

Motor Accident Injuries (Indexation of Benefits) Declaration 2023 (No 2)

Notifiable instrument NI 2023–522

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 2023 (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 2023 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: 1.008.
2. For an amount that is to be AWE indexed annually on 1 October each year the factor is: 1.022.

AWE indexed amounts – Biannual indexation

3. 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 2023*	Amount as indexed on 1 October 2023
\$100	\$150	\$152
\$800	\$920	\$928
\$1,000	\$1,120	\$1,129
\$2,250	\$2,510	\$2,531

4. 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 2023*	Amount as indexed on 1 October 2023
\$2,250	\$2,510	\$2,531

AWE indexed amounts – Annual indexation

5. 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 2022*	Amount as indexed on 1 October 2023
\$500	\$560	\$580

6. 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 2022*	Amount as indexed on 1 October 2023
\$2,100	\$2,330	\$2,390
\$2,450	\$2,720	\$2,780
\$2,800	\$3,100	\$3,170
\$4,480	\$4,960	\$5,070
\$7,000	\$7,730	\$7,910
\$17,500	\$19,320	\$19,750
\$42,000	\$46,360	\$47,380
\$126,000	\$139,040	\$142,100
\$350,000	\$386,180	\$394,680

7. 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 2022*	Amount as indexed on 1 October 2023
\$190,000	\$209,650	\$214,270
\$40,000	\$44,150	\$45,130
\$80,000	\$88,280	\$90,230
\$120,000	\$132,420	\$135,340
\$160,000	\$176,550	\$180,440

8. 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 2022*	Amount as indexed on 1 October 2023
\$15,000	\$16,560	\$16,930

9. 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 2022*	Amount as indexed on 1 October 2023
\$3,500	\$3,870	\$3,960
\$4,000	\$4,430	\$4,530
\$6,400	\$7,070	\$7,230
\$25,000	\$27,590	\$28,200
\$60,000	\$66,220	\$67,680
\$180,000	\$198,620	\$202,990
\$500,000	\$551,690	\$563,830

10. 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 2022*	Amount as indexed on 1 October 2023
\$600,000	\$662,020	\$676,590

11. 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 2022*	Amount as indexed on 1 October 2023
\$50,000	\$55,180	\$56,400

12. For the AWE indexed amount mentioned 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 2022*	Amount as indexed on 1 October 2023
\$2,000	\$2,220	\$2,270

13. 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 on 1 October 2022*	Amount as indexed on 1 October 2023
\$5,000	\$5,530	\$5,660

Lisa Holmes
MAI Commissioner
MAI Commission

30 August 2023

* For information/comparison.