



**MOTOR ACCIDENTS (LIABILITIES AND COMPENSATION)
AMENDMENT ACT 1985**

No. 45 of 1985

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AN ACT to amend the Motor Accidents (Liabilities and Compensation) Act 1973.

[Royal Assent 23 May 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Motor Accidents (Liabilities and Compensation) Amendment Act 1985*. Short title.

Commence-
ment.

2—(1) This section and section 1 shall commence on the day on which this Act receives the Royal assent.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

(3) Notwithstanding the amendments made by this Act, claims arising from accidents which occurred before the day fixed by proclamation under subsection (2) shall be dealt with in accordance with Schedule 1 to the Principal Act as in force immediately before that day.

Principal Act.

3—In this Act, the *Motor Accidents (Liabilities and Compensation) Act 1973** is referred to as the Principal Act.

Amendment of
section 2 of
Principal Act
(Interpre-
tation).

4—Section 2 (1) of the Principal Act is amended as follows:—

(a) by omitting “ Part V of Schedule 1 ” from the definition of “ disability allowance ” and substituting “ the regulations ”;

(b) by omitting “ Part II of Schedule 1 ” from the definition of “ medical benefit ” and substituting “ the regulations ”;

(c) by inserting the following definition after the definition of “ registered owner ”:—

“ the regulations ” means regulations made and in force under this Act;

(d) by omitting “ first schedule ” from the definition of “ scheduled benefits ” and substituting “ regulations ”.

Amendment of
section 23 of
Principal Act
(Liability to
pay scheduled
benefits).

5—Section 23 of the Principal Act is amended as follows:—

(a) by omitting “ provided for in Schedule 1 ” from subsection (1) and substituting “ prescribed by the regulations ”;

(b) by omitting “ Schedule 1 ” from subsection (3) and substituting “ the regulations ”;

* No. 71 of 1973. For this Act, as amended to 1st January 1980, see the continuing Reprint of Statutes. Subsequently amended by Nos. 32 and 96 of 1980, No. 10 of 1982, and Nos. 29 and 90 of 1984.

(c) by inserting the following subsections after subsection (3):—

(4) The regulations may prescribe—

- (a) the medical benefits payable in respect of a person who suffers bodily injury as a result of an accident, the forms of treatment for which benefits are payable, and the limit on the amount of benefits so payable;
- (b) the funeral expenses payable in respect of a person who dies as a result of an accident and the limit on the amount of benefits so payable;
- (c) the death benefits payable to dependants of a person who dies as a result of an accident and the limit on the amount of benefits so payable; and
- (d) the disability benefits payable in respect of a person who receives injury as a result of an accident and the manner of determining the limit on the amount of benefits so payable.

(5) The regulations may provide that benefits may be paid by way of lump sum payments, by way of payment of expenses as they are incurred, or by way of periodical allowances.

(6) The regulations may provide that the amount of benefits payable and the period for which benefits are payable may vary in respect of such factors as may be specified in the regulations.

6—Schedule 1 to the Principal Act is repealed.

Repeal of
Schedule 1 to
Principal Act.

