



New South Wales

Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006 No 98

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Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006 No 98

Act No 98, 2006

An Act to amend the *Workers Compensation Act 1987* to provide for an increase in certain benefits paid to workers who receive injuries that result in permanent impairment; and for related purposes. [Assented to 27 November 2006]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006*.

2 Commencement

This Act commences on 1 January 2007.

3 Amendment of Workers Compensation Act 1987 No 70

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

4 Repeal of Act

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 66 Entitlement to compensation for permanent impairment

Omit "\$1,250" from section 66 (2) (a). Insert instead "\$1,375".

[2] Section 66 (2) (b)

Omit "\$12,500". Insert instead "\$13,750".

[3] Section 66 (2) (b)

Omit "\$1,500". Insert instead "\$1,650".

[4] Section 66 (2) (c)

Omit "\$27,500". Insert instead "\$30,250".

[5] Section 66 (2) (c)

Omit "\$2,500". Insert instead "\$2,750".

[6] Section 66 (2) (d)

Omit "\$77,500". Insert instead "\$85,250".

[7] Section 66 (2) (d)

Omit "\$3,500". Insert instead "\$3,850".

[8] Section 66 (2) (e)

Omit "\$200,000". Insert instead "\$220,000".

[9] Section 66 (2A), Examples 1 and 2

Omit the examples. Insert instead:

Example 1. A person suffers 10% permanent impairment. Under subsection (2), the amount of permanent impairment compensation to which he or she is entitled is \$13,750 ($10 \times \$1,375$). If the whole of the impairment is to the back, the compensation payable in relation to the back will be the whole \$13,750. Under this subsection, that \$13,750 will be increased by 5%, yielding \$14,437.50.

Example 2. A person suffers 50% permanent impairment. Under subsection (2), the amount of permanent impairment compensation to which he or she is entitled is \$123,750 ($\$85,250 + (10 \times \$3,850)$). If two-thirds of the impairment is to the back, the compensation payable in relation to the back will be two-thirds of \$123,750, or \$82,500. Under this subsection, that \$82,500 will be increased by 5%, yielding \$86,625. The total compensation payable for the impairment will therefore be \$127,875.

[10] Schedule 6 Savings, transitional and other provisions

Omit the heading to Part 6. Insert instead:

**Part 6 Provisions relating to compensation for
non-economic loss**

[11] Schedule 6, Part 6

Insert after clause 20:

**21 2006 amendments to section 66 relating to permanent impairment
benefits**

Section 66, as amended by the *Workers Compensation
Amendment (Permanent Impairment Benefits) Act 2006*:

- (a) applies to a worker who receives an injury on or after the date of commencement of that Act (being 1 January 2007), and
- (b) does not apply to a worker who received an injury before that date.

[12] Schedule 6, Part 20

Insert at the end of clause 1 (1):

*Workers Compensation Amendment (Permanent Impairment
Benefits) Act 2006*

[Second reading speech made in—

Legislative Assembly on 24 October 2006

Legislative Council on 15 November 2006]

BY AUTHORITY