



**Personal Injury
Commission**

Rule Committee of the Personal Injury Commission

RESOLUTION #1 of 2023

Pursuant to section 19(7) of the *Personal Injury Commission Act 2020*

On 30 January 2023, the Rule Committee of the Personal Injury Commission of New South Wales (**Committee**) resolved by circular resolution as follows:

1. That rules 94, 95 and 105 of the Personal Injury Commission Rules 2021 be amended as set out in Annexure A, due to the passage of the *Motor Accident Injuries Amendment Act 2022* and Rule Committee Resolution #2 of 2022.

The President voted for the resolution set out above.

Annexure:

- A. Draft Personal Injury Commission (Amendment No 2) Rule 2023

Dated 30 January 2023

BY THE RULE COMMITTEE



New South Wales

Personal Injury Commission (Amendment No 2) Rule 2023

under the

Personal Injury Commission Act 2020

The Personal Injury Commission Rule Committee has made the following rule of court under the *Personal Injury Commission Act 2020*.

Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend the *Personal Injury Commission Rules 2021* as a consequence of amendments made to the *Motor Accident Injuries Act 2017* by the *Motor Accident Injuries Amendment Act 2022*.

Personal Injury Commission (Amendment No 2) Rule 2023

under the

Personal Injury Commission Act 2020

1 Name of Rule

This Rule is the *Personal Injury Commission (Amendment No 2) Rule 2023*.

2 Commencement

This Rule commences on the day on which it is published on the NSW legislation website.

3 Amendment of Personal Injury Commission Rules 2021

(1) Rule 94 Application for assessment of claim for damages

Omit the note to rule 94(1).

(2) Rule 95 Application for approval of damages settlement

Omit rule 95(2).

(3) Rule 105 Application for assessment of medical dispute

Insert after rule 105(2)—

(2A) Subrules (1) and (2) do not apply to a medical dispute about the degree of permanent impairment of the injured person that has resulted from injury caused by the motor accident.

(2B) A claimant or insurer may lodge an application to refer a medical dispute of the kind specified in subrule (2A) for assessment under Division 7.5 of the MAI Act at any time.