
c2025-300A
SFF--Shooters, Fishers and Farmers Party

LEGISLATIVE COUNCIL

Workers Compensation Legislation Amendment (Firefighters) Bill 2025

First print

Proposed amendments

No. 1 **Qualifying service period for oesophageal cancer**

Page 3, Schedule 1. Insert after line 31—

[5A] Schedule 4, Part 1, column 2, as amended by item [5]

Omit “25 years”. Insert instead “15 years”.

No. 2 **Transitional provisions**

Page 4, Schedule 1[7], lines 9–13. Omit all words on the lines. Insert instead—

Category 2 diseases

- (1) An eligibility provision extends to a disease contracted by a firefighter in relation to which either of the following occurred before the insertion of the eligibility provision (an *existing category 2 disease*)—
 - (a) the disease was first diagnosed by a medical practitioner,
 - (b) the firefighter died as a result of the disease.
- (2) However, an eligibility provision does not extend to a disease contracted before 6 August 2025 unless—
 - (a) a claim for compensation is made under the relevant compensation Act in relation to the disease before the insertion of the eligibility provision, and
 - (b) liability for the claim has been denied and the grounds on which liability has been denied include that the disease was not contracted in the course of the worker’s employment or that the employment was not a contributing factor, or a substantial contributing factor, to contracting the disease.
- (3) For the application of an eligibility provision to an existing category 2 disease, the date of injury in relation to the disease is taken to be the date on which the provision was inserted.
- (4) A further claim for compensation may be made under the relevant compensation Act in relation to an existing category 2 disease to which an eligibility provision applies if, before the insertion of the eligibility provision—

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- (a) a claim for compensation was made under the relevant compensation Act, whether or not the claim has also been the subject of proceedings in the Commission or a court, and
 - (b) liability for the claim was denied on the ground that the disease was not contracted in the course of the worker's employment or that the employment was not a contributing factor, or a substantial contributing factor, to contracting the disease.
- (5) However, a further claim for compensation may not be made as provided by subclause (4) if liability for the claim is denied on a ground other than a ground referred to in the subclause.
- (6) In this clause—

amending Act means the *Workers Compensation Legislation Amendment (Firefighters) Act 2025*.

eligibility provision means an item of the 1987 Act, Schedule 4 inserted by the amending Act, Schedule 1[6].

relevant compensation Act, in relation to a claim for compensation, means the 1987 Act or the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987* under which the claim is made.