



New South Wales

Sporting Injuries Insurance Regulation 2019

under the

Sporting Injuries Insurance Act 1978

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sporting Injuries Insurance Act 1978*.

DOMINIC PERROTTET, MP
Treasurer

Explanatory note

The object of this Regulation is to repeal and remake, with minor changes, the *Sporting Injuries Insurance Regulation 2014*, which would otherwise be repealed on 1 September 2019 by section 10(2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision for the following matters—

- (a) the authorisation of the appointed directors of the board of Insurance and Care NSW as a class of persons to whom the Sporting Injuries Compensation Authority may delegate any of its functions under section 10(2) of the *Sporting Injuries Insurance Act 1978* (**the Act**),
- (b) the funeral expenses payable under section 27 of the Act,
- (c) the threshold percentages of permanent loss injuries listed in Table A in Schedule 1 to the Act for which compensation is payable under section 25.

This Regulation is made under the *Sporting Injuries Insurance Act 1978*, including sections 10(2), 27(3) and 30 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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1 Name of Regulation

This Regulation is the *Sporting Injuries Insurance Regulation 2019*.

2 Commencement

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

Note. This Regulation repeals and replaces the *Sporting Injuries Insurance Regulation 2014*, which would otherwise be repealed on 1 September 2019 by section 10(2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation—

the Act means the *Sporting Injuries Insurance Act 1978*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Delegation to authorised persons

The appointed directors of the ICNSW Board (within the meaning of the *State Insurance and Care Governance Act 2015*) are authorised as a class of persons for the purposes of section 10 of the Act.

5 Funeral expenses

For the purposes of section 27(3) of the Act, the amount prescribed is—

- (a) \$9,000, or
- (b) if a different amount was prescribed on the date that the person, in respect of whom the application is made, died—that other amount.

6 Prescribed percentage of permanent loss

For the purposes of Table A in Schedule 1 to the Act, the prescribed percentage of permanent loss with respect to an injury occurring on or after the commencement of this Regulation is as follows—

- (a) for paragraph (a) of Part 1 and paragraph (a) of Part 2, in the case of the permanent loss of the use of the whole, or the greater part, of either arm or either leg—30 per cent,
- (b) for paragraph (a) of item 1 of Part 4, in the case of permanent loss of hearing in both ears—10 per cent,
- (c) in all other cases—50 per cent.

7 Repeal and savings

- (1) The *Sporting Injuries Insurance Regulation 2014* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Sporting Injuries Insurance Regulation 2014*, had effect under that Regulation continues to have effect under this Regulation.