

Motor Accident Insurance Indexation Notice 2025

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 Rosslyn (Ros) Bates MP, Minister for Finance, Trade, Employment and Training provide this human rights certificate with respect to the *Motor Accident Insurance Indexation Notice 2025* (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 MAI Act.

Provisions in the MAI Act require the Minister to make a notice for the financial year fixing the amounts as the declared costs limit, lower offer limit and upper offer limit. The amount fixed for a limit is to be the amount last fixed by the Minister for the limit adjusted by the percentage change in average weekly earnings (AWE) between the current financial year and the last financial year and rounded to the nearest 10 dollars (rounding one-half upwards).

The primary purpose of the MAI Indexation Notice, which commences on 1 July 2025, is to fix the indexed amounts for the declared costs limit, lower offer limit and upper offer limit for the 2025–26 financial year.

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.

ROSSLYN (ROS) BATES MP
MINISTER FOR FINANCE, TRADE, EMPLOYMENT AND TRAINING

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