

LEGISLATIVE COUNCIL

MOTOR ACCIDENTS COMPENSATION AMENDMENT BILL 2009

Schedule of the Christian Democratic Party amendment agreed to in Committee of the Whole
on Wednesday 13 May 2009

Page 3, Schedule 1. Insert after line 16:

[4] Section 47A

Insert after section 47:

47A Payment not required in relation to conduct that constitutes a serious offence

- (1) Payment for treatment expenses or lost earnings is not required under this Part if:
 - (a) the injury to the injured person occurred at the time of, or following, conduct of that person that, on the balance of probabilities, constitutes a serious offence, and
 - (b) that conduct contributed materially to the injury or to the risk of injury.
 - (2) A *serious offence* is an offence punishable by imprisonment for 6 months or more.
 - (3) This section operates whether or not a person whose conduct is alleged to constitute an offence has been, will be or is capable of being proceeded against or convicted of any offence concerned.
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