

Australian Capital Territory

Lifetime Care and Support (Catastrophic Injuries) Delegation 2015 (No 1)*

Notifiable Instrument NI2015–518

made under the

***Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 12* (Delegation by the Lifetime Care and Support Commissioner of the Australian Capital Territory)**

1 Name of Instrument

This Instrument is the *Lifetime Care and Support (Catastrophic Injuries) Delegation 2015 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Delegation of functions

In accordance with Part 19.4 of the *Legislation Act 2001*, I, Karen Doran, Lifetime Care and Support Commissioner of the Australian Capital Territory, pursuant to section 12(1) of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (the Act) delegate the functions of the Commissioner for Lifetime care and support of the ACT under section 11(e) of the Act, to the authorised people prescribed under the *Lifetime Care and Support (Catastrophic Injuries) Regulation 2015* (the Regulation).

In accordance with section 12(2) of the Act, the authorised people prescribed under the Regulation may also sub-delegate the functions delegated below to people who are appropriately authorised under section 41(3) of the *Motor Accidents (Lifetime Care and Support) Act 2006* (NSW) to undertake the functions delegated under this delegation.

The following functions are delegated under this delegation:

- Part 3, section 14 – Use of consultants and contractors
- Part 4 – Participation in LTCS scheme
- Part 5 – Treatment and care needs assessment

*Name amended under Legislation Act, s 60

- Part 6 – Payments under LTCS scheme
- Part 7 – Dispute resolution
- Part 8 – Communicating with injured person or LTCS participant
- Part 9, section 70 of the Act – Payment of hospital, ambulance, medical and other expenses not covered by bulk billing arrangement
- Part 11, section 94 of the Act – Exchange of information

excluding the following functions, which continue to remain the functions of the Commissioner for Lifetime Care and Support of the Australian Capital Territory:

- Part 4, section 16(4) – waiver of requirement for medical certificate
- Part 4, section 19(2) – LTCS Scheme – Acceptance as participant
- Part 4, section 21(4) – allow time period for completion of medical certificate
- Part 4, section 21(5) – waiver requirement for medical certificate
- Part 4, section 21(7) – LTCS Scheme – Acceptance for lifetime participation
- Part 7, section 34(3) – discretion to allow an oral notice
- Part 7, section 37(3) – supply copy of assessment panel’s certificate of decision to the injured person
- Part 7, section 46 – appointment of claims assessors and principal claims assessor
- Part 7, section 47(3) – allow notice of dispute about motor accident injury to be given orally
- Part 7, section 48 – referral to a principal claims assessor
- Part 7, section 50(3) – payment of the injured person’s legal costs

Karen Doran

Lifetime Care and Support Commissioner of the Australian Capital Territory

31 August 2015