

[Act 1997 No 4]



Workers Compensation Amendment Bill 1996

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 *Workers Compensation Act 1987* to reinstate certain amendments that were omitted from the *WorkCover Legislation Amendment Bill 1996 (No 2)* during the Committee stage in the Legislative Council.

The amendments to be reinstated relate principally to coal miners and provide for:

- (a) the making of regulations to modify the operation of or disapply any of the amendments made by the *WorkCover Legislation Amendment Act 1996* (except the journey claim amendments) in respect of coal miners, and
 - (b) the exemption of coal miners from the new provision inserted by that Act for the discontinuation of weekly payments of compensation after 2 years.
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The amendment referred to in paragraph (b) also exempts persons who are permanently and totally incapacitated for work from the provision for discontinuation of weekly payments of compensation after 2 years.

The Bill also makes a minor amendment by way of statute law revision to correct a cross-reference.

Outline of provisions

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

Clause 2 provides that the proposed Act is taken to have commenced on the date of assent to the *WorkCover Legislation Amendment Act 1996* except for the amendment referred to in paragraph (b) above, which commences or is taken to have commenced on the commencement of the provision that it amends.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the *Workers Compensation Act 1987*.

Schedule 1 Amendments

Schedule 1 [1] exempts coal miners, and workers who are totally and permanently incapacitated for work, from the operation of the new provision for discontinuation of weekly payments of compensation after 2 years.

Schedule 1 [2] makes a statute law revision amendment to correct a cross-reference.

Schedule [3] inserts a regulation making power to enable the regulations to modify the operation of or disapply any of the amendments made by the *WorkCover Legislation Amendment Act 1996* (except the journey claim amendments) in respect of coal miners. The regulations can be made so as to operate retrospectively (back to the date of assent to the *WorkCover Legislation Amendment Act 1996*).