

**Reprint
as at 25 June 2004**



**Injury Prevention, Rehabilitation,
and Compensation (Indexation of
Maximum Weekly Compensation)
Regulations 2004**

(SR 2004/187)

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 21st day of June 2004

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 327 and 342(2) of the Injury Prevention, Rehabilitation, and Compensation Act 2001, Her Excellency the Administra-

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Department of Labour.

tor of the Government, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- 1 Title**

These regulations are the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2004.
- 2 Commencement**

These regulations come into force on 1 July 2004.
- 3 Interpretation**

In these regulations, unless the context otherwise requires,—

1998 Act means the Accident Insurance Act 1998

2001 Act means the Injury Prevention, Rehabilitation, and Compensation Act 2001

2003 regulations means the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2003 (SR 2003/122)

insurer has the same meaning as in section 341(1) of the 2001 Act

Labour Cost Index means the *Labour Cost Index All (Industry or Occupation) Groups Combined, All Sectors Combined, Total Wage and Salary Rates* published from time to time by Statistics New Zealand.

4 Formula for indexation of amount of maximum weekly compensation

- (1) The Corporation or the insurer (as the case may be) must adjust the amount of \$1,418.29, which is the amount specified in clause 46(1) of Schedule 1 of the 2001 Act (as adjusted by regulation 4 of the 2003 regulations), and the amount of \$1,418.29 specified under clause 21(1) of Schedule 1 of the 1998 Act (as adjusted by regulation 4 of the 2003 regulations), in accordance with the formula in subclause (2).
- (2) The formula has the following steps:
- (a) first,—

$$\frac{a}{b} = c$$

where—

- a is 1062, which is the Labour Cost Index for the March 2004 quarter
- b is 1039, which is the Labour Cost Index for the March 2003 quarter
- c is 1.0221, which is the result of the division worked out to 4 decimal places; and

- (b) second,—

$$c \times d = e$$

where—

- c is 1.0221
- d is \$1,418.29, which is the amount specified in clause 46(1) of Schedule 1 of the 2001 Act (as adjusted by regulation 4 of the 2003 regulations) or (as the case may be) the amount specified under clause 21(1) of Schedule 1 of the 1998 Act (as adjusted by regulation 4 of the 2003 regulations)
- e is \$1,449.6342, which is the result of the multiplication worked out to 4 decimal places; and

- (c) third, e is rounded down to the nearest cent to give \$1,449.63.

- (3) The Corporation or the insurer (as the case may be) must apply the adjusted amount of \$1,449.63 to payments of weekly compensation for loss of earnings made on and after 1 July 2004.

5 Revocations

The following regulations are revoked:

- (a) the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2003 (SR 2003/122);
- (b) the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2002 (SR 2002/23).

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2004, relate to sections 115 and 342 of the Injury Prevention, Rehabilitation, and Compensation Act 2001. They prescribe the formula that applies when adjusting the maximum amount of weekly compensation for loss of earnings specified in clause 46(1) of Schedule 1 of that Act or the corresponding amount under the Accident Insurance Act 1998.

The maximum amount currently specified in clause 46(1) (and under the corresponding provision in the Accident Insurance Act 1998) as adjusted by the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2003 is \$1,418.29 a week. On and after 1 July 2004, the maximum amount will be \$1,449.63 a week.

Reprinted as at
25 June 2004

**Injury Prevention, Rehabilitation, and
Compensation (Indexation of Maximum
Weekly Compensation) Regulations 2004**

Date of notification in *Gazette*: 24 June 2004.

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Notes**1 *General***

This is a reprint of the Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2004. The reprint incorporates all the amendments to the regulations as at 25 June 2004, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
