

# Motor Accidents (Determination of Non-Economic Loss) Order 2024

under the

Motor Accidents Act 1988

I, the Minister for Customer Service and Digital Government, make the following Order under the *Motor Accidents Act 1988*, section 80.

Dated 18 September 2024



The Hon. Jihad Dib MP

Minister for Customer Service and Digital Government

## Explanatory note

The object of this Order is to adjust, for the year commencing 1 October 2024, the maximum amounts that may be awarded for damages for non-economic loss to persons who have been injured as a consequence of a motor accident to which the *Motor Accidents Act 1988* (**the Act**) applies.

The Act, section 80 requires the Minister to declare the amounts on or before 1 October each year. The amounts are indexed by reference to movements in average weekly earnings.

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## 1 Name of Order

This Order is the *Motor Accidents (Determination of Non-Economic Loss) Order 2024*.

## 2 Commencement

This Order commences on 1 October 2024.

## 3 Section 79: Determination of non-economic loss-accidents occurring before midnight on 26.9.95

- (1) **Section 79(3)** It is declared that, on and from 1 October 2024, the maximum amount that may be awarded for the non-economic loss of an injured person as a consequence of a motor accident that occurred before midnight on 26 September 1995 is the amount \$654,000.
- (2) **Section 79(4)** It is declared that, on and from 1 October 2024, no damages for economic loss shall be awarded to an injured person as a consequence of a motor accident that occurred before midnight on 26 September 1995 if the amount of non-economic loss is assessed to be less than the amount \$52,000.
- (3) **Section 79(5)** It is declared that, on and from 1 October 2024, if the amount of damages that may be awarded for non-economic loss in accordance with section 79 of the Motor Accidents Act 1988 is more than the amount \$52,000 but less than the amount \$199,500, the following deductions are to be made from that amount-
  - (a) if the amount of damages is less than the amount \$143,000 - the amount to be deducted is the amount \$52,000,
  - (b) if the amount of damages is not less than the amount \$143,000 - the amount to be deducted is the amount \$52,000 or that amount reduced by \$1,000 for every \$1,000 by which the amount of damages exceeds the amount \$143,000.

## 4 Section 79A: Determination of non-economic loss-accidents occurring after midnight on 26.9.95

It is declared that, on and from 1 October 2024, the maximum amount that may be awarded for the non-economic loss of an injured person as a consequence of a motor accident that occurred after midnight on 26 September 1995 is the amount \$654,000.