



New South Wales

Workers Compensation Legislation Amendment Act 1999 No 24

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Workers Compensation Legislation Amendment Act 1999 No 24

Act No 24, 1999

*An Act to amend the *Workplace Injury Management and Workers Compensation Act 1998*, the *Workers Compensation Act 1987* and the *Workers Compensation Legislation Amendment Act 1998* in relation to workers compensation insurance; and for other purposes. [Assented to 7 July 1999]*

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Workers Compensation Legislation Amendment Act 1999*.

2 Commencement

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

3 Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86

The *Workplace Injury Management and Workers Compensation Act 1998* is amended as set out in Schedule 1.

4 Amendment of Workers Compensation Act 1987 No 70

The *Workers Compensation Act 1987* is amended as set out in Schedule 2.

5 Amendment of Workers Compensation Legislation Amendment Act 1998 No 85

The *Workers Compensation Legislation Amendment Act 1998* is amended as set out in Schedule 3.

Schedule 1 Amendment of Workplace Injury Management and Workers Compensation Act 1998

(Section 3)

[1] Section 4 Definitions

Insert in alphabetical order in section 4 (1):

private insurance start time means:

- (a) subject to paragraph (b), 4 pm on 1 October 2000, or
- (b) 4 pm on such earlier day as may be appointed by proclamation for the purposes of this definition.

[2] Section 54 Second-injury scheme for injuries before private insurance start time

Omit “on or after 1 October 1999” from section 54 (1).

Insert instead “at or after the private insurance start time”.

[3] Section 143 Chapter applies to insurance after private insurance start time

Omit section 143 (1). Insert instead:

- (1) This Chapter applies to insurance for any period starting at or after the private insurance start time.

[4] Section 143 (2)

Omit “1 October 1999”. Insert instead “the private insurance start time”.

[5] Section 145

Omit the section. Insert instead:

145 Policies to be for 12 month periods

If a day is appointed by proclamation under paragraph (b) of the definition of *private insurance start time* in section 4 (1), a policy of insurance issued to have effect during the period commencing at the private insurance start time and ending with 30 September 2000 must be issued for a period of 12 months, unless the Authority otherwise approves in a particular case or class of cases.

[6] Section 201 Declaration of defaulting insurers

Omit “1 October 1999” from section 201 (3).
Insert instead “the private insurance start time”.

[7] Schedule 4 Provisions relating to Rating Bureau

Omit “1 October 1999” and “that date” wherever occurring from clauses 16 and 17.
Insert instead “the private insurance start time” and “that time”, respectively.

Schedule 2 Amendment of Workers Compensation Act 1987

(Section 4)

[1] Section 3 Definitions

Insert in alphabetical order in section 3 (1):

private insurance start time has the same meaning as in the *Workplace Injury Management and Workers Compensation Act 1998*.

[2] Section 154A Commencement of new insurance arrangements

Omit “on 1 October 1999” from section 154A (1).
Insert instead “at the private insurance start time”.

[3] Section 154A (1) (a) and (b)

Omit “after 30 September 1999” wherever occurring.
Insert instead “at or after the private insurance start time”.

[4] Section 154A (1) (c) and (d)

Omit “30 September 1999” wherever occurring.
Insert instead “the private insurance start time”.

[5] Section 154A (2)

Omit “1 October 1999”.
Insert instead “the private insurance start time”.

[6] Section 154A (2)

Omit “30 September 1999”.
Insert instead “the private insurance start time”.

[7] Section 154A (3)

Omit “after 30 September 1999”.
Insert instead “at or after the private insurance start time”.

[8] Section 154B Continuation of existing insurer licences

Omit “after 30 September 1999” from section 154B (2).
Insert instead “at or after the private insurance start time”.

[9] Sections 158, 224B and 226

Omit “30 September 1999” from sections 158 (11), 224B (3) and 226 (2) wherever occurring.
Insert instead “the private insurance start time”.

[10] Schedule 6 Savings, transitional and other provisions

Omit “1 October 1999” from clause 6A (3) of Part 4.
Insert instead “the private insurance start time”.

[11] Schedule 6, Part 18A, clause 9

Omit “1 October 1999” wherever occurring.
Insert instead “the private insurance start time”.

[12] Schedule 6, Part 20, clause 1 (1)

Insert “*Workers Compensation Legislation Amendment Act 1999*” at the end of the subclause.

Schedule 3 Amendment of Workers Compensation Legislation Amendment Act 1998

(Section 5)

Section 2 Commencement

Omit section 2 (3). Insert instead:

- (3) Schedule 1 [63], to the extent to which it repeals Division 6 of Part 4 of the *Workers Compensation Act 1987*, commences at the private insurance start time as defined in the *Workplace Injury Management and Workers Compensation Act 1998*.

[Minister's second reading speech made in—
Legislative Assembly on 29 June 1999
Legislative Council on 30 June 1999]