

# Personal Injuries Proceedings 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 Deb Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity, provide this human rights certificate with respect to the *Personal Injuries Proceedings Indexation Notice 2025* (PIP Indexation Notice) made under section 75A of the *Personal Injuries Proceedings Act 2002* (PIP Act).

In my opinion, the PIP 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 75A of the PIP Act provides for the annual indexation of various costs and offer limits relating to damages for personal injury. Under section 75A(1) of the PIP Act, the Minister must, before each financial year starts, make a notice for the financial year fixing amounts as the declared costs limit, lower offer limit and upper offer limit. These limits are the monetary thresholds used to determine whether, and to what extent, legal costs are recoverable under the PIP Act.

Under section 75A(2) of the PIP Act, the amounts fixed are to be the amounts last fixed by the Minister, adjusted by the percentage change in average weekly earnings between the current financial year and the last financial year and rounded to the nearest 10 dollars (rounding one-half upwards). Under section 75A(5) of the PIP Act, the Minister's notice is subordinate legislation.

The PIP Indexation Notice, which commences on 1 July 2025, fixes the indexed amounts for the declared costs limit, lower offer limit and upper offer limit for the 2025-26 financial year.

### Human Rights Issues

The PIP Indexation Notice does not raise any human rights issues.

## Conclusion

I consider that the PIP Indexation Notice is compatible with the *Human Rights Act 2019* because it does not limit human rights.

**DEB FRECKLINGTON MP**  
Attorney-General and Minister for Justice  
Minister for Integrity

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