



13 December 2023

Anon

fyi-request-24451-f72726a3@requests.fyi.org.nz

Kia ora

Your Official Information Act request, reference: GOV-029176

Thank you for your request of 24 November 2023, asking for the following information under the Official Information Act 1982 (the Act):

So just to be clear, are you saying it is ACC's position is that a claimant is not permitted or authorised to lodge their own claim with ACC? Are you saying it is ACC's position that section 48 of the Accident Compensation Act is null and void? Who, specifically, is authorised to lodge a claim for a claimant, other than a registered health provider?

Our response

Section 52 of the Accident Compensation Act 2001 (the AC Act) states that a person must lodge a claim in a manner specified by ACC (that it is reasonable to expect a person to comply with) and that ACC may impose reasonable requirements on the person (such as requiring the person to lodge a written claim).

Pursuant to section 52, ACC generally requires people to lodge claims via their treatment providers, as anticipated by section 49 of the AC Act. This general requirement was explained to you in our previous response of 14 November 2023 (ref: GOV-028561). Usually, if a claimant lodges a claim in some other manner, ACC will require the claimant to attend a treatment provider to have a claim lodged. This recognises medical expertise necessary to diagnose injuries.

However, in some cases, ACC may exercise operational discretion to accept lodgement of a claim that has been lodged otherwise than in accordance with the required process.

If you are not happy with this response

You can contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi

Sara Freitag
Manager, Official Information Act Services
Government Engagement