

MOTOR ACCIDENTS (AMENDMENT) BILL 1994

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to specify the circumstances in which a court may or may not order the payment of interest on an award of damages under the Motor Accidents Act 1988 and the Motor Vehicles (Third Party Insurance) Act 1942.

Those Acts are amended in order to ensure that the majority decision of the New South Wales Court of Appeal in *Marsland v. Andjelic (No. 2)* given on 24 December 1993 with respect to the payment of interest is not followed in future cases.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a proclaimed day or days.

Clause 3 gives effect to the Schedule of amendments to the Motor Accidents Act 1988 and the Motor Vehicles (Third Party Insurance) Act 1942.

Schedule 1 amends those Acts so as to give effect to the object of this Bill and identifies the claims for damages to which the amendments are to apply.
