

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

WORKERS' COMPENSATION (AMENDMENT) BILL 1995

EXPLANATORY MEMORANDUM

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WORKERS' COMPENSATION (AMENDMENT) BILL 1995

OUTLINE

This Bill amends the Workers' Compensation Act 1951 by inserting new sections to provide for a Workers' Compensation and Occupational Rehabilitation Council.

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Clause 1 cites the short title of the Act as being the *Workers' Compensation (Amendment) Bill 1995*.

Clause 2 provides that sections 1,2 and 3 of the Act commence on the day it is notified in the *Gazette*, and that the remaining sections of the Act commence on the day or days fixed by the Minister and notified in the *Gazette*.

Clause 3 cites the Principal Act as the *Workers' Compensation Act 1951*.

Clause 4 defines the Workers' Compensation and Occupational Rehabilitation Council to be established under section 6D.

Clause 5 inserts a new Part IA at the end of section 6B. Part IA has four Divisions

- Division 1 - New clause 6C contains definitions for the office holders, the Chairperson and Deputy Chairperson of the Council.
- Division 2 - New clause 6D establishes the Council;
 - New clause 6E sets out the functions of the Council ;
 - New clause 6F sets out the powers of the Council;
 - New clause 6G the requires Council to provide the Minister with an Annual Report which is to be tabled in the ACT Legislative Assembly by the Minister.
- Division 3 - New clause 6H sets up a Council of eleven, four representing employers' interest, four representing employees' interest and three other members.
 - New clause 6I appoints members of the Council as part-time members for a period of three years and makes provision for other terms of appointment.
 - New clause 6J sets an age limit of 65 years.
 - New clause 6K provides for the Minister to appoint the Chairperson and the Deputy Chairperson.
 - New clause 6L provides for remuneration and allowances for Council members.
 - New clause 6M covers leave of absence.
 - New clause 6N requires that members disclose any interest ,in matters coming before the Council.
 - New clause 6O sets out the procedure for resignation.
 - New clause 6P allows for termination of appointment of members by the Minister.

- New clause 6Q allows for appointment of acting members of the Council.
- New clause 6R sets out the procedure for convening meetings.
- New clause 6S outlines the procedure at meetings.
- Division 4 - New clause 6T provides for the establishment by the Council of advisory committees
- New clause 6U provides for the remuneration of advisory committees

Clause 6 adds the Council to the list of bodies that the Minister must consult before approving protocols or amendments

Clause 7 sets the framework for consultation with the Council by the Executive before it makes regulations.

Clause 8 puts in place a transitional clause to cover regulations made before the commencement of this section