

**WORKERS COMPENSATION LEGISLATION (AMENDMENT)
ACT 1992 No. 36**

NEW SOUTH WALES



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**WORKERS COMPENSATION LEGISLATION (AMENDMENT)
ACT 1992 No. 36**

NEW SOUTH WALES



Act No. 36, 1992

An Act to amend the Workers Compensation Act 1987 with respect to the statutory funds of licensed insurers; to amend the Workers' Compensation (Dust Diseases) Act 1942 to increase benefits under that Act; and for other purposes. [Assented to 18 May 1992]

Workers Compensation Legislation (Amendment) Act 1992 No. 36

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Workers Compensation Legislation (Amendment) Act 1992.

Commencement

2. This Act commences on a day or days appointed by proclamation.

Amendment of Workers Compensation Act 1987 No. 70

3. The Workers Compensation Act 1987 is amended as set out in Schedule 1.

Amendment of Workers' Compensation (Dust Diseases) Act 1942 No. 14

4. The Workers' Compensation (Dust Diseases) Act 1942 is amended as set out in Schedule 2.

**SCHEDULE 1—AMENDMENT OF WORKERS
COMPENSATION ACT 1987**

(Sec. 3)

(1) Section 195 (**Establishment of statutory funds**):

After section 195 (4), insert:

(5) The Authority may, by notice served on an insurer, require the insurer to close all or any of its statutory funds other than its most recent such fund and transfer the assets and liabilities of those statutory funds (and the policies of insurance to which they relate) to its most recent such fund.

(2) Section 204 (**Periodic actuarial investigation of statutory funds**):

In section 204 (1) (a), after “regulations”, insert “or (subject to the regulations) such other period as is specified by the Authority in a notice served on the insurer”.

Workers Compensation Legislation (Amendment) Act 1992 No. 36

SCHEDULE 2—AMENDMENT OF WORKERS’
COMPENSATION (DUST DISEASES) ACT 1942

(Sec. 4)

Section 8 (Certificate of medical authority and rates of compensation):

- (a) From section 8 (2B) (b) (i) and (3) (d), omit “\$113,000” wherever occurring, insert instead “\$141,250”.
- (b) From section 8 (2B) (b) (ii), omit “\$109.80”, insert instead “\$137.30”.
- (c) From section 8 (2B) (b) (iii), omit “\$55.50”, insert instead “\$69.40”.
- (d) After section 8 (2F), insert:

(2G) The amendments made to this section by the Workers Compensation Legislation (Amendment) Act 1992 apply:

- (a) in the case of amendments made to subsections (2B) (b) (i) and (3) (d)—only in respect of the death of a person occurring on or after 1 July 1992; or
- (b) in any other case—in respect of compensation that becomes payable on or after 1 July 1992 (whether the claim concerned arose before or after that date).

On and from 1 July 1992 (and until the next adjustment of the amounts under subsection (3) (d)), the amount specified in subsections (2B) (b) (i) and (3) (d) is taken to be \$145,500, the amount specified in subsection (2B) (b) (ii) is taken to be \$141.40 and the amount specified in subsection (2B) (b) (iii) is taken to be \$71.50.

- (e) From section 8 (3) (b), omit “section 37 (subsection (1) excepted) applies without modification”, insert instead “sections 35 and 37 apply without modification”.
- (f) Omit section 8 (3AA) and (3AB).

*[Minister’s second reading speech made in—
Legislative Assembly on 7 May 1992
Legislative Council on 7 May 1992]*