



**THE ACCIDENT REHABILITATION AND COMPENSATION
INSURANCE (COUNSELLING COSTS) REGULATIONS 1992,
AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 27th day of March 1995

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 (Counselling Costs) Regulations 1992, Amendment No. 3, and shall be read together with and deemed part of the Accident Rehabilitation and Compensation Insurance (Counselling Costs) Regulations 1992* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

*S.R. 1992/268
Amendment No. 1: S.R. 1993/199
Amendment No. 2: S.R. 1993/301

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “counselling”, the following definition:

“ ‘Minister’ means, subject to any enactment, the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the Act.”.

3. Interim approval as counsellor—(1) Regulation 23 (4) of the principal regulations (as substituted by regulation 2 (4) of the Accident Rehabilitation and Compensation Insurance (Counselling Costs) Regulations 1992, Amendment No. 2) is hereby amended—

(a) By omitting the words “ ‘1st day of May 1995’ ”, and substituting the words “ ‘31st day of December 1997’ ”;

(b) By omitting the words “regulation 20”, and substituting the words “regulations 19 and 20”;

(c) By omitting the words “1st day of May 1996” and substituting the words “31st day of December 1997”.

(2) Regulation 23 of the principal regulations is hereby amended by adding the following subclauses:

“(5) In addition to its powers under regulation 21 (4) of these regulations, if the committee is satisfied that a counsellor with interim approval is not making reasonable progress towards meeting the criteria for approval set out in regulations 19 and 20 of these regulations, the committee, after giving not less than 4 weeks’ written notice to the counsellor, may cancel the interim approval.

“(6) For the purposes of subclause (5) of this regulation, the committee shall develop, for the Minister’s approval, one set of factors for measuring whether a counsellor is making such reasonable progress. The committee shall apply, to each instance of proposed cancellation, those of the factors that the committee considers to be relevant in the circumstances.

“(7) The factors developed under subclause (6) of this regulation may be amended from time to time by the committee developing a suitable amendment, for the Minister’s approval.

MARIE SHROFF,
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 amend the Accident Rehabilitation and Compensation Insurance (Counselling Costs) Regulations 1992 to—

- (a) Extend the period of interim approval for counsellors from 1 May 1995 to 31 December 1997:
- (b) Extend the period in which interim-approved counsellors must show that they will comply with the requirements for full approval from 1 May 1996 to 31 December 1997:
- (c) Provide the Counsellors Approval Committee with the ability to cancel interim approval, after taking into account such relevant factors as have been developed by the committee and approved by the Minister.

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

Date of notification in *Gazette*: 30 March 1995.

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