

1992
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Industrial Relations)

**Workers' Compensation Supplementation
Fund (Amendment) Bill 1992**

**A BILL
FOR**

**An Act to amend the *Workers' Compensation
Supplementation Fund Act 1980***

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

Short title

- 5 **1.** This Act may be cited as the *Workers' Compensation
Supplementation Fund (Amendment) Act 1992*.

Principal Act

- 2.** In this Act, "Principal Act" means the *Workers' Compensation
Supplementation Fund Act 1980*.¹

Payments out of Fund

- 10 **3.** Section 7 of the Principal Act is amended by omitting from
paragraph (c) "section" and substituting "sections 8A and".

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Insertion

4. After section 8 of the Principal Act the following section is inserted:

Reimbursement of Territory in respect of Manager's remuneration

5 "8A. Where the Manager is a public servant, there is payable out of the Fund to the Territory, as soon as practicable after the end of each financial year, an amount determined by the Minister in writing to be the aggregate of—

- 10 (a) that proportion of the remuneration of that person as a public servant that is referable to his or her performance of the functions of Manager; and
- (b) the sum of any other costs or expenses borne by the Territory as a consequence of his or her performance of those functions."

Application

15 5. The amendments effected by sections 3 and 4 apply in relation to the financial year ending 30 June 1991 and to each subsequent financial year.

Further amendments

6. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 6

Section 2 (definitions of "Chairman" and "member")—

Omit "Chairman" (wherever occurring), substitute "Chairperson".

Subsection 3 (3)—

(a) Omit "one", substitute "1".

(b) Omit "him", substitute "the Manager".

Subsection 6 (2)—

Omit "Commonwealth Companies Act", substitute "Corporations Law".

Subsection 8 (2)—

Omit "his".

Subsection 8 (3)—

Omit the subsection, substitute the following subsection:

SCHEDULE—continued

“(3) The Manager may resign office in writing signed by him or her and delivered to the Minister.”

Paragraph 9 (1) (b)—

Insert “or her” after “his”.

Subsection 9 (5)—

Omit the subsection, substitute the following subsection:

“(5) The appointment of a person under this section ceases to have effect if the person resigns the appointment in writing signed by him or her and delivered to the Minister.”

Subsection 9 (6)—

Omit “he”, substitute “the person”.

Subsection 9 (7)—

Omit the subsection, substitute the following subsection:

“(7) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment; or
- (c) the person’s appointment has ceased to have effect.”

Paragraph 11 (2) (a)—

Insert “or her” after “his” (wherever occurring).

Subsection 12 (1)—

Insert “or her” after “his”.

Subsection 13 (2)—

- (a) Omit “his” (first occurring), substitute “the Manager’s”.
- (b) Insert “or her” after “his” (last occurring).

Paragraph 14 (2) (b)—

Insert “or her” after “his”.

Subsection 14 (3)—

Omit “his”, substitute “the member’s”.

SCHEDULE—continued

Section 15—

Repeal the section, substitute the following section:

Chairperson

“15. (1) The members shall, from time to time as the occasion requires, elect 1 of their number to be the Chairperson of the Committee.

“(2) The Chairperson holds office for a period of 1 year from the date of his or her election, unless he or she ceases to be a member, and is eligible for re-election.

“(3) Where a Chairperson is elected in accordance with subsection (1), the Chairperson shall notify the Minister in writing of his or her election as Chairperson.

“(4) The Chairperson may resign the office of Chairperson in writing signed by him or her delivered to the Minister.”.

Subsection 16 (1)—

Omit “him”, substitute “the member”.

Subsection 16 (2)—

(a) Omit “him”, substitute “the member”.

(b) Insert “or her” after “his”.

Paragraph 17 (2) (a)—

Insert “or her” after “his” (wherever occurring).

Paragraph 17 (2) (b)—

Omit “one”, substitute “1”.

Paragraph 17 (2) (d)—

Omit “he”, substitute “the Minister”.

Subsection 18 (1)—

Omit “Chairman”, substitute “Chairperson”.

Subsection 18 (3)—

Omit “Chairman”, substitute “Chairperson”.

Subsection 18 (4)—

(a) Omit “one”, substitute “1”.

(b) Omit “Chairman”, substitute “Chairperson”.

SCHEDULE—continued

Subsection 19 (1)—

Omit “Chairman”, substitute “Chairperson”.

Subsection 19 (2)—

(a) Omit “Chairman” (wherever occurring), substitute “Chairperson”.

(b) Omit “one”, substitute “1”.

Section 21—

Insert “or her” after “his”.

Subsection 23 (1)—

Omit “one” (wherever occurring), substitute “1”.

Subsection 23 (2)—

Omit “him”, substitute “the employer”.

Paragraph 24 (1) (a)—

Omit “him”, substitute “the insurer”.

Subsection 24 (4)—

(a) Insert “or her” after “his” (wherever occurring).

(b) Omit “he”, substitute “the Manager”.

Subsection 24 (5)—

Insert “or her” after “his”.

Subsection 37 (1)—

Omit “him”, substitute “the liquidator”.

Subsection 37 (2)—

Omit “Commonwealth Companies Act”, substitute “Corporations Law”.

NOTE

1. Reprinted as at 30 September 1991. See also Act No. 106, 1991.