



New South Wales

State Insurance and Care Governance Amendment (ICNSW Governance) Bill 2023

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 *State Insurance and Care Governance Act 2015* to make further provision in relation to governance arrangements for Insurance and Care NSW.

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.

Schedule 1 **Amendment of State Insurance and Care Governance Act 2015 No 19**

Schedule 1[1] requires the Minister for Work Health and Safety, before giving a direction in the public interest to the board of directors of Insurance and Care NSW (*ICNSW*), to request the board to advise whether the direction would promote the objectives of ICNSW. Currently, the board must advise whether the direction would not be in the best interests of ICNSW.

Schedule 1[3] inserts proposed section 9A, which sets out the principal objectives of ICNSW in exercising its functions. **Schedule 1[2]** makes a consequential amendment.

Schedule 1[4] allows the Treasurer to direct ICNSW to provide information to the Treasurer relating to the activities of ICNSW. The Treasurer may delegate this function to the Secretary of the Treasury.



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State Insurance and Care Governance Amendment (ICNSW Governance) Bill 2023

No. _____, 2023

A Bill for

An Act to amend the *State Insurance and Care Governance Act 2015* in relation to governance arrangements for Insurance and Care NSW.

The Legislature of New South Wales enacts—

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1 Name of Act

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This Act is the *State Insurance and Care Governance Amendment (ICNSW Governance) Act 2023*.

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2 Commencement

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

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Schedule 1	Amendment of State Insurance and Care Governance Act 2015 No 19	1
		2
[1]	Section 7 Power of Minister to give directions in public interest	3
	Omit “not be in the best interests of ICNSW” from section 7(3)(b).	4
	Insert instead “promote the objectives of ICNSW”.	5
[2]	Part 2, Division 2, heading	6
	Omit the heading. Insert instead—	7
	Division 2 Objectives and functions of ICNSW	8
[3]	Section 9A	9
	Insert before section 10—	10
	9A Principal objectives of ICNSW	11
	The principal objectives of ICNSW in exercising its functions are as follows—	12
	(a) to maintain the affordability of insurance and the efficiency and viability of State insurance and compensation schemes established under Acts under which ICNSW exercises functions consistent with any objectives of the schemes,	13 14 15 16
	(b) to promote early and appropriate treatment and care for injury and illness that optimises the recovery and return to work or other activities of persons injured at work or in motor accidents,	17 18 19
	(c) to promote efficiency, transparency and accountability in the conduct of ICNSW’s operations.	20 21
[4]	Section 12A	22
	Insert after section 12—	23
	12A Power of Treasurer to give directions to provide information	24
	(1) The Treasurer may give ICNSW a written direction requiring ICNSW to provide the Treasurer with specified information, within a specified period, relating to the activities of ICNSW.	25 26 27
	(2) ICNSW must comply with a direction under this section.	28
	(3) The Treasurer may delegate to the Secretary of the Treasury the function of the Treasurer under this section.	29 30