Australian Capital Territory

Motor Accident Injuries (Indexation of Benefits) Declaration 2022 (No 2)

**Notifiable instrument NI 2022–431**

made under the

Motor Accident Injuries Act 2019, section 19 (Indexation of defined benefits and quality of life damages)

**1 Name of instrument**

The instrument is the *Motor Accident Injuries (Indexation of Benefits) Declaration 2022 (No 2)*.

**2 Commencement**

This instrument commences the day after notification.

**3 AWE indexation factors and amounts**

I declare that the AWE indexation factors and amounts as indexed in this instrument apply on and from the 1 October 2022 indexation day.

 *AWE indexation factors*

1. For an amount that is to be AWE indexed biannually on 1 April and 1 October each year the factor is: 1.000.
2. For an amount that is to be AWE indexed annually on 1 October each year the factor is: 1.036.

 *AWE indexed amounts – Biannual indexation*

1. For each AWE indexed amount mentioned in the formulas for income replacement benefits in sections 96 and 97 of the *Motor Accident Injuries Act 2019* (MAI Act):

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in sections 96 and 97 of the MAI Act | Amount as indexed on 1 April 2022\* | Amount as indexed on 1 October 2022# |
| $100 | $140 | $140 |
| $800 | $900 | $900 |
| $1,000 | $1,100 | $1,100 |
| $2,250 | $2,470 | $2,470 |

1. For the AWE indexed amount mentioned in section 103(3) of the MAI Act for the amount for an interim weekly payment:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 103 of the MAI Act | Amount as indexed on 1 April 2022\* | Amount as indexed on 1 October 2022# |
| $2,250 | $2,470 | $2,470 |

 *AWE indexed amounts – Annual indexation*

1. For the AWE amount mentioned in section 139 of the MAI Act for the minimum excess payment for a WPI assessment amount:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 139 of the MAI Act | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $500 | $540 | $560 |

1. For each AWE indexed amount mentioned in the formulas in the table in section 167 of the MAI Act for the amount of quality of life benefits payable:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 167 | Amount as indexed on 1 October 2021 | Amount as indexed on 1 October 2022 |
| $2,100 | $2,240 | $2,330 |
| $2,450 | $2,620 | $2,720 |
| $2,800 | $2,990 | $3,100 |
| $4,480 | $4,780 | $4,960 |
| $7,000 | $7,460 | $7,730 |
| $17,500 | $18,640 | $19,320 |
| $42,000 | $44,740 | $46,360 |
| $126,000 | $134,200 | $139,040 |
| $350,000 | $372,760 | $386,180 |

1. For each AWE indexed amount mentioned in section 174 of the MAI Act for the amount of death benefit payable:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 174 | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $190,000 | $202,360 | $209,650 |
| $40,000 | $42,610 | $44,150 |
| $80,000 | $85,210 | $88,280 |
| $120,000 | $127,810 | $132,420 |
| $160,000 | $170,410 | $176,550 |

1. For the AWE indexed amount mentioned in section 181 of the MAI Act for the maximum amount of funeral benefits payable:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 243 | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $15,000 | $15,980 | $16,560 |

1. For each AWE indexed amount mentioned in the formulas in the table in section 243 of the MAI Act for the amount of quality of life damages payable:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 243 | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $3,500 | $3,730 | $3,870 |
| $4,000 | $4,270 | $4,430 |
| $6,400 | $6,820 | $7,070 |
| $25,000 | $26,630 | $27,590 |
| $60,000 | $63,910 | $66,220 |
| $180,000 | $191,710 | $198,620 |
| $500,000 | $532,510 | $551,690 |

1. For the AWE indexed amount mentioned in sections 243 and 244 of the MAI Act for the maximum amount may be awarded for damages:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in sections 243 and 244 of the MAI Act | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $600,000 | $639,010 | $662,020 |

1. For the AWE indexed amount mentioned in section 276 of the MAI Act for awards of damages:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 276 of the MAI Act | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $50,000 | $53,260 | $55,180 |

1. For the AWE indexed amount mention in section 6 of the *Motor Accident Injuries (ACAT Costs Order) Regulation 2020* (the ACAT Regulation) for maximum costs for ACAT matters:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 6 of the ACAT Regulation | Amount as indexed on 1 October 2021\* | Amount as indexed on 1 October 2022 |
| $2,000 | $2,140 | $2,220 |

1. For the AWE indexed amount mentioned in section 13C of the *Motor Accident Injuries (Premiums and Administration) Regulation 2019* (the Regulation) for maximum costs for mandatory final offers:

|  |  |  |
| --- | --- | --- |
| AWE indexed amount mentioned in section 13C of the Regulation | Amount as indexed on1 October 2021\* | Amount as indexed on 1 October 2022 |
| $5,000 | $5,330 | $5,530 |

Lisa Holmes

Acting MAI Commissioner

MAI Commission

2 September 2022

\* For information/comparison.

# Deemed factor of 1.000 applied.