

2012

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Industrial Relations)

Workers Compensation (Terrorism) Amendment Bill 2012

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Workers Compensation (Terrorism) Amendment Bill 2012

A Bill for

An Act to amend the *Workers Compensation Act 1951*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**
2 This Act is the *Workers Compensation (Terrorism) Amendment*
3 *Act 2012*.

4 **2 Commencement**
5 This Act commences on the day after its notification day.
6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).

8 **3 Legislation amended**
9 This Act amends the *Workers Compensation Act 1951*.

10 **4 Payments out of DI fund**
11 **Section 166B (2)**
12 *omit*
13 Temporary provisions for acts
14 *substitute*
15 Acts

16 **5 Section 166B (3)**
17 *omit*

18 **6 Chapter 15 heading**
19 *substitute*

20 **Chapter 15 Acts of terrorism**

21 **7 Application of ch 15 to insurers**
22 **Section 224 (1) (b)**
23 *omit*

1 **8 Terrorism cover temporary reinsurance fund**
2 **New section 227 (4)**

3 *insert*

- 4 (4) However, the *Financial Management Act 1996*, section 53A
5 (Unclaimed trust money) does not apply to the temporary fund.

6 **9 Entitlement of insurers to reimbursement from temporary**
7 **fund**
8 **Section 228 (2)**

9 *substitute*

- 10 (2) However, the insurer is entitled to be fully reimbursed from the
11 temporary fund the insurer's uninsured liability for another act of
12 terrorism that happens not later than 1 year after the day the act of
13 terrorism mentioned in subsection (1) happens.

14 **10 Section 232**

15 *substitute*

16 **232 Review of payments out of temporary fund**

- 17 (1) This section applies if the temporary fund is established under
18 section 227 (1).
- 19 (2) The Minister must review the following not later than 10 years after
20 the day the temporary fund is established:
- 21 (a) the operation of section 229 (Payments out of temporary fund);
- 22 (b) the operation of any regulation made under section 230 (1) (b)
23 (Regulations about temporary fund).
- 24 (3) The Minister must present a report of the review to the Legislative
25 Assembly within 6 months after the day the review is started.

- 1 **11 Chapter 15 (as amended)**
- 2 *relocate as part 8.3*
- 3 **12 Dictionary, new definition of *act of terrorism***
- 4 *insert*
- 5 *act of terrorism*, for chapter 15 (Acts of terrorism)—see
- 6 section 226.
- 7 **13 Dictionary, definition of *insurer***
- 8 *substitute*
- 9 *insurer*—
- 10 (a) for chapter 5 (Injury management process)—
- 11 (i) see section 86A; and
- 12 (ii) if there is more than 1 employer of a worker—see
- 13 section 87; and
- 14 (b) for part 6.2 (Time for accepting or rejecting claims)—see
- 15 section 127 (1); and
- 16 (c) for chapter 15 (Acts of terrorism)—see section 225.
- 17 **14 Dictionary, new definitions**
- 18 *insert*
- 19 *temporary fund*, for chapter 15 (Acts of terrorism)—see
- 20 section 227 (1).
- 21 *temporary fund threshold amount*, for chapter 15 (Acts of
- 22 terrorism)—see section 224 (2).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 16 February 2012.

2 Notification

Notified under the Legislation Act on 2012.

3 Republications of amended laws

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

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