

Workers Compensation Legislation Amendment (Miscellaneous Provisions) Act 2005 No 113

[2005-113]



New South Wales

Status Information

Currency of version

Historical version for 4 July 2007 to 7 July 2011 (accessed 7 May 2024 at 0:16)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Does not include amendments by**
[Statute Law \(Miscellaneous Provisions\) Act 2011 No 27](#) (not commenced — to commence on 8.7.2011)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Workers Compensation Legislation Amendment (Miscellaneous Provisions) Act 2005 No 113



New South Wales

An Act to amend the *Workplace Injury Management and Workers Compensation Act 1998* and the *Workers Compensation Act 1987* with respect to dispute resolution procedures, insurance obligations, workers, costs and compensation for back injuries; and for other purposes.

1 Name of Act

This Act is the *Workers Compensation Legislation Amendment (Miscellaneous Provisions) Act 2005*.

2 Commencement

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by this section.
- (2) Schedule 3.2 [1] commences on 1 January 2006.
- (3) Section 6 and Schedule 4 commence on the date of assent to this Act.

3, 4 (Repealed)

5 Miscellaneous amendments

The *Workplace Injury Management and Workers Compensation Act 1998* and the *Workers Compensation Act 1987* are amended as set out in Schedule 3.

6, 7 (Repealed)

Schedules 1, 2 (Repealed)

Schedule 3 Miscellaneous amendments

(Section 5)

3.1 Workplace Injury Management and Workers Compensation Act

1998 No 86

[1]-[10] (Repealed)

[11] Section 288A

Insert after section 288:

288A Referral of disputes to Commission

Section 345 of the *Legal Profession Act 2004* applies to and in respect of the provision of legal services in connection with a dispute referred to the Commission under this Part in the same way as it applies to and in respect of the provision of legal services in connection with a claim or defence of a claim for damages referred to in that section.

Note—

Section 345 of the *Legal Profession Act 2004* prohibits a law practice from providing legal services in connection with a claim or defence unless a legal practitioner associate responsible for the provision of those services believes, on the basis of provable facts and a reasonably arguable view of the law, that the claim or defence has reasonable prospects of success.

[12]-[29] (Repealed)

3.2 Workers Compensation Act 1987 No 70

[1]-[4] (Repealed)

[5] Section 144 Appeal against Authority's decision on claim for compensation

Insert after section 144 (5):

- (6) Section 345 of the *Legal Profession Act 2004* applies to and in respect of the provision of legal services in connection with an application to the Commission under this section in the same way as it applies to and in respect of the provision of legal services in connection with a claim or defence of a claim for damages referred to in that section.

Note—

Section 345 of the *Legal Profession Act 2004* prohibits a law practice from providing legal services in connection with a claim or defence unless a legal practitioner associate responsible for the provision of those services believes, on the basis of provable facts and a reasonably arguable view of the law, that the claim or defence has reasonable prospects of success.

Schedule 4 (Repealed)