



**MOTOR ACCIDENTS (LIABILITIES AND
COMPENSATION) AMENDMENT ACT 1988**

No. 32 of 1988

TABLE OF PROVISIONS

1. Short title.
2. Commencement.
3. Principal Act.
4. Amendment of section 14 of Principal Act
(General liability of Board in respect of
motor accidents).
5. Amendment of section 27 of Principal Act
(Scheduled benefits in relation to liability for
damages).
6. Consequential amendments of *Workers'
Compensation Act 1927*.

AN ACT to amend the Motor Accidents (Liabilities and Compensation) Act 1973 and the Workers' Compensation Act 1927.

[Royal Assent 29 September 1988]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Motor Accidents (Liabilities and Compensation) Amendment Act 1988*. Short title.

Commencement. **2—(1)** This section and sections 1, 3, 5, and 6 shall be deemed to have commenced on 17th August 1988.

(2) Except as provided in subsection (1), this Act shall commence on the day fixed by proclamation under section 2 (2) of the *Workers Compensation Act 1988*.

Principal Act. **3—**In this Act, the *Motor Accidents (Liabilities and Compensation) Act 1973** is referred to as the Principal Act.

Amendment of section 14 of Principal Act (General liability of Board in respect of motor accidents).

4—Section 14 of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:—

(3) Subsection (1) does not apply to any liability in respect of which a policy of insurance is required to be taken out under section 97 (1) of the *Workers Compensation Act 1988* other than liability arising out of an accident involving the use of a motor vehicle which occurs while a worker is travelling in either direction between his place of employment and place of residence, within the meaning of that Act.

Amendment of section 27 of Principal Act (Scheduled benefits in relation to liability for damages).

5—(1) Section 27 (2) of the Principal Act is amended by inserting “, or any person has accepted any money paid into Court in satisfaction of a claim in respect of a death or bodily injury,” after “injury” (firstly occurring).

(2) The amendment effected by subsection (1) applies in respect of a claim for death or bodily injury arising from an accident which occurred before the commencement of this Act and which has not been settled, compromised, or determined before the commencement of this Act.

Consequential amendments of *Workers' Compensation Act 1927*.

6—(1) Section 8G of the *Workers' Compensation Act 1927*† is amended as follows:—

(a) by inserting in subsection (2) “, or has accepted any money paid into Court in satisfaction of a claim for damages in respect of an injury,” after “injury” (thirdly occurring);

(b) by inserting in that subsection “, or before the date of his acceptance of any money paid into Court,” after “judgment” (secondly occurring);

* No. 71 of 1973. For this Act, as amended to 1st January 1980, see the continuing Reprint of Statutes. Subsequently amended by Nos. 32 and 96 of 1980, No. 10 of 1982, Nos. 29 and 90 of 1984, Nos. 45 and 51 of 1985, and Nos. 4 and 10 of 1986.

† 18 Geo. V No. 82. For this Act, as amended up to and including 1st September 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 35 of 1979, No. 72 of 1980, No. 41 of 1981, Nos. 9, 101, and 105 of 1982, No. 29 of 1984, No. 51 of 1985, and No. 59 of 1986.

(c) by omitting from that subsection “are” and substituting “is”.

(2) The amendments effected by subsection (1) apply in respect of a claim for compensation for an injury which occurred before the commencement of this Act and which has not been settled, compromised, or determined before the commencement of this Act.

