



Australian Capital Territory

Workers Compensation Amendment Regulation 2014 (No 1)

Subordinate Law SL2014-36

The Australian Capital Territory Executive makes the following regulation under the *Workers Compensation Act 1951*.

Dated 18 December 2014.

MICK GENTLEMAN
Minister

SIMON CORBELL
Minister



Australian Capital Territory

Workers Compensation Amendment Regulation 2014 (No 1)

Subordinate Law SL2014-36

made under the

[Workers Compensation Act 1951](#)

1 Name of regulation

This regulation is the *Workers Compensation Amendment Regulation 2014 (No 1)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Workers Compensation Regulation 2002*.

4 Section 36 (1)

omit

must

substitute

may

5 Section 38 (1)

substitute

- (1) A conciliation about a matter in issue arising from a worker's claim for compensation must be held before arbitration of the matter only if—
 - (a) the worker and the worker's employer agree to participate in the conciliation; and
 - (b) a conciliator is available.

6 Section 39

substitute

39 Action by conciliator

- (1) This section applies if a worker and the worker's employer have asked a conciliator to help them reach agreement on a matter in issue arising from the worker's claim for compensation.
- (2) If the conciliator is available to help the worker and the worker's employer, the conciliator must, as soon as practicable—
 - (a) set a time and place for the conciliation; and

- (b) tell each party to the conciliation, in writing, about the time and place.

Note For how documents may be served, see the [Legislation Act](#), pt 19.5.

7 Section 48

substitute

48 When may application for arbitration be filed?

- (1) An injured worker or the worker's employer may file an application for the arbitration of—
 - (a) a matter in issue arising from the worker's claim for compensation; or
 - (b) the insurer's rejection of the worker's claim for compensation.
- (2) However, if the injured worker and the employer must participate in a conciliation under section 38, the application for arbitration may be filed only if—
 - (a) the parties have attended the conciliation; and
 - (b) either—
 - (i) the matter was not resolved at the conciliation; or
 - (ii) the conciliator decided that the matter was not suitable for conciliation.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 19 December 2014.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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