

**1995**

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN  
CAPITAL TERRITORY**

**WORKERS' COMPENSATION (AMENDMENT) BILL (No. 2) 1995**

**EXPLANATORY MEMORANDUM**

**Circulated by Authority of the Minister for Business, Employment and Tourism  
Tony De Domenico MLA**

## **WORKERS' COMPENSATION (AMENDMENT) BILL (No.2) 1995**

The Bill in conjunction with the *Occupational Health and Safety (Amendment) Bill 1995* extends the role of the Occupational Health and Safety Council (the Council), which is established under the *Occupational Health and Safety Act 1989* to provide advice to the Minister on occupational health and safety matters, to include providing advice to the Minister on workers' compensation and occupational rehabilitation matters which are covered by the *Workers' Compensation Act 1951*

This is achieved by the *Occupational Health and Safety (Amendment) Bill 1995* amending the *Occupational Health and Safety Act 1989* to widen the functions of the Council to include advising the Minister on workers' compensation and occupational rehabilitation That Bill also increases the maximum number of Council members from 11 to 12, changes the requirements for a quorum, and makes provision for protecting Council members from lawsuits

This supporting Bill amends the *Workers' Compensation Act 1951* to change the requirement for the Minister to consult with representatives of employers, unions and insurers before approving a protocol or an amendment to a protocol to a requirement to consult with the Council The Council will have representatives of employers, unions and insurers

Details of the Bill are as follows

*Clause 1 and 2 and 3* are formal They contain the short title, the commencement date and a short reference to the Principal Act

*Clause 4* amends section 15F to remove the requirement for the Minister to consult with representatives of employers, unions and insurers before approving a protocol or an amendment to a protocol and replaces it with a requirement to consult with the Council The Council currently has representatives of employers and employees as members and the *Occupational Health and Safety (Amendment) Bill 1989* will enable a representative of workers' compensation insurers to be appointed The protocol referred to in section 15F makes provision in respect of matters associated with occupational rehabilitation

The clause also inserts a new paragraph in section 15F defining "Council" to mean the Occupational Health and Safety Council established under section 9 of the *Occupational Health and Safety Act 1989*