



New South Wales

Motor Accident Injuries Amendment Regulation 2023

under the

Motor Accident Injuries Act 2017

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Motor Accident Injuries Act 2017*.

COURTNEY HOUSSOS, MLC
Minister for Finance

Explanatory note

The object of this regulation is to amend the *Motor Accident Injuries Regulation 2017* to provide that the *Motor Accident Injuries Act 2017* (**the Act**), Schedule 2, clause 2(c), as in force immediately before its repeal on 1 April 2023 (**the repealed provision**), continues to apply in relation to a motor accident occurring before 1 April 2023. The continued application of the repealed provision will enable medical assessors at the Personal Injury Commission to determine whether, for the Act, section 3.28, treatment or care provided to an injured person will improve the recovery of the injured person.

Section 3.28(3), as in force immediately before its repeal on 1 April 2023, applies, under the Act, Schedule 4, clause 15, to a motor accident occurring before 1 April 2023 and enables the payment of treatment and care expenses incurred more than 26 weeks after a motor accident in relation to minor injuries if the treatment and care will improve the recovery of the injured person.

This regulation is made under the *Motor Accident Injuries Act 2017*, including Schedule 4, clause 1.

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1 Name of regulation

This regulation is the *Motor Accident Injuries Amendment Regulation 2023*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Motor Accident Injuries Regulation 2017

Clause 42

Insert after clause 41—

42 Savings and transitional provision—the Act, Sch 4, cl 1

- (1) The Act, Schedule 2, clause 2(c), as in force immediately before its repeal on 1 April 2023, continues to apply in relation to a motor accident occurring before 1 April 2023.
- (2) Subclause (1) is taken to have commenced on 1 April 2023.