

Passed by both Houses



New South Wales

Workers Compensation Amendment (Commission Members) Bill 2010

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86	3
Schedule 2 Amendment of Statutory and Other Offices Remuneration Act 1975 (1976 No 4)	5

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, , 2010*



New South Wales

Workers Compensation Amendment (Commission Members) Bill 2010

Act No , 2010

*An Act to amend the *Workplace Injury Management and Workers Compensation Act 1998* with respect to the members of the Workers Compensation Commission; and to make a consequential amendment to the *Statutory and Other Offices Remuneration Act 1975*.*

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

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Workers Compensation Amendment (Commission Members) Act 2010*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86

[1] Section 368

Omit the section. Insert instead:

368 Members of Commission

- (1) The Commission consists of the following members:
 - (a) a President,
 - (b) Deputy Presidents,
 - (c) a Registrar,
 - (d) Arbitrators.
- (2) The members of the Commission are to be appointed by the Minister.
- (3) The instrument of appointment of a member is to specify whether a member has been appointed as:
 - (a) the President, or
 - (b) a Deputy President, or
 - (c) the Registrar, or
 - (d) an Arbitrator.
- (4) One or more of the Arbitrators may be appointed as a Senior Arbitrator, either by the instrument of appointment of the Arbitrator or by a later instrument executed by the Minister.

[2] Schedule 5 Provisions relating to members of Commission

Omit clause 4. Insert instead:

4 Remuneration

- (1) The following are entitled to be paid remuneration (including travelling and subsistence allowances) in accordance with the *Statutory and Other Offices Remuneration Act 1975*:
 - (a) a Presidential member,
 - (b) the Registrar,
 - (c) a Senior Arbitrator or any other Arbitrator appointed on a full-time basis by the instrument of appointment of the Arbitrator or by a later instrument executed by the Minister.

Workers Compensation Amendment (Commission Members) Bill 2010

Schedule 1 Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86

- (2) Any other Arbitrator is entitled to be paid such remuneration (including travelling and subsistence allowances) in respect of work done as a member of the Commission as the Minister may from time to time determine in respect of the Arbitrator.

[3] Schedule 5, clause 6 Vacancy in office

Omit “(other than an Arbitrator)” from clause 6 (2).

[4] Schedule 5, clause 6 (3)

Omit the subclause.

[5] Schedule 5, clause 8 Seniority

Insert after clause 8 (1) (c):

- (c1) Senior Arbitrators according to the days on which their appointments took effect or, if the appointments of 2 of them took effect on the same day, according to the precedence assigned to them by their instruments of appointment,

[6] Schedule 5, clause 13

Insert after clause 12:

13 2010 Amending Act—saving of existing appointments

- (1) The substitution of section 368 of this Act by the *Workers Compensation Amendment (Commission Members) Act 2010* does not affect the continuity in office of any member of the Commission holding office immediately before the commencement of that Act.
- (2) An Arbitrator holding office immediately before the commencement of that Act is eligible to be appointed as a Senior Arbitrator or on a full-time basis

Workers Compensation Amendment (Commission Members) Bill 2010

Amendment of Statutory and Other Offices Remuneration Act 1975 (1976 No 4) Schedule 2

Schedule 2 Amendment of Statutory and Other Offices Remuneration Act 1975 (1976 No 4)

Schedule 2 Public Offices

Insert in Part 1 after the matter relating to the Registrar of the Workers Compensation Commission:

Senior Arbitrator or other full-time Arbitrator of the Workers Compensation Commission