

House of Representatives

Supplementary Order Paper

Tuesday, 20 September 2022

Accident Compensation (Maternal Birth Injury and Other Matters)
Amendment Bill

Proposed amendments

Jan Logie, in Committee, to move the following amendments:

New clause 5A

After *clause 5* (page 3, after line 20), insert:

5A New section 21C inserted (Cover for mental injury caused by pregnancy, labour, or delivery)

After section 21B, insert:

21C Cover for mental injury caused by pregnancy, labour, or delivery

- (1) A person has cover for a personal injury that is a mental injury if—
- (a) the person is pregnant, goes into labour, or gives birth; and
 - (b) the mental injury is caused by the pregnancy, labour, or delivery described in **paragraph (a)**; and
 - (c) the mental injury is of a kind generally accepted by the medical profession as caused by pregnancy, labour, or delivery; and
 - (d) the mental injury occurs—
 - (i) in New Zealand; or
 - (ii) outside New Zealand to a person who is ordinarily resident in New Zealand when the event occurs.

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- (2) For the purposes of this section, it is irrelevant whether or not the person is ordinarily resident in New Zealand on the date on which he or she suffers the mental injury.

Clause 8

Before *clause 8(1)* (page 3, before line 33), insert:

(1AA) After section 30(1)(da), insert:

- (db) mental injury suffered by a person in the circumstances described in **section 21C**; or

New clauses 8A and 8B

After clause 8 (page 4, after line 15), insert:

8A Section 36 amended (Date on which person is to be regarded as suffering mental injury)

In section 36(1), replace “section 21 or 21B” with “section 21, 21B, or **21C**”.

8B Section 57 amended (Steps Corporation takes to action complicated claims for cover)

In section 57(1)(a), replace “section 21 or 21B” with “section 21, 21B, or **21C**”.

Clause 10

In clause 10, before the amendment inserting new section 119(4) (page 4, before line 20), insert:

- (1) In section 119(3), replace “section 21 or 21B” with “section 21, 21B, or **21C**”.

Explanatory note

This Supplementary Order Paper amends the Accident Compensation (Maternal Birth Injury and Other Matters) Amendment Bill. The effect of the amendments is that mental injury caused by pregnancy, labour, or delivery, suffered by the person who is pregnant, goes into labour, or gives birth, is a personal injury and covered under the Accident Compensation Act 2001.