

1992—No. 539

**WORKERS COMPENSATION ACT 1987—REGULATION**

(Relating to weekly wage rates for certain incapacitated workers)

NEW SOUTH WALES



*[Published in Gazette No. 119 of 25 September 1992]*

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 HANNAFORD,  
Attorney General and Minister for Industrial Relations.

**Citation**

1. This Regulation commences on 1 October 1992.

**Amendments**

2. The Workers Compensation (General) Regulation 1987 is amended:
  - by inserting in clause 9A after the word "Act," the words "and clause 7 (2) (b) of Part 4 of Schedule 6 to the Act,";
  - by inserting before the Table to clause 9A the following subclause:
    - (2) This clause applies only to workers who, before 1 February 1992, became entitled to receive weekly payments in respect of incapacity for work.
  - by omitting item 9 from the Table to clause 9A and by inserting instead the following items:
    9. On and after 1 October 1991 and before 1 April 1992 ..... \$341.30
    10. On and after 1 April 1992 and before 1 October 1992 ..... \$351.50
    11. On and after 1 October 1992 ..... \$355.90
  - by omitting clause 9AB.

**EXPLANATORY NOTE**

Clause 7 (2) (b) of Part 4 of Schedule 6 to the Workers Compensation Act 1987 is a transitional provision which allows regulations made under that Act to change the “current weekly wage rate” (for the purpose of calculating the amount of compensation) of certain workers who became entitled to receive weekly payments in respect of incapacity for work before 1 February 1992, the date on which section 42 (1) (d) of the Principal Act was amended by Schedule 1 (5) to the Workers Compensation (Benefits) Amendment Act 1991. The principal object of this Regulation is to increase that rate from \$351.50 per week to \$355.90 per week.

Clause 9A of the Workers Compensation (General) Regulation 1987 was inserted before the amendment of section 42 (1) (d) of the Principal Act. This Regulation also makes it clear that clause 9A applies only to workers who were entitled to receive payments before 1 February 1992 and incorporates into that one clause all of the transitional provisions concerning section 42 (1) (d) of the Principal Act.

Reference should be made to section 42 (1) (d) as amended for the position of workers who became entitled to receive payments on and after 1 February 1992.

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