

· AUSTRALIAN CAPITAL TERRITORY

WORKMEN'S COMPENSATION (AMENDMENT) ORDINANCE 1984

EXPLANATORY STATEMENT

No.5,1984.

The Workmen's Compensation Ordinance 1951 provides for the compensation of workers who are injured in the course of their employment. It was amended by the Workmen's Compensation (Amendment) Ordinance 1983, which made provision for compensation in respect of death and incapacity through disease caused by employment; provided compensation benefits for facial disfigurement, loss of the sense of taste or smell, loss of genitals or breasts and loss of the capacity to engage in sexual intercourse; removed the qualification that only injuries occurring by accident were compensable; and increased the minimum liability cover required to \$200,000.

The Workmen's Compensation (Amendment) Ordinance 1984 amends the Workmen's Compensation (Amendment) Ordinance 1983 to overcome certain problems which arose from the latter legislation. The 1983 amendments did not have regard to the indexing provisions of section 12A of the Workmen's Compensation Ordinance 1951, with the result that a person injured since the making of these amendments on 30 December 1983 would have been significantly disadvantaged in respect of the payment of benefits compared to a person injured prior to that time. The Workmen's Compensation (Amendment) Ordinance 1984 amends the legislation to overcome this unforeseen adverse effect by covering injuries suffered since 30 December 1983. It also amends the wording of section 6 of the Workmen's Compensation (Amendment) Ordinance 1983 which might otherwise have given rise to an unduly restrictive interpretation of the compensation provisions.

Section 1 cites the title as the Workmen's Compensation (Amendment) Ordinance 1984.

Section 2 provides that the Ordinance is deemed to have come into operation on 30 December 1983.

Section 3 amends section 6 of the Workmen's Compensation (Amendment) Ordinance 1983 to remove the requirement that an injury must occur in employment to be compensable.

Section 4 makes section 9 of the Workmen's Compensation (Amendment) Ordinance 1983 apply on and from 26 October 1983. This ensures that the base level of compensation payable under the Ordinance is varied, in accordance with the formula specified in section 12A of the Workmen's Compensation Ordinance 1951, so as to reflect the variation in the Consumer Price Index (All Groups) for Canberra which occurred on 27 October 1983.

Section 5 makes section 11 (a) of the Workmen's Compensation (Amendment) Ordinance 1983 also apply on and from 26 October 1983, with the same effect as that achieved by section 4.

Ord. No. 1/84