



New South Wales

Workers Compensation Amendment Act 1997 No 4

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Workers Compensation Amendment Act 1997 No 4

Act No 4, 1997

An Act to amend the *Workers Compensation Act 1987* to make further provision with respect to workers compensation for coal miners; and for other purposes. [Assented to 23 April 1997]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Workers Compensation Amendment Act 1997*.

2 Commencement

- (1) This Act is taken to have commenced on the date of assent to the *WorkCover Legislation Amendment Act 1996*, except as provided by subsection (2).
- (2) Schedule 1 [1] commences or is taken to have commenced on the commencement of section 52A of the *Workers Compensation Act 1987* (as inserted by the *WorkCover Legislation Amendment Act 1996*).

3 Amendment of Workers Compensation Act 1987 No 70

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

Schedule 1 Amendments

(Section 3)

[1] Section 52A Discontinuation of weekly payments after 2 years

Insert at the end of section 52A (as inserted by the *WorkCover Legislation Amendment Act 1996*):

- (10) This section does not apply to a worker who is permanently and totally incapacitated for work and does not apply to compensation for an injury received by a person as a worker employed in or about a mine to which the *Coal Mines Regulation Act 1982* applies.

[2] Schedule 6 Savings, transitional and other provisions, Part 15 Provisions relating to insurance

Omit “279 (2A)” from clause 24. Insert instead “279 (3)”.

[3] Schedule 6, Part 18 Special provision relating to coal miners

Insert after clause 1:

2 Regulations to modify or disapply 1996 amendments in relation to coal miners

- (1) In this clause:

the 1996 amendments means the amendments made to this Act by the *WorkCover Legislation Amendment Act 1996* except the amendments made by Schedule 1.3 (Journey claims) to that Act.

- (2) The regulations may make provision for or with respect to either or both of the following:
 - (a) modifying any of the 1996 amendments in their application to or in respect of workers employed in or about a mine to which the *Coal Mines Regulation Act 1982* applies,
 - (b) exempting any such workers from the operation of any of the 1996 amendments.

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Schedule 1 Amendments

- (3) A provision referred to in subclause (2) may, if the regulations so provide, take effect as from the date of assent to the *WorkCover Legislation Amendment Act 1996* or a later day.

[Minister's second reading speech made in—
Legislative Council on 3 December 1996
Legislative Assembly on 8 April 1997]