

[Act 2002 No 23]



New South Wales

Compensation Court Repeal Bill 2002

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to repeal the *Compensation Court Act 1984* and abolish the Compensation Court, and
 - (b) to provide for the appointment of existing Compensation Court Judges and Acting Judges as Judges or Acting Judges of the District Court, and
 - (c) to transfer the jurisdiction of the Compensation Court to the Workers Compensation Commission or the District Court, and
 - (d) to make consequential amendments to various Acts.
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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 provisions of the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 repeals the *Compensation Court Act 1984 (the Act)*.

Clause 5 provides for the appointment of Judges and Acting Judges of the Compensation Court as Judges and Acting Judges of the District Court.

Clause 6 provides for the appointment of an Acting Chief Judge of the Compensation Court in the event of a vacancy in the office of Chief Judge and also provides that if such a vacancy occurs as a result of the retirement of the current Chief Judge he is entitled to be appointed as Acting Chief Judge for the period until repeal of the Act.

Clause 7 provides for proceedings pending in the Compensation Court on the repeal of the Act to be heard and determined by the District Court or, in the case of proceedings involving workers compensation (other than coal miner claims), the Workers Compensation Commission.

Clause 8 provides for the seniority, rank and precedence that a Judge or the Chief Judge of the Compensation Court is to have as a Judge of the District Court or Supreme Court, and for service as a Judge of the Compensation Court to count as service as a Judge of the District Court or Supreme Court.

Clause 9 provides for the commissioners and acting commissioners of the Compensation Court to cease to hold office on the repeal of the Act.

Clause 10 provides for medical referees under the Act to cease to hold office on the repeal of the Act.

Clause 11 confers a power to make savings and transitional regulations.

Clause 12 gives effect to Schedule 1.

Schedule 1 makes consequential amendments to various Acts to change references to the Compensation Court to the District Court and to provide for the transfer of the jurisdiction of the Compensation Court to the Workers Compensation Commission or the District Court.