

30 October 2018

Mr James Buckingham  
[fyi-request-8787-ba20d8f9@requests.fyi.org.nz](mailto:fyi-request-8787-ba20d8f9@requests.fyi.org.nz)

Dear Mr Buckingham

Ref: 0052850

### Official Information Act Request

Thank you for your request of 1 October 2018 asking for the following information under the Official Information Act 1982 (the Act):

*I wish to request information relating to the number of claims made for compensation from ACC by people in New Zealand who do not hold either residency, permanent residency or citizenship between Q1 2008 and Q1 2018.*

#### Background

Before we answer your request, we would like to provide some background information on injury cover by ACC.

The purpose of the ACC scheme is to provide comprehensive, no fault injury cover for all New Zealanders and visitors to our country, without the need for costly litigation for compensation.

In the event of an accident, ACC contributes towards the treatment and rehabilitation costs of injuries sustained while the client is in New Zealand. Visitors and tourists still need to purchase their own travel and medical insurance because the ACC scheme is not a replacement for travel or medical insurance.

If ACC was withdrawn from overseas visitors, they would resume the right to sue for damages where they believed another person was at fault. This would raise the prospect of all New Zealanders facing the high costs and possibly lengthy litigation should they be, in any way, responsible for a visitor's injury.

Tourists and visitors make a significant contribution to the New Zealand economy, and contribute to the cost of ACC in a number of ways.

All visitors and tourists who hire a rental car contribute in two ways to ACC's Motor Vehicle Account. They pay a levy on petrol purchases, and car rental prices include the cost of vehicle registration, which also incorporates an ACC levy.

In addition, overseas visitors who work in New Zealand contribute to ACC's Earners Account and also pay income tax. GST is collected on purchases made in New Zealand by international visitors. GST goes into the consolidated fund, from which funding for ACC's Non-Earners' Account is funded.

#### Interpreting the data

The accuracy of the data ACC collects about accidents, and the individuals injured in them, is largely reliant on the information providers enter when they complete an ACC45 Claim Form. There are no sections of the ACC45 that require a person to state their citizenship status, their immigration status, or their nationality.

There are, however, three places on the form where information identifying the client as not holding residency, permanent residency or citizenship could possibly be ascertained, as follows.

- If the physical address is given as another country.
- If their occupation is listed as 'Overseas visitor'.
- If the client provides a description of how their injury happened and includes the words 'overseas tourist' or 'visitor', or similar.

It must be noted that the purposes of these three sections of the ACC45 are not to identify whether a client is a tourist. Furthermore, clients may omit or mis-state information in these three places that might otherwise indicate they are a tourist, as follows.

- Clients may provide the physical address in New Zealand that they are staying at when the accident occurred.
- Clients may choose the item in the 'occupation' drop-down box that most accurately identifies their occupation rather than choosing the 'overseas tourist' option.
- There is a large degree of variability in the words used and quality of the descriptions provided in the space for describing how the injury happened, and words indicating that the client is a tourist may not be used, or may not be deemed relevant.

### **Our response**

In order to answer your query we are able to provide you with information based on the occupation selection of 'Overseas visitor' on the ACC45. As outlined above, this is most likely to be indicative that the person does not hold residency or citizenship.

The table below presents the number of new and active claims between 2007 and 2018 calendar years, as 30 September 2018. The total number of new claims made by tourists to New Zealand was compiled by selecting claims which listed their occupation as 'Overseas visitor' on the ACC45 form. Due to the limitations outlined above, while largely representative of the claims received by ACC the data provided should not be considered a complete, definitive measure of the claims related to non-residents that ACC has received during the period covered by this response.

Calendar Year	New Claims	Active Claims
2007	3,080	2,916
2008	3,266	3,112
2009	3,937	3,657
2010	3,949	3,651
2011	3,542	3,235
2012	3,397	3,127
2013	4,134	3,485
2014	5,757	4,325
2015	6,761	5,062
2016	7,357	5,216
2017	8,448	6,048
2018 YTD	6,896	5,371

### *Notes about the data*

'New claims' are counted by the date that the claim was lodged with ACC, which can be immediately after the injury occurred or at any later stage.

'Active claims' are those that generated a payment during the calendar year specified. Active claims can include new claims for which a payment was made during that time. A claim may be active over many periods and appear more than once in the data. Claims that only received bulk funded hospital services (known as Public Health Acute Services) have not been included.

The data was extracted on 26 October 2018 and may differ if re-run at a later date.

### **Queries**

If you have any questions about the information provided, ACC will be happy to work with you to answer these. Please send any questions by email to [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz).

You also have the right to seek an investigation and review of this response, by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

Yours sincerely

**Government Engagement & Support**