



New South Wales

Workers Compensation Amendment (Death Benefits) Regulation 2016

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*.

VICTOR DOMINELLO, MP
Minister for Innovation and Better Regulation

Explanatory note

The object of this Regulation is to remove a restriction that prevented the increased death benefits provided for by the *Workers Compensation Amendment Act 2015* from applying to coal miners. The lump sum compensation payable in respect of the death of a worker was increased from \$524,000 to \$750,000, and the compensation payable in respect of the funeral expenses of a deceased worker was increased from \$9,000 to \$15,000, in respect of deaths occurring on or after 5 August 2015.

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

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1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Death Benefits) Regulation 2016*.

2 Commencement

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

3 Amendment of Workers Compensation Regulation 2016

Schedule 8 Savings and transitional provisions

Insert after clause 37:

37A Application of death benefits amendments to coal miners

- (1) Clause 15 of Part 19I of Schedule 6 to the 1987 Act does not apply, and is taken never to have applied, to the amendments made by Schedule 1 to the *Workers Compensation Amendment Act 2015* to sections 25 and 26 of the 1987 Act.

Note. The effect of this subclause is that sections 25 and 26 of the 1987 Act, as amended by Schedule 1 to the *Workers Compensation Amendment Act 2015*, apply in respect of deaths of coal miners occurring on or after 5 August 2015.

- (2) The provisions of Part 19I of Schedule 6 to the 1987 Act are deemed to have been amended as necessary to give effect to this clause.