

LEGISLATIVE COUNCIL

Workers Compensation Amendment Bill 2015

First print

Proposed amendments

No. 1 **Continuation of weekly payments after second entitlement period**

Page 4, Schedule 2. Insert after line 2:

[1] Section 32A Definitions

Omit “an aggregate period of 117 weeks (whether or not consecutive)” from the definition of *second entitlement period*.

Insert instead “any period”.

No. 2 **Continuation of weekly payments after second entitlement period**

Pages 4 and 5, Schedule 2 [3]–[6], line 16 on page 4 to line 3 on page 5. Omit all words on those lines. Insert instead:

[3] Sections 38–40

Omit the sections.

No. 3 **Referral of disputes to Commission**

Page 5, Schedule 2. Insert after line 17:

[9] Section 43 (3)

Omit “The”. Insert instead “Except as provided by section 44BG, the”.

No. 4 **Referral of disputes to Commission**

Page 7, Schedule 2 [14]. Insert after line 24:

44BG Referral of disputes to Commission

- (1) Despite anything to the contrary in section 43 or this Subdivision, a dispute relating to a decision about a worker’s current work capacity that has been the subject of a review by the Independent Review Officer under this Subdivision may be referred to the Commission for determination after the review by the Independent Review Officer has been finally determined.
- (2) If the Commission determines the dispute in favour of the worker, and makes any order as to costs in the matter, the Commission is to order that costs follow the event.

No. 5

Removal of limitation on compensation for medical and related expenses

Pages 9 and 10, Schedule 3 [1]–[4], line 3 on page 9 to line 31 on page 10. Omit all words on those lines. Insert instead:

[1] Section 59A Limit on payment of compensation

Omit the section.

No. 6

Removal of limitation on compensation for medical and related expenses

Page 18, Schedule 6, lines 5–17. Omit all words on those lines. Insert instead:

11 Medical, hospital and rehabilitation expenses

On and from the repeal of section 59A of the 1987 Act by the 2015 amending Act, any compensation that would, but for the enactment of that section, have been payable to a worker is payable to the worker as if that section had never been enacted.