



General Scheme of the Personal Injuries Assessment Board (Amendment) Bill 2017

June 2017

The [General Scheme of the Personal Injuries Assessment Board \(Amendment\) Bill 2017](#) has been published by the Department of Jobs, Enterprise and Innovation.

Content

The Bill aims to strengthen the powers of the Injuries Board and to assist the growth and development of the claims process. The Bill stems from the report of the Cost of Insurance Working Group who made recommendations in relation to maximising the Injuries Board model so that more claims are settled through that process.

The Bill seeks to address issues relating to cases of non-cooperation such as non-attendance at medicals and failure to provide details of special damages or loss of earnings.

The Bill will also provide that the Book of Quantum is reviewed every three years and give the Injuries Board power to obtain information from individuals and organisations in order to provide data.

The General Scheme of Bill has been sent to the Office of the Parliamentary Counsel for drafting and also to the Joint Oireachtas Committee on Jobs, Enterprise and Innovation for pre-legislative scrutiny.

The Bill includes features to:

- ▣ Allow the Board more discretion to release claims in circumstances where claims cannot proceed.
- ▣ Apply limitation periods in a consistent manner.

For further information on any of the issues discussed in this article please contact:

[Kieran Cowhey](#)

Head of Litigation

DD: + 353 (0)1 673 1783

kieran.cowhey@dilloneustace.ie

[Paul Breen](#)

Partner Litigation

DD: + 353 (0)1 673 1784

paul.breen@dilloneustace.ie

[Lorna Kennedy](#)

Partner Litigation

DD: + 353 (0)1 673 1789

lorna.kennedy@dilloneustace.ie

[Elaine Healy](#)

Partner Litigation

DD: + 353 (0)1 673 1797

elaine.healy@dilloneustace.ie

[David Kavanagh](#)

Partner Litigation

DD: + 353 (0)1 673 1788

david.kavanagh@dilloneustace.ie

[Laura Butler](#)

Litigation PSL

DD: + 353 (0)1 673 1850

laura.butler@dilloneustace.ie

- ▣ Require compliance with the Injuries Board process.
- ▣ Establish an electronic portal.
- ▣ Ensure the Book of Quantum is updated regularly (on a triennial basis).
- ▣ Create a process for notification of uncomplete claims.

Comment

The Bill is to be welcomed as a first step in remedying the issues that have been highlighted with the process as it currently stands.

DILLON EUSTACE

Dublin

33 Sir John Rogerson's Quay, Dublin 2, Ireland. Tel: +353 1 667 0022 Fax: +353 1 667 0042.

Cayman Islands

Landmark Square, West Bay Road, PO Box 775, Grand Cayman KY1-9006, Cayman Islands. Tel: +1 345 949 0022 Fax: +1 345 945 0042.

New York

245 Park Avenue, 39th Floor, New York, NY 10167, U.S.A. Tel: +1 212 792 4166 Fax: +1 212 792 4167.

Tokyo

12th Floor, Yurakucho Itocia Building, 2-7-1 Yurakucho, Chiyoda-ku, Tokyo 100-0006, Japan. Tel: +813 6860 4885 Fax: +813 6860 4501.

DISCLAIMER:

This document is for information purposes only and does not purport to represent legal advice. If you have any queries or would like further information relating to any of the above matters, please refer to the contacts above or your usual contact in Dillon Eustace.

Copyright Notice:

© 2017 Dillon Eustace. All rights reserved.