



New South Wales

Workers Compensation Amendment (Insurance Excess) Regulation 2006

under the

Workers Compensation Act 1987

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Workers Compensation Act 1987*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Commerce

Explanatory note

The object of this Regulation is to amend the *Workers Compensation Regulation 2003* to provide as follows:

- (a) that clause 51 (1), as inserted into that Regulation by the *Workers Compensation Amendment (Premiums Review) Regulation 2005*, (which deals with the excess that an employer must repay to a workers compensation insurer after a weekly compensation claim is paid to an injured worker), applies only to claims that are covered by a policy of insurance that was issued or renewed so as to take effect on or after 4 p.m. on 31 December 2005,
- (b) that clause 51 (1) as in force immediately before its repeal by the *Workers Compensation Amendment (Premiums Review) Regulation 2005* (which dealt with the ability of certain small business employers and insurers to agree that a reduced excess, or no excess, is to be paid in such cases) continues to apply in relation to policies of insurance that were issued or renewed so as to take effect before 4 p.m. on 31 December 2005.

This Regulation also makes a number of law revision amendments to make it clear that certain clauses of the *Workers Compensation Regulation 2003* apply to policies of insurance based on the date on which those policies take effect, not the date on which those policies were issued or renewed.

This Regulation is made under the *Workers Compensation Act 1987*, including sections 160 and 280 (the general regulation-making power).

2006 No 220

Clause 1 Workers Compensation Amendment (Insurance Excess) Regulation 2006

Workers Compensation Amendment (Insurance Excess) Regulation 2006

under the

Workers Compensation Act 1987

1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Insurance Excess) Regulation 2006*.

2 Amendment of Workers Compensation Regulation 2003

The *Workers Compensation Regulation 2003* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clauses 49 (2), 51 (1) (b) (ii), 137 (2) (c) (ii) (B), 138 (2) (c) (ii) (B), 148 (4) and 210 (b)

Insert “so as to take effect” after “renewed” wherever occurring.

[2] Clause 51 Prescriptions for purposes of excess recoverable from employer

Insert after clause 51 (1):

- (2) Subclause (1), as inserted by the *Workers Compensation Amendment (Premiums Review) Regulation 2005*, applies only to claims that are covered by a policy of insurance that was issued or renewed so as to take effect on or after 4 p.m. on 31 December 2005.
- (2A) Subclause (1), as in force immediately before its repeal by the *Workers Compensation Amendment (Premiums Review) Regulation 2005*, continues to apply in relation to policies of insurance that were issued or renewed so as to take effect before 4 p.m. on 31 December 2005.