

Passed by both Houses



New South Wales

# Workers Compensation Amendment (Permanent Impairment Benefits) Bill 2006

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2006*



New South Wales

## **Workers Compensation Amendment (Permanent Impairment Benefits) Bill 2006**

Act No , 2006

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An Act to amend the *Workers Compensation Act 1987* to provide for an increase in certain benefits paid to workers who receive injuries that result in permanent impairment; and for related purposes.

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*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*Chairman of Committees of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006*.

**2 Commencement**

This Act commences on 1 January 2007.

**3 Amendment of Workers Compensation Act 1987 No 70**

The *Workers Compensation Act 1987* is amended as set out in Schedule 1.

**4 Repeal of Act**

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

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## Schedule 1 Amendments

(Section 3)

**[1] Section 66 Entitlement to compensation for permanent impairment**

Omit "\$1,250" from section 66 (2) (a). Insert instead "\$1,375".

**[2] Section 66 (2) (b)**

Omit "\$12,500". Insert instead "\$13,750".

**[3] Section 66 (2) (b)**

Omit "\$1,500". Insert instead "\$1,650".

**[4] Section 66 (2) (c)**

Omit "\$27,500". Insert instead "\$30,250".

**[5] Section 66 (2) (c)**

Omit "\$2,500". Insert instead "\$2,750".

**[6] Section 66 (2) (d)**

Omit "\$77,500". Insert instead "\$85,250".

**[7] Section 66 (2) (d)**

Omit "\$3,500". Insert instead "\$3,850".

**[8] Section 66 (2) (e)**

Omit "\$200,000". Insert instead "\$220,000".

**[9] Section 66 (2A), Examples 1 and 2**

Omit the examples. Insert instead:

**Example 1.** A person suffers 10% permanent impairment. Under subsection (2), the amount of permanent impairment compensation to which he or she is entitled is \$13,750 ( $10 \times \$1,375$ ). If the whole of the impairment is to the back, the compensation payable in relation to the back will be the whole \$13,750. Under this subsection, that \$13,750 will be increased by 5%, yielding \$14,437.50.

**Example 2.** A person suffers 50% permanent impairment. Under subsection (2), the amount of permanent impairment compensation to which he or she is entitled is \$123,750 ( $\$85,250 + (10 \times \$3,850)$ ). If two-thirds of the impairment is to the back, the compensation payable in relation to the back will be two-thirds of \$123,750, or \$82,500. Under this subsection, that \$82,500 will be increased by 5%, yielding \$86,625. The total compensation payable for the impairment will therefore be \$127,875.

**[10] Schedule 6 Savings, transitional and other provisions**

Omit the heading to Part 6. Insert instead:

**Part 6 Provisions relating to compensation for non-economic loss**

**[11] Schedule 6, Part 6**

Insert after clause 20:

**21 2006 amendments to section 66 relating to permanent impairment benefits**

Section 66, as amended by the *Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006*:

- (a) applies to a worker who receives an injury on or after the date of commencement of that Act (being 1 January 2007), and
- (b) does not apply to a worker who received an injury before that date.

**[12] Schedule 6, Part 20**

Insert at the end of clause 1 (1):

*Workers Compensation Amendment (Permanent Impairment Benefits) Act 2006*