

1990 - No. 240

WORKERS COMPENSATION ACT 1987 - REGULATION

(Relating to rehabilitation programmes of small employers)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Workers Compensation Act 1987, has been pleased to make the Regulation set forth hereunder.

JOHN FAHEY
Minister for Industrial Relations and Employment.

Commencement

1. This Regulation commences on 1 May 1990.

Amendments

2. The Workers Compensation (General Rehabilitation Programmes) Regulation 1988 is amended:

- (a) by inserting after clause 5 the following clause:

Standard rehabilitation programmes for small employers

5A. (1) The Authority may prepare (in accordance with the relevant guidelines in section 152 (2) (a) of the Act) standard general rehabilitation programmes for small employers generally or for different kinds of small employers.

(2) A small employer who does not establish a separate general rehabilitation programme in accordance with the Act may establish a general rehabilitation programme by adopting a relevant standard general rehabilitation programme prepared under this clause.

(3) The Authority may include in a compensation claim form approved by the Authority under section 92 (1) (b) of the Act a copy of any standard programme prepared under this clause.

- (b) by omitting clause 6 (2) and by inserting instead the following subclause:

(2) A small employer who adopts a relevant standard general rehabilitation programme under clause 5A is to be regarded as having duly established a programme.

- (c) by inserting after clause 9 the following clause:

Notification etc. of programme by small employer

9A. A small employer is not required to display or notify a general rehabilitation programme at the places of work under the employer's control:

- (a) if the employer provides a copy of the programme to any worker who requests a copy or who applies for compensation for any injury; or
- (b) if the employer makes other satisfactory arrangements to ensure that workers have access to a copy of the programme.

EXPLANATORY NOTE

The object of this Regulation is to amend the Workers Compensation (General Rehabilitation Programmes) Regulation 1988 to enable a small employer (being an employer who employs no more than 20 workers) to adopt a standard general rehabilitation programme prepared by the Workcover Authority as an alternative to establishing its own separate programme for injured workers.

The Regulation also authorises different procedures for informing the workers employed by a small employer of the rehabilitation programme adopted or established by the employer.
