

CONCURRENCE COPY

SPORTING INJURIES INSURANCE (AMENDMENT) BILL, 1983

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to increase the amounts of benefits payable under the Sporting Injuries Insurance Act, 1978 ("the Principal Act"), as follows:—

- (a) by Schedule 1 (1)—
 - (i) to increase the supplementary benefit under section 25 (2) (a) of the Principal Act for quadriplegia or paraplegia to \$14,650;
 - (ii) to increase the minimum benefit under section 25 (2) (b) of the Principal Act for certain cases of loss of sight involving both eyes to \$21,000;
 - (iii) to increase the maximum benefit referred to in section 25 (3) of the Principal Act payable within 3 months of the incident which caused an injury to \$37,500; and
 - (iv) to increase the maximum benefit referred to in section 25 (5) of the Principal Act for injuries from a single incident to \$90,000;
 - (b) by Schedule 1 (2)—
 - (i) to increase the benefit under section 26 (2) (a) of the Principal Act for death to \$37,500 and \$1,500 for each dependent child; and
 - (ii) to increase the maximum benefit referred to in section 26 (4) (b) of the Principal Act for death (including preceding injuries) to \$90,000; and
 - (c) by Schedule 1 (3)—to increase the benefits under Schedule 1 to the Principal Act to the respective amounts set out in the new Schedule to be inserted by the proposed Act.
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**SPORTING INJURIES INSURANCE (AMENDMENT)
BILL, 1983**

No. , 1983.

A BILL FOR

An Act to amend the Sporting Injuries Insurance Act, 1978, so as to increase benefits payable under that Act.

[MR WALKER—29 *March*, 1983.]

Sporting Injuries Insurance (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Sporting Injuries Insurance (Amendment) Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal Act.

15 3. The Sporting Injuries Insurance Act, 1978, is referred to in this Act as the Principal Act.

Amendment of Act No. 141, 1978.

4. The Principal Act is amended in the manner set forth in Schedule 1.

Transitional provisions.

20 5. (1) The Principal Act applies to and in respect of injury or death arising out of or in the course of sporting or athletic activities which took place before the day appointed and notified under section 2 (2) as if this Act had not been enacted.

Sporting Injuries Insurance (Amendment).

(2) Nothing in this Act affects any regulations in force under the Principal Act immediately before the day appointed and notified under section 2 (2).

SCHEDULE 1.

5

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 25 (2) (a)—

Omit "\$12,750", insert instead "\$14,650".

(b) Section 25 (2) (b)—

10 Omit "\$16,800", insert instead "\$21,000".

(c) Section 25 (3)—

Omit "\$25,000", insert instead "\$37,500".

(d) Section 25 (5)—

Omit "\$60,000", insert instead "\$90,000".

15 (2) (a) Section 26 (2) (a)—

Omit "\$25,000", insert instead "\$37,500".

(b) Section 26 (2) (a)—

Omit "\$1,000", insert instead "\$1,500".

(c) Section 26 (4) (b)—

20 Omit "\$60,000", insert instead "\$90,000".

*Sporting Injuries Insurance (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(3) Schedule 1—

Omit the Schedule, insert instead:—

5	SCHEDULE 1.	(Secs. 4 (1), 25.)
	BENEFIT TABLES.	
	TABLE A.	
	PART 1.	
10	INJURIES RELATED TO ARMS.	
	Permanent loss of not less than the percentage, prescribed by the regulations, of the use of—	\$
	(a) either arm or the greater part thereof	23,000
15	(b) lower part of either arm, either hand or 4 fingers and thumb of either hand	19,700
	(c) thumb	8,550
	(d) index finger	5,700
	(e) middle, ring or little finger	3,000
20	PART 2.	
	INJURIES RELATED TO LEGS.	
	Permanent loss of not less than the percentage, prescribed by the regulations, of the use of—	\$
25	(a) either leg or the greater part thereof	21,000
	(b) lower part of either leg	18,050
	(c) foot	17,500
	(d) great toe	5,700

Sporting Injuries Insurance (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

PART 3.

INJURIES RELATED TO SIGHT.

		\$
5	1. Permanent and total loss of sight of both eyes (or of one eye, if it was the only sighted eye)	29,550
	2. Permanent loss of not less than the percentage, prescribed by the regulations, of the use of—	
	(a) one eye, if it was the only sighted eye	21,000
10	(b) one eye, if it was not the only sighted eye	12,250

PART 4.

MISCELLANEOUS INJURIES.

	1. Permanent loss of not less than the percentage, prescribed by the regulations, of—	
15	(a) hearing of both ears	\$ 18,050
	(b) power of speech	18,050
	2. Permanent loss of sighted eye	6,550
	3. Permanent and total loss of the use of—	
20	(a) both kidneys (or of one kidney, if it was the only functioning kidney)	31,250
	(b) one kidney, if it was not the only functioning kidney ..	3,750
	(c) spleen	3,750

TABLE B.

PART 1.

INJURIES RELATED TO COGNITION.

	Permanent loss of—	
	(a) mental capacity	\$ 90,000
30	(b) sense of smell	4,950
	(c) sense of taste	4,950

