



**THE ACCIDENT REHABILITATION AND COMPENSATION
INSURANCE (TREATMENT AND RELATED TRANSPORT
OVERSEAS COSTS) REGULATIONS 1992, AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of June 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 167 (1) (l) of the Accident Rehabilitation and Compensation Insurance Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Accident Rehabilitation and Compensation Insurance (Treatment and Related Transport Overseas Costs) Regulations 1992, Amendment No. 1, and shall be read together with and deemed part of the Accident Rehabilitation and Compensation Insurance (Treatment and Related Transport Overseas Costs) Regulations 1992* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1993.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations is hereby amended by revoking the definitions of the terms “area health board”, “private hospital”, and “public hospital”.

(2) Regulation 2 (1) of the principal regulations is hereby amended by revoking the definition of the term “overseas treatment”, and substituting the following definition:

“‘Overseas treatment’ means any treatment, service, or physical rehabilitation provided outside New Zealand for which the Corporation or exempt employer would be required to make a contribution towards the cost if the treatment, service, or physical rehabilitation was provided in New Zealand in circumstances in which the Corporation would not be prohibited from making (or the exempt employer could not decline to make) a contribution towards the cost by section 27B or section 27C of the Act.”

3. Payment of costs of overseas treatment or emergency transport—Regulation 7 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) For the purposes of calculating, under subclause (1) of this regulation, the amount payable in respect of the overseas treatment, the Corporation or exempt employer shall calculate the payment that would have been made in respect of that treatment if it had been provided in New Zealand in circumstances in which the Corporation would not be prohibited from making (or the exempt employer could not decline to make) a contribution towards the cost by section 27B or section 27C of the Act.”

4. Savings—Notwithstanding these regulations, where any emergency transport or overseas treatment has been provided, at any time before the close of the 30th day of June 1993, to a claimant in respect of personal injury, the principal regulations shall continue to apply as if these regulations had not been made.

DIANE WILDERSPIN,
Acting for 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 1993, omit from the Accident Rehabilitation and Compensation Insurance (Treatment and Related Transport Overseas Costs) Regulations 1992 references to terms repealed by the Health Reforms (Transitional Provisions) Act 1993. Regulations affected by the sections enacted in 1993 as sections 27, 27B, and 27C of the Accident Rehabilitation and Compensation Insurance Act 1992 are amended.

The amendments made by these regulations do not affect payment for treatment provided before 1 July 1993.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 June 1993.

These regulations are administered in the Accident Rehabilitation and Compensation Insurance Corporation.