

**WORKERS' COMPENSATION (BRUCELLOSIS) REVIVAL  
AND AMENDMENT ACT 1986 No. 177**

NEW SOUTH WALES



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**WORKERS' COMPENSATION (BRUCELLOSIS) REVIVAL AND  
AMENDMENT ACT 1986 No. 177**

NEW SOUTH WALES



**Act No. 177, 1986**

An Act to revive the parts of the Workers' Compensation (Brucellosis) Act 1979 which were repealed with effect from 1 January 1985; to provide for the collection of contributions under that Act for the period between the date of that repeal and 30 June 1987; to provide for the repeal of those parts of that Act with effect from 1 July 1988; and for other purposes. [Assented to 17 December 1986]

*Workers' Compensation (Brucellosis) Revival and Amendment 1986*

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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the "Workers' Compensation (Brucellosis) Revival and Amendment Act 1986".

**Principal Act**

2. The Workers' Compensation (Brucellosis) Act 1979 is referred to in this Act as the Principal Act.

**Revival of Act No. 116, 1979**

3. Parts II-V of, and Schedule 1 to, the Principal Act are revived and, subject to this Act, have full force and effect.

**Amendment of Act No. 116, 1979**

4. The Principal Act is amended in the manner set forth in Schedule 1.

**Transitional, validation and savings provisions**

5. (1) The Brucellosis Compensation Fund established under section 5 of the Principal Act as in force before 1 January 1985 shall be deemed to have continued in existence from 1 January 1985 to the date of assent to this Act.

(2) Any acts done during the period from 1 January 1985 to the date of assent to this Act that could have been validly done had Parts II-V of, and Schedule 1 to, the Principal Act been in force are validated and shall have effect for the purposes of the Principal Act as if those provisions had not been repealed.

(3) Any regulations, rules or appointments made under the Principal Act before the repeal on 1 January 1985 of Parts II-V of, and Schedule 1 to, that Act shall be deemed not to have been affected by that repeal.

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## SCHEDULE 1

(Sec. 4)

## AMENDMENTS TO THE PRINCIPAL ACT

(1) Section 7 (**Annual estimate and contributions**)—

## (a) Section 7 (4)—

Omit “the amount, or the method of calculating the amount” , insert instead “an amount, or a method of calculating an amount”.

## (b) Section 7 (6)—

After “amounts” , insert “, or different methods of calculating amounts.” .

## (c) Section 7 (7)—

Omit the subsection, insert instead:

(7) The Insurance Premiums Committee shall send the terms of a determination to the employers who are required to contribute to the Fund as a result of the determination or, where the employers have current insurers, to those insurers.

## (d) Section 7 (9)—

Omit “, other than a self-insurer,” .

## (e) Section 7 (10)—

Omit the subsection, insert instead:

(10) An employer shall, on being advised under subsection (7) of the terms of a determination, pay into the Fund the contribution determined at or before the time determined.

(2) Section 8 (**Levy covering period between repeal and 30 June 1987, and additional levies**)—

## (a) Section 8 (1)—

Before section 8 (2), insert:

(1) The Board shall, as soon as practicable after the commencement of the Workers' Compensation (Brucellosis) Revival and Amendment Act 1986, make an estimate of the amount to be expended out of the Fund from 1 January 1985 until 30 June 1987, both dates inclusive.

*Workers' Compensation (Brucellosis) Revival and Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

(b) Section 8 (2)—

After "section 7" , insert "or subsection (1)" .

(c) Section 8 (3)—

Before "(2)" , insert "(1) or" .

(d) Section 8 (4)—

After section 8 (3), insert:

(4) For the purposes of the application of the provisions of section 7 (2)-(14) to and in respect of an estimate made under subsection (1) or (2)—

- (a) a reference in those provisions to an employer shall be deemed to include a reference to a person who was an employer at any time during the period in respect of which the estimate is made; and
- (b) a reference in those provisions to an insurer shall be deemed to include a reference to a person who was an insurer at any time during the period in respect of which the estimate is made.

(3) Section 39—

Omit the section, insert instead:

**Saving**

39. (1) Section 8 of the Interpretation Act 1897 applies to the repeal effected by section 41 as if that repeal had been effected by a separate Act.

(2) Without limiting the generality of section 8 of the Interpretation Act 1897, any certificate issued as referred to in a provision of this Act and—

- (a) in force immediately before the date of the repeal of that provision effected by section 41 as in force before the commencement of the Workers' Compensation (Brucellosis) Revival and Amendment Act 1986; or

*Workers' Compensation (Brucellosis) Revival and Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

(b) in force immediately before the date of the repeal of that provision effected by section 41 as in force after that commencement,

shall continue to have force and effect as if that repeal had not been effected.

(4) Section 40 (**Winding up of the Fund**)—

Section 40 (2)—

At the end of section 40, insert:

(2) Subsection (1) does not apply, and shall be deemed never to have applied, in respect of the repeal effected by section 41 as in force before the commencement of the Workers' Compensation (Brucellosis) Revival and Amendment Act 1986.

(5) Section 41—

Omit the section, insert instead:

**Repeal of provisions of Act**

41. On and from 1 July 1988 this Act, Part I and this Part excepted, is repealed.

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