



New South Wales

# **Workplace Injury Management and Workers Compensation Amendment (Private Insurance) Bill 2000**

## **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 *Workplace Injury Management and Workers Compensation Act 1998*:

- (a) to defer, to a date to be appointed by the Governor by order published in the Gazette, the coming into operation of arrangements for the private underwriting of workers compensation insurance, and
- (b) to authorise the making of regulations to modify the operation of the insurance provisions of the Act, with any such regulations to be automatically revoked 12 months after the coming into operation of the private insurance underwriting arrangements, and
- (c) to omit a spent provision.

Explanatory note

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Under the Act as currently in force, private underwriting would have come into operation on 1 October 2000 (unless an earlier date had been appointed by proclamation).

This Bill also amends the *Workers Compensation Act 1987* to authorise the making of savings and transitional regulations consequent on the enactment of these amendments.

## 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.

**Clause 3** is a formal provision giving effect to the amendments to the *Workplace Injury Management and Workers Compensation Act 1998* set out in Schedule 1.

**Clause 4** is a formal provision giving effect to the amendment to the *Workers Compensation Act 1987* set out in Schedule 2.

**Schedule 1 [1]** replaces the definition of *private insurance start time* in section 4 (1) of the Principal Act (being the time at which the private underwriting of workers compensation insurance will commence) to give effect to paragraph (a) of the objects outlined above.

**Schedule 1 [2]** gives effect to paragraph (b) of the objects outlined above.

**Schedule 1 [3]** omits section 145 of the Principal Act, which is a spent provision.

**Schedule 2** amends Schedule 6 (Savings, transitional and other provisions) to the *Workers Compensation Act 1987* to authorise the making of regulations of a savings or transitional nature consequent on the enactment of the Schedule 1 amendments.



New South Wales

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New South Wales

# **Workplace Injury Management and Workers Compensation Amendment (Private Insurance) Bill 2000**

No. , 2000

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## **A Bill for**

An Act to amend the *Workplace Injury Management and Workers Compensation Act 1998* and the *Workers Compensation Act 1987* to make further provision in respect of the coming into operation of arrangements for the private underwriting of workers compensation insurance; and for other purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Workplace Injury Management and Workers Compensation Amendment (Private Insurance) Act 2000</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent.	6
<b>3 Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86</b>	7 8
The <i>Workplace Injury Management and Workers Compensation Act 1998</i> is amended as set out in Schedule 1.	9 10
<b>4 Amendment of Workers Compensation Act 1987 No 70</b>	11
The <i>Workers Compensation Act 1987</i> is amended as set out in Schedule 2.	12 13

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<b>Schedule 1</b>	<b>Amendment of Workplace Injury Management and Workers Compensation Act 1998 No 86</b>	1 2 3
	(Section 3)	4
<b>[1]</b>	<b>Section 4 Definitions</b>	5
	Omit the definition of <i>private insurance start time</i> from section 4 (1).	6
	Insert instead:	7
	<i>private insurance start time</i> means 4 pm on a day to be appointed by the Governor by order published in the Gazette for the purposes of this definition.	8 9 10
<b>[2]</b>	<b>Section 143A</b>	11
	Insert after section 143:	12
<b>143A</b>	<b>Regulations to modify provisions relating to private insurance</b>	13
	(1) The regulations may make provision for or with respect to modifying the operation of the provisions of this Chapter.	14 15
	(2) This section authorises the making of regulations whereby specified provisions of this Chapter are taken to be amended in the manner set out in the regulations.	16 17 18
	(3) Regulations made under this section:	19
	(a) may only be made with respect to matters for which this Chapter makes provision, and	20 21
	(b) are, unless they are revoked or otherwise cease to have effect sooner, taken to be revoked on the day that is 12 months after the private insurance start time, and may not be made or published after that day.	22 23 24 25
<b>[3]</b>	<b>Section 145 Policies to be for 12 month periods</b>	26
	Omit the section.	27

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Schedule 2 Amendment of Workers Compensation Act 1987 No 70

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<b>Schedule 2</b>	<b>Amendment of Workers Compensation Act</b>	1
	<b>1987 No 70</b>	2
	(Section 4)	3
<b>Schedule 6</b>	<b>Savings, transitional and other provisions</b>	4
	Insert “ <i>Workplace Injury Management and Workers Compensation</i>	5
	<i>Amendment (Private Insurance) Act 2000</i> ” at the end of clause 1 (1) of Part	6
	20.	7