



New South Wales

# Workers Compensation Amendment (Mine Safety Cost Recovery) 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

Under the *Mine Safety (Cost Recovery) Act 2005*, certain mining industry workers compensation insurers are required to make contributions to the Mine Safety Fund administered by the Director-General of the Department of Primary Industries. Section 10 (5) of that Act provides that such an insurer may, subject to and in accordance with any relevant insurance premiums order, adjust the premium payable in respect of a workers compensation insurance policy issued to a mining industry employer so as to include an amount equivalent to such part of the contributions payable by the insurer as relates to that employer and that policy.

Section 171 of the *Workers Compensation Act 1987* and Division 8 of Part 20 of the *Workers Compensation Regulation 2003* allow the payment of workers compensation insurance premiums by instalments.

The object of this Regulation is to provide that any such Mine Safety Fund adjustment amount that is payable by an employer to an insurer under the *Insurance Premiums Order (July–December) 2005* or the *Insurance Premiums Order (January–June) 2006* is not to be paid by instalments.

This Regulation is made under the *Workers Compensation Act 1987*, including sections 171 and 280 (the general regulation-making power).

**2006 No 247**

Workers Compensation Amendment (Mine Safety Cost Recovery)  
Clause 1 Regulation 2006

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**Workers Compensation Amendment (Mine Safety Cost Recovery) Regulation 2006**

under the

Workers Compensation Act 1987

**1 Name of Regulation**

This Regulation is the *Workers Compensation Amendment (Mine Safety Cost Recovery) Regulation 2006*.

**2 Amendment of Workers Compensation Regulation 2003**

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

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## Schedule 1    Amendment

(Clause 2)

### Clause 200A

Insert after clause 200:

**200A    Mine Safety Fund amounts payable under Insurance Premiums Order (July–December) 2005 and Insurance Premiums Order (January–June) 2006**

Despite any other provision of this Regulation, any amount of a premium payable by an employer to an insurer under clause 6 of the *Insurance Premiums Order (July–December) 2005* or clause 6 of the *Insurance Premiums Order (January–June) 2006* is not to be paid by instalments.

**Note.** Section 172 of the Act sets out when payments must be made if no election is made to pay by instalments. As the above clause prevents payment of certain specified amounts by instalments, payment of those amounts are due as follows:

- (a) in the case where a premium is calculated for the first time after the commencement of this clause—within 1 month after service on the employer of a notice that payment of the amount of the premium is due,
- (b) in the case where a premium was calculated before the commencement of this clause and the amount has been determined by an adjustment of the premium—within 1 month after service on the employer of a notice that payment of the amount of the adjustment is due.