



Queensland

# **Civil Liability and Other Legislation Amendment Regulation (No. 1) 2012**

## **Explanatory Notes for SL 2012 No. 72**

made under the

*Civil Liability Act 2003*

*Personal Injuries Proceedings Act 2002*

*Workers' Compensation and Rehabilitation Act 2003*

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## **General outline**

### **Short title**

*Civil Liability and Other Legislation Amendment Regulation (No. 1) 2012.*

### **Authorising law**

Section 75 of the *Civil Liability Act 2003*

Section 75A of the *Personal Injuries Proceedings Act 2002*

Section 306V of the *Workers' Compensation and Rehabilitation Act 2003*

### **Policy objectives and the reasons for them**

The purpose of the Amendment Regulation is to amend the *Civil Liability Regulation 2003*, the *Personal Injuries Proceedings Regulation 2002* and the *Workers' Compensation and Rehabilitation Regulation 2003* from 1 July 2012 to effect the annual indexation of the monetary amounts under section 75 of the *Civil Liability Act 2003* (the CLA), section 75A of the

*Personal Injuries Proceedings Act 2002* (the PIPA) and section 306V of the *Workers' Compensation and Rehabilitation Act 2003* (the WCRA).

The Amendment Regulation provides for the indexation of amounts under:

- Section 5A, section 6A and section 6B of the *Civil Liability Regulation 2003*;
- Section 13 of the *Personal Injuries Proceedings Regulation 2002*; and
- Section 112C, section 112E and section 112F of the *Workers' Compensation and Rehabilitation Regulation 2003*.

The Amendment Regulation also makes a minor amendment to the *Civil Liability Regulation 2003* to reinstate a provision omitted in error.

### **Achievement of policy objectives**

The Amendment Regulation amends the *Civil Liability Regulation 2003*, the *Personal Injuries Proceedings Regulation 2002* and the *Workers' Compensation and Rehabilitation Regulation 2003* to give effect to the stated policy objective.

### **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the policy objectives of the CLA, the PIPA and the WCRA.

### **Inconsistency with policy objectives of other legislation**

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

The Amendment Regulation will have a beneficial impact as the effect of the indexation of general damages and other relevant amounts, including legal cost thresholds, is to maintain the relative value of those amounts over time in line with wages growth.

### **Consistency with fundamental legislative principles**

The Amendment Regulation does not raise fundamental legislative principle issues.

### **Consultation**

The Motor Accident Insurance Commission has been consulted on the Amendment Regulation.

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#### **ENDNOTES**

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General .

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