



Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 18th day of April 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 328 of the Accident Compensation Act 2001—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for ACC.

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Regulations

1 Title

These regulations are the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 June 2017.

3 Principal regulations

These regulations amend the regulations that were previously called the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Regulations 2002 (the **principal regulations**).

4 Name of principal regulations changed

- (1) After the commencement of this regulation,—
 - (a) the principal regulations are called the Accident Compensation (Review Costs and Appeals) Regulations 2002; and
 - (b) every reference in any enactment and in any document to the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Regulations 2002 must, unless the context otherwise provides, be read as a reference to the Accident Compensation (Review Costs and Appeals) Regulations 2002.
- (2) In regulation 1, replace “Injury Prevention, Rehabilitation, and Compensation” with “Accident Compensation”.

5 Regulation 3 amended (Interpretation)

In regulation 3, definition of **Act**, replace “Injury Prevention, Rehabilitation, and Compensation” with “Accident Compensation”.

6 Schedule 1 replaced

Replace Schedule 1 with the Schedule 1 set out in the Schedule of this order.

7 Schedule 2 amended

In Schedule 2, replace “Injury Prevention, Rehabilitation, and Compensation Act 2001” with “Accident Compensation Act 2001” in each place.

Schedule Schedule 1 replaced

r 6

Schedule Scale of costs and expenses on review

r 4

Section 148, Accident Compensation Act 2001

Item	Maximum award Rate (\$)	(\$)
Applicant's or another person's representation (awards for items in this category may be made in respect of 1 representative only)—		
(a) preparation and lodging of application for review under section 135	136.35	
(b) participation in a case conference on behalf of applicant or another person before review hearing	68.18	
(c) other preparation of case for review	409.07	
(d) appearance at hearing on behalf of applicant or another person—	409.07	
(i) first hour of hearing (or part thereof)		204.53
(ii) second hour of hearing		34.08 per 15 minutes
(iii) later hours of hearing		17.05 per 15 minutes
All relevant and reasonably necessary reports for applicant or another person by any registered specialists (as defined by regulation 3)	1,090.84	
All relevant and reasonably necessary reports prepared for applicant or another person by a person with a recognised qualification to express a competent view on a matter in issue (for example, a person undertaking an occupational assessment, an architect, or a general medical practitioner)—		
(a) if only 1 report is provided	545.42	
(b) if 2 or more reports are provided	818.12	
at the following rates:		
(a) first hour (or part thereof) of preparation		204.53
(b) second hour of preparation		51.13 per 15 minutes
(c) third hour of preparation		34.08 per 15 minutes
Other expenses reasonably incurred by applicant or another person, or on behalf of an applicant or other person, associated with a hearing (for example, transport to a hearing or time off work for an applicant, another person, a representative, or a witness or support person such as whānau support; disbursements such as photocopying, childcare, or telephone charges)—	681.77	
for transport within this category	178.78	0.29 per kilometre for private transport

Michael Webster,
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 June 2017, amend the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Regulations 2002 (the **principal regulations**). *Regulation 4* amends the Title of the principal regulations to reflect the name of the empowering Act, and *regulations 5 and 7* make related and consequential amendments.

Regulation 6 replaces Schedule 1 of the principal regulations, which sets out the maximum amounts that may be awarded to an applicant or other person for costs and expenses on a review. The replacement schedule increases the maximum amounts payable by 16.6% for all but 1 of the items listed. (The per-kilometre amount payable for private transport is unchanged.)

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced a regulatory impact statement on 17 February 2017 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- www.mbie.govt.nz/publications-research/publications/employment-and-skills/ris-increase-to-the-review-costs-regulations.pdf
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 20 April 2017.

These regulations are administered by the Ministry of Business, Innovation, and Employment.