



New South Wales

Workers Compensation Amendment (Weekly Payments) Regulation 2015

under the

Workers Compensation Act 1987

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

DOMINIC PERROTTET, MP
Minister for Finance, Services and Property

Explanatory note

The object of this Regulation is to amend the *Workers Compensation Regulation 2010* to:

- (a) provide for the application of certain amendments made by the *Workers Compensation Legislation Amendment Act 2012* (relating to weekly payments of compensation) to an existing recipient of weekly payments in respect of whom a work capacity assessment has not been conducted before 1 September 2015, and
- (b) remove a requirement to notify a worker who is an existing recipient of weekly payments of a proposed increase in the amount of compensation payable to the worker.

This Regulation is made under the *Workers Compensation Act 1987*, including section 280 (the general regulation-making power) and Parts 19H and 20 of Schedule 6.

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1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Weekly Payments) Regulation 2015*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Workers Compensation Regulation 2010

[1] Schedule 8 Savings and transitional provisions

Insert after clause 17:

17A Weekly payments amendments to apply where work capacity assessment not conducted

- (1) On and from 1 September 2015, the weekly payments amendments apply to the compensation payable under Division 2 of Part 3 of the 1987 Act (in respect of any period of incapacity occurring on and after that date) to an existing recipient of weekly payments in respect of whom a work capacity assessment has not been conducted before that date.
- (2) For the purposes of the application under this clause of the weekly payments amendments to an existing recipient of weekly payments who is in receipt of weekly payments of compensation immediately before 1 September 2015, the worker is taken (until a work capacity assessment is conducted in respect of the worker) to have been assessed by the insurer as having no current work capacity.

[2] Schedule 8, clause 21

Omit the clause.