

1993—No. 204

WORKERS COMPENSATION ACT 1987—REGULATION

(Relating to contributions to the Insurers' Contribution Fund and information to be provided for the purpose of ascertaining insurance premiums)

NEW SOUTH WALES



[Published in Gazette No. 60 of 18 June 1993]

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.

KERRY CHIKAROVSKI, M.P.,
Minister for Industrial Relations and Employment

Commencement

1. This Regulation commences on 1 July 1993

Amendment of Workers Compensation (General) Regulation 1987

2. The Workers Compensation (General) Regulation 1987 is amended by omitting item 5 of the Table to clause 25 and by inserting instead the following matter:

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|----|---|------------|
| 5. | Financial years commencing 1 July 1991 and 1 July 1992 | 7 per cent |
| 6. | Financial year commencing 1 July 1993 and any subsequent financial year | 4 per cent |

Amendment of Workers Compensation (Insurance Premiums) Regulation 1987

3. The Workers Compensation (Insurance Premiums) Regulation 1987 is amended:

- (a) by inserting in clause 3 (1) in alphabetical order the following definition:

“**approved**” means approved by the Authority for the purposes of the provisions of this Regulation in which the expression is used;

- (b) by omitting clause 3 (3);
- (c) by omitting from clause 4 the words “in the form of Form PA” wherever occurring and by inserting instead the words “in the approved form”;
- (d) by omitting from clause 5 (a) the words “a statutory declaration in the form of Form PB” and by inserting instead the words “a declaration in the approved form”;
- (e) by omitting from clause 5 (b) the words “a statutory declaration in the form of Form PC” and by inserting instead the words “a declaration in the approved form”;
- (f) by omitting clause 6 (a) and by inserting instead the following subclause:
- (a) with a declaration in the approved form; and
- (g) by inserting at the end of clause 7 the following subclause:
- (2) An employer must not:
- (a) in a notice or certificate under clause 4, 5 or 6, furnish information knowing it to be false or misleading in a material particular; or
- (b) knowingly make a false declaration under clause 4, 5 or 6.

Maximum penalty: 20 penalty units.

- (h) by omitting from clause 10 (1) the words “in the form of Form PE or Form PF” and by inserting instead the words “in the approved form”;
- (i) by omitting clause 12 (1) and by inserting instead the following subclause:
- (1) An insurer may not demand a premium for the issue or renewal of a policy to which an insurance premiums order applies unless the insurer has sent or sends at the time to the employer a notice in the approved form, duly completed, relating to the calculation of the premium in respect of that employers
- (j) by omitting clause 12 (3);
- (k) by omitting Schedule 1.
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EXPLANATORY NOTE

The object of this Regulation is to amend the Workers Compensation (General) Regulation 1987 and the Workers Compensation (Insurance Premiums) Regulation 1987 so as:

- (a) to reduce from 7% per annum to 4% per annum the percentage of the premium income of an insurer which is payable as a contribution to the Insurers' Contribution Fund under section 220 (2) of the Workers Compensation Act 1987; and
- (b) to omit the forms of notices and certificates currently required to be furnished under the Workers Compensation (Insurance Premiums) Regulation 1987 for the purpose of ascertaining insurance premiums and instead require that the information be provided in a form approved by the Workcover Authority; and
- (c) to remove the requirement that the information supplied be verified by statutory declaration and replace it with a requirement that the information be accompanied by a declaration in a form approved by the Workcover Authority; and
- (d) to make it an offence to furnish false or misleading information or make a false declaration under the relevant provisions of the Workers Compensation (Insurance Premiums) Regulation 1987.

This Regulation is made under the Workers Compensation Act 1987, including sections 173, 220 (2) and 280.
