

MOTOR ACCIDENT INSURANCE REGULATION 2004

REPORT FOR THE LEGISLATIVE ASSEMBLY PURSUANT TO SECTION 56A OF THE STATUTORY INSTRUMENTS ACT 1992

The following report is made pursuant to section 56A of the *Statutory Instruments Act 1992*, which provides--

s.56A(4) *Within 7 sitting days after the extension regulation is made, the responsible Minister for the subordinate legislation being exempted must table in the Legislative Assembly a report stating –*

- a) *how the Act or provision is subject to review; and*
- b) *if subsection (6)(a) applies-*
 - (i) *the extent to which the Act or provision is being reviewed; and*
 - (ii) *when the Minister expects the review to end.*

s.56A(6) *For this section, an Act or provision is subject to review if-*

- a) *the Act or provision is being reviewed by any Minister; or*
- b) *because of a review of an Act or provision by any Minister, a Bill for an Act to repeal or amend the Act or provision is being drafted or has been introduced into the Legislative Assembly; or*
- c) *an Act repealing or amending the Act or provision has been enacted because of a review of an Act or provision by any Minister, but the repeal or amendment has not yet entirely commenced.*

Exemption from Expiry

The *Motor Accident Insurance Regulation 2004* (the Regulation) is administered by the Treasurer, Minister for Employment and Industrial Relations, Minister for Aboriginal and Torres Strait Islander Partnerships.

The Regulation was due to expire on 31 August 2015 under the *Statutory Instruments Act 1992*. In accordance with section 56A(2) of the *Statutory Instruments Act 1992*, the *Statutory Instruments Amendment Regulation (No. 1) 2015* extended the expiry date of the Regulation for a further period of one year to 31 August 2016.

Details of Review

The Government has committed to investigate ways in which the current CTP scheme could be extended to meet the National Injury Insurance minimum benchmarks. Investigations into a NIIS for motor vehicle accidents requires consideration about the structure and function of the CTP scheme and associated impacts for the *Motor Accident Insurance Act 1994* and the *Motor Accident Insurance Regulation 2004*. These investigations provide grounds for an exemption on the expiry of the *Motor Accident Insurance Regulation 2004* until the outcomes are known.

It is intended that the *Motor Accident Insurance Regulation 2004* be reviewed and remade in conjunction with any proposed NIIS reforms as one package of legislative reform.