

# Motor Accident Insurance Indexation Notice 2024

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable Cameron Dick MP, Deputy Premier, Treasurer and Minister for Trade and Investment provide this human rights certificate with respect to the *Motor Accident Insurance Indexation Notice 2024* (MAI Indexation Notice) made under section 100A of the *Motor Accident Insurance Act 1994* (MAI Act).

In my opinion, the MAI Indexation Notice, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

Section 100A of the MAI Act provides for the annual indexation of monetary amounts for the *declared costs limit*, *lower offer limit* and *upper offer limit*. These limits are the monetary thresholds used in the MAI Act to determine whether legal costs are recoverable under the Act.

Prior to 1 July 2024, these monetary amounts were indexed by the making of a regulation prescribing the amounts which would apply for each new financial year. On 1 July 2024 the MAI Act was amended to implement a new process for the annual indexation of these amounts by Ministerial notice instead of by regulation. The formula by which the indexation of these amounts is calculated (the percentage change in average weekly earnings between the current financial year and the last financial year) will remain the same.

The MAI Indexation Notice, which commences on 1 July 2024, fixes the indexed amounts for the declared costs limit, lower offer limit and upper offer limit for the 2024–25 financial year.

The MAI Indexation Notice also includes, for information only, the monetary amounts applying to periods prior to 1 July 2024 which were previously prescribed in the *Motor Accident Insurance Regulation 2018*.

### Human Rights Issues

#### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The MAI Indexation Notice does not affect or engage any human rights.

## Conclusion

I consider that the MAI Indexation Notice is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

**CAMERON DICK MP**  
DEPUTY PREMIER, TREASURER AND MINISTER FOR TRADE AND INVESTMENT

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