



AUSTRALIAN CAPITAL TERRITORY

Regulations 1991 No. 37

Workers' Compensation Rules (Amendment)

The Australian Capital Territory Executive hereby makes the following Rules under the *Magistrates Court (Civil Jurisdiction) Act 1982*.

Dated 20 December 1991.

WAYNE BERRY

Minister

ROSEMARY FOLLETT

Minister

Commencement

1. (1) This rule and rule 2 commence on the day on which these Rules are notified in the *Gazette*.

(2) The remaining provisions commence on the day on which section 5 of the *Workers' Compensation (Amendment) Act 1991* commences.

Principal Rules

2. In these Rules, "Principal Rules" means the Workmen's Compensation Rules.

Amendments of Rules

3. (1) The Principal Rules are amended as set out in Schedule 1.

(2) The First Schedule to the Principal Rules is amended as set out in Schedule 2.

(3) The Second Schedule to the Principal Rules is amended by omitting from subclause 1 (8) "the Fourth Schedule" and substituting "Schedule 4".

(4) The Third Schedule to the Principal Rules is amended as set out in Schedule 3.

SCHEDULE 1

Subrule 3 (1)

AMENDMENTS—PRINCIPAL RULES**Rule 1—**

Omit "*Workmen's Compensation Rules*", substitute "*Workers' Compensation Rules*".

Subrule 5 (1)—

(a) Omit the definition of "medical attendance".

(b) From the definition of "the Act" omit "*Workmen's*", substitute "*Workers*".

Subrule 10 (1)—

Omit "attendance", substitute "treatment".

Paragraph 21 (1) (b)—

Omit "attendance", substitute "treatment".

SCHEDULE 1—continued

Subrule 21 (5)—

Omit “attendance”, substitute “treatment”.

Subrule 21 (6)—

Omit “workman” (first occurring), substitute “worker”.

Subrules 49 (4) and 50 (4)—

Omit “mother” (wherever occurring), substitute “parent”.

Subrule 57 (4)—

Omit “workman’s”, substitute “worker’s”.

Subrule 77 (1)—

Omit “Workmen’s”, substitute “Workers’ ”.

Rule 81—

Omit “*Workmen’s*”, substitute “*Workers’* ”.

Further amendments—

1. The following provisions are amended by omitting “paragraph” and substituting “clause”:

Subrules 35 (1) and (2), rule 38, subrule 41 (1), rules 42 and 43 (first occurring), paragraph 43 (d), subrules 44 (2) and (3) and 45 (1), rule 46, subrules 47 (1) and 49 (1), (5) and (6), paragraphs 49 (7) (a) and (b), subrule 49 (9) (first occurring), paragraph 49 (9) (d), subrule 49 (13), paragraph 50 (8) (a), subrules 53 (1), 54 (1) and 55 (2), rule 56, subrules 57 (4), 59 (5) and (6) and 64 (1), rules 66, 67 and 70, subrules 73 (1), 74 (1), 75 (1) and 76 (1) and paragraphs 87 (2) (8), (14), (16), (18) and (22).

2. The following provisions are amended by omitting “the First Schedule” and substituting “Schedule 1”:

Rule 46, subrules 47 (1) and 49 (1), (5) and (6), paragraphs 49 (7) (a) and (b), subrule 49 (9) (first occurring), paragraph 49 (9) (d), subrule 49 (13), paragraph 50 (8) (a), subrules 53 (1), 54 (1) and 55 (2), rule 56, subrules 57 (4) and 59 (5), rule 70, subrule 75 (1) and paragraphs 87 (2) (16), (18) and (22).

3. The following provisions are amended by omitting “the Fourth Schedule” and substituting “Schedule 4”:

Subrules 35 (1) and (2), rule 38, subrule 41 (1), rules 42 and 43 (first occurring), paragraph 43 (d), subrules 44 (2) and (3), 45 (1) and 59 (6), rule

SCHEDULE 1—continued

60, subrule 64 (1), rules 66 and 67, subrules 73 (1), 74 (1) and 76 (1) and paragraphs 87 (2) (8) and (14).

4. The following provisions are amended by omitting “workman” (wherever occurring) and substituting “worker”:

Subrules 8 (2) and (4), 9 (1), 10 (1) and 14 (1), paragraphs 21 (1) (a) and (b), subrules 21 (4) and (5), paragraph 21 (6) (a), rules 33 and 39, subrules 47 (1), (3) and (4), paragraph 47 (5) (b), subrules 48 (6), 57 (1), (2), (3), (4), (5), (7), (9), (10), (11), (12), (13) and (15) and 58 (1), paragraphs 58 (2) (a) and (b), subrules 58 (4), 59 (5) and (6), 75 (2), (4), (5), (6), (9) and (10) and 77 (2) and (4), paragraph 79 (1) (g), subrule 79 (3) and paragraph 87 (2) (22).

SCHEDULE 2

Subrule 3 (2)

AMENDMENTS—THE FIRST SCHEDULE**Form 11—**

- (a) Omit “paragraph 5 of the First Schedule”, substitute “clause 5 of Schedule 1”.
- (b) Omit “workmen”, substitute “workers”.

Form 17—

- (a) Omit “ATTENDANCE”, substitute “TREATMENT”.
- (b) Omit “attendance” (wherever occurring), substitute “treatment”.

Form 20—

Omit “WORKMEN’S”, substitute “WORKERS’ ”.

Forms 25 and 26—

Omit “Mr” (wherever occurring), substitute “Ms/Mr”.

Form 27—

- (a) Omit “PARAGRAPH 9 OF THE FOURTH SCHEDULE”, substitute “CLAUSE 9 OF SCHEDULE 4”.
- (b) Omit “*Workman*”, substitute “*Worker*”.
- (c) Omit “workmen” (wherever occurring), substitute “workers”.
- (d) Omit “paragraph 9 of the Fourth Schedule” (wherever occurring), substitute “clause 9 of Schedule 4”.

SCHEDULE 2—continued

- (e) Omit “*Workmen*”, substitute “*Workers*”.

Forms 34, 35 and 36—

- (a) Omit “PARAGRAPH 9 OF THE FOURTH SCHEDULE”, substitute “CLAUSE 9 OF SCHEDULE 4”.
- (b) Omit “paragraph 9 of the Fourth Schedule”, substitute “clause 9 of Schedule 4”.

Form 37—

- (a) Omit “PARAGRAPH 4, PARAGRAPH 9, OR PARAGRAPH 10 OF THE FIRST SCHEDULE”, substitute “CLAUSE 5, 10 OR 11 OF SCHEDULE 1”.
- (b) Omit “paragraph 4 [*or* paragraph 9] of the First Schedule” (wherever occurring), substitute “clause 5 [*or* clause 10] of Schedule 1”.
- (c) Omit “paragraph 10 of the First Schedule” (wherever occurring), substitute “clause 11 of Schedule 1”.

Forms 38, 40, 42 and 43—

Omit “PARAGRAPH 5 OF THE FIRST SCHEDULE”, substitute “CLAUSE 6 OF SCHEDULE 1”.

Form 45—

Omit “paragraph 6 of the First Schedule”, substitute “clause 6 of Schedule 1”.

Form 51—

Omit “*Workmen's*”, substitute “*Workers'* ”.

Further amendments—

1. The following forms are amended by omitting “*WORKMAN*” (wherever occurring) and substituting “*WORKER*”:

Forms 1, 2, 3, 4, 6, 7, 13, 17, 48, 50, 53, 54, 55, 56 and 63.

2. The following forms are amended by omitting “*workman*” (wherever occurring) and substituting “*worker*”:

Forms 1, 2, 3, 4, 5, 7, 11, 17, 27, 42, 43, 49 and 51.

3. The following forms are amended by omitting “*workman*” (wherever occurring) and substituting “*worker*”:

Forms 7, 30, 40, 42, 43, 49, 50, 51, 56 and 62.

SCHEDULE 2—continued

4. The following forms are amended by omitting “*Workmen’s*” (wherever occurring) and substituting “*Workers’*”:

Forms 5, 6, 7, 27, 42, 43, 45, 48, 49, 50, 62, 63 and 69.

SCHEDULE 3

Subrule 3 (4)

AMENDMENTS—THE THIRD SCHEDULE**Heading—**

Omit “**WORKMEN’S**”, substitute “**WORKERS’**”.

Item 3—

Omit “paragraph 8 (c) or (e) of the Second Schedule”, substitute “clause 9 (c) or (e) of Schedule 4”.

Item 4—

Omit “paragraph 4, 9 or 10 of the First Schedule”, substitute “clause 5, 10 or 11 of Schedule 1”.

Item 6—

Omit “paragraph 5 of the First Schedule”, substitute “clause 6 of Schedule 1”.

Item 7—

Omit “paragraph 6 of the First Schedule”, substitute “clause 7 of Schedule 1”.

Item 8—

Omit “paragraph 8 of the First Schedule”, substitute “clause 9 of Schedule 1”.

Item 11—

Omit “paragraph 13 of the First Schedule”, substitute “clause 14 of Schedule 1”.

NOTES

1. Notified in the ACT Gazette on 15 January 1992.
2. For reference to the original Rules and amendments before 1960, see the footnote to the *Workmen’s Compensation Rules* in Volume III of the Laws of the Australian Capital Territory 1911-1959. For later amendments see Regulations 1968 No. 12 and 1982 No. 32; Ordinances No. 67, 1985; No. 74, 1986 and Nos. 21 and 25, 1989; No. 5, 1990; Regulations 1990 No. 5; Act No. 44, 1991.

NOTE ABOUT RULE HEADINGS

On the day on which the Workmen's Compensation Rules are amended by these Rules, headings to rules in the Principal Rules are amended as set out in the following table:

Rule	Alteration
10	Omit " attendance ", substitute " treatment ".
47	Omit " workman ", substitute " worker ".
57	Omit " Workman ", substitute " Worker ".

© Australian Capital Territory 1991