

Damages for loss of consortium or loss of servitium

S306M

(1) A court must not award damages for loss of consortium or loss of servitium unless—

- (a) the injured worker died as a result of injuries sustained; or
- (b) general damages for the injured worker are assessed (before allowing for contributory negligence) at the amount prescribed under a regulation for this provision, or more.

Note—

Under section 306V, the Minister must make a recommendation about the amount to be prescribed.

(2) The court must not assess damages for loss of servitium above the limit fixed by subsection (3).

(3) The limit is 3 times QOTE per week.

(4) Section 10(3) does not apply to the reference to damages in subsection (1).

Damages calculation provision	Amount effective 1 July 2019 (\$)	Amount effective 1 July 2020 (\$)	Amount effective 1 July 2021 (\$)	Amount effective 1 July 2022 (\$)	Amount effective 1 July 2023 (\$)
For section 306M(1)(b) of the Act, the amount prescribed for an injury sustained on or after the following dates	45,290	46,320	46,490	48,100	50,670
For section 306M(3) of the Act, the limit of 3 times QOTE per week is applied to injuries sustained on or after the following dates	4,722.00	4,827.90	4,846.20	5,014.20	5,282.10