



New South Wales

# Workers Compensation Amendment Bill 2021

## 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 *Workers Compensation Act 1987* to abolish presumptive rights to workers compensation for certain workers who contract COVID-19.

The Bill also makes a consequential amendment to the *Workers Compensation Regulation 2016*.

## 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.

**Clause 3** repeals a provision of the *Workers Compensation Act 1987* establishing presumptive rights to workers compensation for certain workers who contract COVID-19. The clause also makes a consequential amendment.

**Clause 4** makes a consequential amendment to the *Workers Compensation Regulation 2016*.



New South Wales

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New South Wales

# Workers Compensation Amendment Bill 2021

No. \_\_\_\_\_, 2021

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## **A Bill for**

An Act to amend the *Workers Compensation Act 1987* to abolish presumptive rights to workers compensation for workers who contract COVID-19; and to make a related amendment to an instrument.

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Workers Compensation Amendment Act 2021*.

**2 Commencement**

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

**3 Amendment of Workers Compensation Act 1987 No 70**

**(1) Section 19B Presumptions relating to certain employment in relation to COVID-19**

Omit the section.

**(2) Schedule 6 Savings, transitional and other provisions**

Insert before Part 20, with appropriate Part numbering—

**Provision consequent on enactment of  
Workers Compensation Amendment Act 2021**

**1 Application of amendments**

(1) An amendment made to this Act by the amending Act does not apply to an injury received before the commencement of the amendment.

(2) For the purposes of subclause (1), the date of the injury is to be determined in accordance with this Act, section 19B, and the regulations made under that section, as in force immediately before the commencement of the amending Act.

(3) In this clause—

*amending Act* means the *Workers Compensation Amendment Act 2021*.

**4 Amendment of Workers Compensation Regulation 2016**

**(1) Clauses 5B–5D**

Omit the clauses.

**(2) Schedule 2 Medical tests and results—brucellosis, Q fever, leptospirosis and COVID-19**

Omit “Clauses 5 and 5B”. Insert instead “clause 5”.

**(3) Schedule 2, Part 2**

Omit the Part.