



AUSTRALIAN CAPITAL TERRITORY

Workers' Compensation (Amendment) Act 1998

No. 31 of 1998

An Act to amend the *Workers' Compensation Act 1951*

[Notified in ACT Gazette S193:11 September 1998]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Workers' Compensation (Amendment) Act 1998*.

2. Commencement

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

In this Act, "Principal Act" means the *Workers' Compensation Act 1951*.¹

4. Insertion

(1) After section 27C of the Principal Act the following section is inserted:

“27D. Funds for administration of Act

“(1) The costs of administration of this Act shall be paid out of moneys provided in accordance with this section by approved insurers and exempt employers and any other moneys received under this Act.

“(2) Liability for the costs of administration of this Act in respect of a financial year shall be apportioned by the Minister amongst those who were approved insurers or exempt employers during that year.

“(3) In making an apportionment under subsection (2) in respect of a financial year, the Minister shall have regard so far as practicable to—

- (a) the premium incomes received by each approved insurer in respect of prescribed insurance policies in that financial year; and
- (b) the premium that would have been payable by each exempt employer if the employer had obtained, in respect of that year (or the part of that year during which the employer was an exempt employer), a prescribed insurance policy.

“(4) Where the Minister makes an apportionment under this section, the Minister shall notify, in writing, each approved insurer and exempt employer concerned of particulars of the apportionment and require the insurer or employer to pay to the Territory the apportioned amount, within such time as is specified in the notice.

“(5) An amount specified in a notice to a person under subsection (4) and unpaid at the expiration of the time specified in the notice is a debt due and owing to the Territory by the approved insurer or exempt employer and may be sued for and recovered by the Territory in a court of competent jurisdiction.

“(6) Money received under this section shall be paid into a departmental bank account maintained by the Chief Executive in accordance with subsection 34 (2) of the *Financial Management Act 1996*.”

(2) Subject to subsection (3), the amendment effected by subsection (1) also applies in relation to costs of administration incurred after 1 July 1997.

(3) Notwithstanding the amendment effected by subsection (1), in relation to the costs of administration in respect of the financial year that commenced on 1 July 1997, the Minister shall not effect an apportionment of liability under subsection 27D (2) of the Principal Act as amended by this Act before 1 January 1999.

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NOTE

Principal Act

1. Reprinted as at 31 January 1998.

[Presentation speech made in Assembly on 25 June 1998]

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