Australian Capital Territory

Motor Accident Injuries (Indexation of Benefits) Declaration 2020 (No 1)\*

**Notifiable instrument NI2020–518**

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 2020 (No 1)*.

**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 2020 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: 1.015.
2. For an amount that is to be AWE indexed annually on 1 October each year the factor is: 1.028.

*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 October 2020 |
| $100 | $110 |
| $800 | $820 |
| $1,000 | $1,020 |
| $2,250 | $2,290 |

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 October 2020 |
| $2,250 | $2,290 |

*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 2020 |
| $500 | $520 |

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 2020 |
| $2,100 | $2,160 |
| $2,450 | $2,520 |
| $2,800 | $2,880 |
| $4,480 | $4,610 |
| $7,000 | $7,200 |
| $17,500 | $17,990 |
| $42,000 | $43,18 |
| $126,000 | $129,530 |
| $350,000 | $359,800 |

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 2020 |
| $190,000 | $195,320 |
| $40,000 | $41,120 |
| $80,000 | $82,240 |
| $120,000 | $123,360 |
| $160,000 | $164,480 |

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 2020 |
| $3,500 | $3,600 |
| $4,000 | $4,120 |
| $6,400 | $6,580 |
| $25,000 | $25,700 |
| $60,000 | $61,680 |
| $180,000 | $185,040 |
| $500,000 | $514,000 |

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 2020 |
| $600,000 | $616,800 |

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 2020 |
| $50,000 | $51,400 |

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 2020 |
| $2,000 | $2,060 |

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 2020 |
| $5,000 | $5,140 |

Lisa Holmes

MAI Commissioner

MAI Commission

26 August 2020