

1996—No. 368

SPORTING INJURIES INSURANCE ACT 1978—REGULATION

(Sporting Injuries Insurance Regulation 1994)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Sporting Injuries Insurance Act 1978, has been pleased to make the Regulation set forth hereunder.

KERRYCHIKAROVSKI, M.P.,
Minister for Industrial Relations and Employment.

Citation

1. This Regulation may be cited as the Sporting Injuries Insurance Regulation 1994.

Commencement

2. This Regulation commences on 1 September 1994.

Definition

3. In this Regulation:

“**the Act**” means the Sporting Injuries Insurance Act 1978.

Prescribed interest rate: sec. 11A

4. (1) The object of this clause is to fix the rate at which interest is payable to the Sporting Injuries Fund on money transferred from that Fund to the Supplementary Sporting Injuries Fund under section 11A of the Act.

(2) The rate of interest prescribed for the purposes of section 11A (6) (b) of the Act is the rate for the time being prescribed under section 95 (1) of the Supreme Court Act 1970 for payment of interest on a judgment debt.

Funeral expenses: sec. 27

5. (1) The object of this clause is to fix the maximum amount payable under section 27 of the Act in relation to the funeral expenses of a person who dies as a consequence of a sporting injury.

(2) The prescribed amount for the purposes of section 27 (3) of the Act is \$4,000.

Prescribed percentage of loss: Table A

6. (1) The object of this clause is to fix the minimum percentage permanent loss that must be suffered by a person before the injury giving rise to that loss becomes compensable under the Act.

(2) For the purposes of Table A in Schedule 1 to the Act:

- (a) 33 per cent is the prescribed percentage for paragraph (a) of Part 1 and paragraph (a) of Part 2, in the case of the permanent loss of the use of the whole, or of the greater part, of either arm or either leg; and
- (b) 11 per cent is the prescribed percentage for item 1 of Part 4, in the case of permanent loss of hearing in both ears; and
- (c) 50 per cent is the prescribed percentage in all other cases.

Repeal

7. (1) The Sporting Injuries Insurance Regulation 1980 is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the Sporting Injuries Insurance Regulation 1980, had effect under that Regulation continues to have effect under this Regulation.

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EXPLANATORY NOTE

The object of this Regulation is to repeal and remake, without any major change, the provisions of the Sporting Injuries Insurance Regulation 1980. The new Regulation deals with the following matters:

- (a) interest rates chargeable under section 11A of the Act (clause 4);
- (b) the funeral expenses payable under section 27 of the Act (clause 5);
- (c) compensation payable under Table A in Schedule 1 to the Act (clause 6);
- (d) other formal matters (clauses 1, 2, 3 and 7).

This Regulation is made under the Sporting Injuries Insurance Act 1978, in particular section 30 (the general regulation making power), sections 11A and 27 and Schedule 1.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
