

1994

THE LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY

WORKERS' COMPENSATION ACT 1951

EXPLANATORY MEMORANDUM

Circulated by the authority

of the

Minister for Industrial Relations, David Lamont, MLA

WORKERS' COMPENSATION ACT 1951

WORKERS' COMPENSATION (AMENDMENT) ACT 1994

EXPLANATORY MEMORANDUM INSTRUMENT NO 163 OF 1994

The *Worker's Compensation Act 1951* provides for workers' compensation in the ACT. The Act was recently amended by the *Workers' Compensation (Amendment) Act 1994* to provide for occupational rehabilitation to assist injured workers achieve an early and safe return to work

Sections 15F, 15G and 15H of the Amendment Act provide for the approval, disallowance and publication of a protocol. These provisions came into force on 7 December 1994 by way of a notice published in the Gazette. A protocol can be broadly described as guidelines to assist the parties in implementation of the system of occupational rehabilitation

Section 15F enables the Minister to approve a protocol or amend a protocol which may make provision for

the requirements for an occupational rehabilitation policy,

when occupational rehabilitation is appropriate, adequate and timely,

the settlement of disputes,

the fulfilment of the parties' responsibilities under this Part,

any other matter that is necessary or convenient for the carrying out of or giving effect to this Part

An occupational rehabilitation protocol, known as No 1 of 1995 has been developed in consultation with employers, unions and insurers in accordance with section 15F and is the subject of this instrument

Section 15G identifies this instrument as a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.

Section 15H requires that the instrument be published in a newspaper in the Territory as soon as practicable after approval and that the instrument be made available to the public

This instrument allows the Minister to approve a protocol in accordance with the Act with effect from 1 January 1995.