

POLICY PAGE

# Cover decision timeframes policy

## Tīmatanga kōrero | Introduction

**Audience:** All ACC Staff

**Purpose:** This policy outlines the guidelines and criteria for meeting ACC's legislated cover decision timeframes and when to extend these timeframes on a claim.

 [Operational Policy landing page](#)

## Policy statement

ACC must consider all requests for cover within the relevant legislated timeframe. These timeframes differ depending on whether the claim is considered a complicated or non complicated claim. ACC can extend the timeframes for consideration where required under certain conditions.

If we do not meet these timeframes, a client is regarded as having had a decision to approve cover for that claim (known as deemed cover).

## Relevant legislation

- [AC Act 2001, s52, Manner of making claim](#)
- [AC Act 2001, s56, Steps Corporation takes to action claims for cover](#)
- [AC Act 2001, s57, Steps Corporation takes to action complicated claims for cover](#)
- [AC Act 2001, s58, Effect of failure to meet time limits](#)

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## Guidelines and rules

Timeframes for assessing cover

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### Timeframes for assessing cover

Different cover timeframes apply to complicated and non complicated claims.

#### Complicated claims

A complicated claim is a request for cover of an injury diagnosis for:

- mental injury caused by certain criminal acts or work-related mental injury; or
- personal injury caused by a work-related gradual process, disease, or infection; or
- treatment injury; or
- a claim for cover (including a claim for cover for an additional injury) lodged more than 12 months after the injury date.

ACC must make a cover decision no later than two months after a complicated claim is lodged.

## Non-complicated claims

A non complicated claim is any request for cover that is not a complicated claim.

ACC must make a cover decision no later than 21 days after a non complicated claim is lodged.

## When a complicated claim is later determined to be a non-complicated claim

If at any time ACC finds that a complicated claim is a non-complicated claim, the non complicated cover decision timeframe commences on the day ACC makes that finding, see [Calculating dates and timeframes](#).

## For all claims

If ACC has all the information required to make a decision, we are required to:

- make the decision and advise the client in writing as soon as practicable; and
- not delay that decision, e.g. waiting until the cover decision due date.

## Relevant legislation

- [AC Act 2001, s56, Steps Corporation takes to action claims for cover](#)
- [AC Act 2001, s57, Steps Corporation takes to action complicated claims for cover](#)

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# Cover timeframe extensions

ACC is required to investigate a claim to the extent reasonably necessary to allow us to either:

- make a decision on the claim and advise the client of that decision in writing;  
or

- decide that we cannot make a decision in the relevant cover timeframe without additional information and extend the cover timeframe.

Different extension timeframes apply to complicated and non complicated claims.

## Complicated claims

If there is not enough information to make a decision on the claim within the two month timeframe, we must inform the client that we are extending the timeframe. The extension must not exceed two months.

ACC may make further extensions for a complicated claim with the prior agreement of the client. A final decision on the claim must be made within nine months of the claim being lodged.

## Non-complicated claims

If there is not enough information to make a decision on the claim within the 21 day timeframe, we must inform the client that a decision cannot be made, and that the timeframe is being extended. The maximum time for making a final decision is within four months of the claim being lodged. However, if we have advised the client that we will make a decision earlier than the 4 month maximum time limit, we must make the decision by the date advised. No further extensions are possible, see [Calculating dates and timeframes](#).

## Requirements for making an extension

ACC can make an extension only if there is insufficient information available to make a decision on the claim. In these circumstances, ACC is required to:

- inform the client about the extension and the nature of information required; and
- obtain the client's agreement for any subsequent extensions (as required for complicated claims); and
- make a decision on the claim and give notice within the extended cover timeframe.

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# Calculating timeframes

## Start of a specified timeframe and day zero

When the AC Act 2001 refers to a certain number of days, the timeframe starts the day after lodgement. The day a claim is lodged is referred to as 'day zero' and 'day one' of the timeframe is the day after the claim is lodged.

## Relevant legislation

- [Legislation Act 2019, s56, Calculating periods of months \(except for commencement of legislation\)](#).

## Calculating days

Unless specified otherwise, when the AC Act 2001 refers to days it means calendar days, including non workdays, i.e. a weekend or public holiday. For example:

- 1 June to 7 June is seven days.
- 10 May to 30 May is 21 days.

However, if the last day of the specified timeframe is a non-workday (i.e. it is a weekend or public holiday), then the last day moves forward to the next working day, for example:

- The last day is Saturday 27 April. Saturdays are non-working days. The last day moves forward to Monday 29 April.
- The last day is Monday 3 June. 3 June is the Monarch's Birthday and a non working day. The last day moves forward to Tuesday 4 June.

## Calculating months

When the AC Act 2001 refers to months:

- the calculation starts on the relevant day in the month; and
- count the relevant number of months to find the end month; and
- the period ends on the day before the corresponding day in that end month; or
- if there is no such day in that month, on the last day of that month, for example:
  - four months from 10 August is 9 December.

- two months from 31 December is 28 February (or 29 February in a leap year) because there is no 30 February.

## End of a specified timeframe


A decision is due by the end of the last day of the specified timeframe i.e. 11:59pm.

## Further examples

[Calculating dates and timeframes](#) provides further information and examples regarding calculating days, months and timeframes for decision making.

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