



New South Wales

# Workers Compensation (General) Amendment (Penalty Notices) Regulation 2000

under the

Workers Compensation Act 1987 and the Workplace Injury  
Management and Workers Compensation Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Industrial Relations

## Explanatory note

The objects of this Regulation are:

- (a) to enable on-the-spot fines to be imposed for an offence against section 155 of the *Workers Compensation Act 1987* relating to requirements on employers to obtain certain insurance for workers, and
- (b) to enable on-the-spot fines to be imposed for offences against section 94 of the *Workplace Injury Management and Workers Compensation Act 1998* involving failure to commence weekly payments of compensation and referring a matter that is not a genuine dispute for the purpose of delaying such payments of compensation, and
- (c) to update certain references to provisions of the 1987 Act.

This Regulation is made under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998*, including sections 246 and 248 (the general regulation-making power) of the 1998 Act.

## **2000 No 617**

Clause 1            Workers Compensation (General) Amendment (Penalty Notices)  
Regulation 2000

---

# **Workers Compensation (General) Amendment (Penalty Notices) Regulation 2000**

## **1 Name of Regulation**

This Regulation is the *Workers Compensation (General) Amendment (Penalty Notices) Regulation 2000*.

## **2 Commencement**

This Regulation commences on 1 November 2000.

## **3 Amendment of Workers Compensation (General) Regulation 1995**

The *Workers Compensation (General) Regulation 1995* is amended as set out in Schedule 1.

## **4 Notes**

The explanatory note does not form part of this Regulation.

## Schedule 1 Amendments

(Clause 3)

**[1] Clause 73A Penalty notice offences**

Omit “section 278A of the Act”.  
Insert instead “section 246 of the 1998 Act”.

**[2] Clause 73A (a)**

Omit “the Act specified in Column 1 of Schedule 5”.  
Insert instead “the 1987 Act specified in Column 1 of Part 1 of Schedule 5  
or the 1998 Act specified in Column 1 of Part 2 of Schedule 5”.

**[3] Clause 73A (c) (i)**

Omit “section 274 of the Act”. Insert instead “section 246 of the 1998 Act”.

**[4] Schedule 5 Penalty notice offences**

Insert after the heading to Schedule 5:

### Part 1 Provisions of 1987 Act

**[5] Schedule 5**

Insert in appropriate order of provisions:

|                 |                                 |       |
|-----------------|---------------------------------|-------|
| Section 155 (1) | employer fail to insure workers | \$750 |
|-----------------|---------------------------------|-------|

**2000 No 617**

Workers Compensation (General) Amendment (Penalty Notices)  
Regulation 2000

Schedule 1      Amendments

---

**[6] Schedule 5**

Insert at the end of Schedule 5:

**Part 2 Provisions of 1998 Act**

| <b>Column 1</b>  | <b>Column 2</b>                  | <b>Column 3</b>   |
|------------------|----------------------------------|-------------------|
| <b>Provision</b> | <b>Short description</b>         | <b>Penalty \$</b> |
| Section 94 (1)   | Fail to commence weekly payments | \$500             |
| Section 94 (2)   | Referring non-genuine dispute    | \$500             |

BY AUTHORITY