides for the definitions for most MAI premium classes to allow for identification of the relevant MAI premium class for the vehicle at the point of registration by the Road Transport Authority.

Veteran, vintage and historic motor vehicles that have registered operators who are members of a club affiliated with the Council of ACT Motor Clubs can access the conditional registration arrangements. The arrangements allow older vehicles used on a limited basis as a recreation or hobby to pay lower registration and MAI premiums reflecting their limited use.

The modified historic vehicle is a new class. It is being introduced to facilitate vehicles older than 30 years of age that have been more extensively modified to be registered as part of the conditional vintage, veteran and historic vehicle arrangements. More extensive modifications will generally be changes greater than those that enhance safety or operation, among other matters. A memorandum of understanding between Transport Canberra and City Services and the Council of ACT Motor Clubs for the operation of the ACT veteran, vintage and historic vehicle registration arrangements provides additional information.

Clause 6 inserts the modified historic vehicle class in the table and assigns it to be class number 24. A class numbering system is used by data systems.