Australian Capital Territory

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*

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 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 |

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

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

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 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 |

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 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 |

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

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 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 |

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

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

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 2022\* | Amount as indexed on  1 October 2023 |
| $2,000 | $2,220 | $2,270 |

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 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.