



New South Wales

# Public Health Amendment (Vaccination Compensation) Bill 2021

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Public Health Act 2010* to provide for the payment of compensation to workers who suffer injury, loss or damage as a result of a requirement to be vaccinated.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** amends the *Public Health Act 2010* to give effect to the Overview above.



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New South Wales

# Public Health Amendment (Vaccination Compensation) Bill 2021

No. \_\_\_\_\_, 2021

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## **A Bill for**

An Act to amend the *Public Health Act 2010* to provide for the payment of compensation to workers who suffer injury, loss or damage as a result of a requirement to be vaccinated.

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<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Public Health Amendment (Vaccination Compensation) Act 2021</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5
<b>3 Amendment of Public Health Act 2010 No 127</b>	6
<b>Section 137</b>	7
Insert after section 136—	8
<b>137 Liability to workers required to be vaccinated</b>	9
(1) This section applies if a relevant body requires a worker to be vaccinated against a disease prescribed by the regulations.	10 11
(2) The relevant body is liable to pay compensation to the worker for any injury, loss or damage suffered by the worker as a result of the vaccine.	12 13
(3) The relevant body continues to be liable to pay compensation to the worker until the worker's death, even if the worker ceases to be employed or otherwise engaged by the relevant body.	14 15 16
(4) In this section—	17
<i>relevant body</i> , in relation to a worker, means the person or body that employs or otherwise engages the worker.	18 19
<i>worker</i> of a relevant body includes a person engaged by, or on behalf of, the relevant body under a contract for services, but does not include a volunteer.	20 21 22