



## COVERSHEET

<b>Minister</b>	Hon Carmel Sepuloni	<b>Portfolio</b>	ACC
<b>Title of Cabinet paper</b>	Government Responses to five ACC-related petitions	<b>Date to be published</b>	30 November 2021

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
October 2021	Government Responses to five ACC-related petitions	Office of the Minister for ACC
21 October 2021	Government Responses to five ACC-related petitions LEG-21-MIN-0165 Minute	Cabinet Office

### Information redacted

**YES / NO** [select one]

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In Confidence

Office of the Minister for ACC  
Chair, Cabinet Legislation Committee

## **GOVERNMENT RESPONSE TO FIVE ACC-RELATED PETITIONS**

### **Proposal**

1. This paper seeks approval of the Government's response to five ACC-related petitions referred to the Minister for ACC by the Petitions Committee.

### **Background**

2. The Government recently received the following five petitions related to ACC compensation levels and claim eligibility:
  - a. *Petition of Matt Davis*: Amendment of ACC legislation to recognise cumulative trauma
  - b. *Petition of Denise Astill for Foetal Anti-Convulsant Syndrome NZ*: Changes ACC loss of potential earnings to 100% of median wage
  - c. *Petition of Jenn Hooper MNZM*: Alterations to ACC Loss of Potential Earnings (LOPE) and Lump Sum Entitlements
  - d. *Petition of John Bird*: ACC's Behaviour toward Treatment Injury Victims, and their rights
  - e. *Petition of Anthony Reilly*: Minimum ACC Payments for Victims of Treatment Injury
3. The Petitions Committee used its power under Standing Order 378(d) to group these petitions together given they are about similar topics. This means only one response is required to cover all five petitions.
4. The Petitions Committee referred the petitions to the Minister for ACC for response to the House on behalf of the Government, under Standing Order 380.
5. Submissions providing policy background and considerations relating to the issues raised by the petitioners have previously been provided by either the Ministry of Business, Innovation and Employment (MBIE) or ACC.

### **The Government's response to the petitions**

6. The full Government response to the petitions proposed by the Minister for ACC is attached to this submission.

7. The proposed response is to not recommend any immediate changes in response to the petitions. It is proposed to note, however, that the petitions do raise issues that will help to inform the Government's work programme as it moves to improve the fairness of the Accident Compensation Scheme (AC Scheme) and reverse detrimental changes made by the previous Government in 2010.
8. While the proposals in the petitions would increase the scope of cover and entitlements under the AC Scheme, they would also add material costs to both the levied accounts and the Non-earners' appropriation and exacerbate existing inequities between those eligible for accident compensation and those relying on the health and welfare systems. The proposals in their current form may also create inequities within the AC Scheme. Further discussion of the likely benefits and costs of each proposal (to the extent known) along with the issues that would need to be addressed are contained in the more detailed responses to each petition.
9. Any future proposals developed to address issues raised by the petitions would have to go through the usual Budget bid and levy setting processes.

### **Timing of the Government response**

10. The Government response must be presented to the House within 60 working days of its referral to the Minister for response, in accordance with Standing Order 380. This means the Government response must be presented by 2 November 2021.

### **Financial implications**

11. There are no immediate financial implications arising from the proposed response. While the response states that the petitions raise issues that will help to inform the Government's work programme, any new expenditure required will be sought through the usual Budget bid and levy setting processes.

### **Publicity**

12. The Minister for ACC will present the Government response to the five ACC-related petitions to the House of Representatives. No further publicity is required.

### **Proactive release**

13. MBIE will proactively release this Cabinet paper and accompanying Cabinet minute in accordance with Cabinet guidelines. No redactions are proposed.

### **Consultation**

14. This Cabinet paper was prepared by MBIE in consultation with ACC.
15. The Government response was prepared by MBIE in consultation with ACC and the Department of the Prime Minister and Cabinet.

## Recommendations

I recommend that the Cabinet Legislation Committee:

1. **note** that on 9 August 2021 the Petitions Committee grouped five ACC-related petitions together and referred them to the Minister for ACC for response to the House on behalf of the Government;
2. **approve** the Government response, attached to this submission, to the five ACC-related petitions;
3. **note** that the Government response must be presented to the House of Representatives by 2 November 2021;
4. **invite** the Minister for ACC to present the Government response to the House in accordance with Standing Order 380.
5. **invite** the Minister for ACC to write to the petitioners enclosing a copy of the Government response to the petitions, after the response has been presented to the House.

Authorised for lodgement

Hon Carmel Sepuloni  
**Minister for ACC**