

# 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)**

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## 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***

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 2022*	Amount as indexed on 1 October 2022 <sup>#</sup>
\$100	\$140	\$140
\$800	\$900	\$900
\$1,000	\$1,100	\$1,100
\$2,250	\$2,470	\$2,470

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 2022*	Amount as indexed on 1 October 2022 <sup>#</sup>
\$2,250	\$2,470	\$2,470

***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 2021*	Amount as indexed on 1 October 2022
\$500	\$540	\$560

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 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

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 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

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 2021*	Amount as indexed on 1 October 2022
\$15,000	\$15,980	\$16,560

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 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

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 2021*	Amount as indexed on 1 October 2022
\$600,000	\$639,010	\$662,020

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 2021*	Amount as indexed on 1 October 2022
\$50,000	\$53,260	\$55,180

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 2021*	Amount as indexed on 1 October 2022
\$2,000	\$2,140	\$2,220

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 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.