



Australian Capital Territory

# **Racing (Jockeys Accident Insurance) Regulation 2006**

**SL2006-10**

made under the

**Racing Act 1999**

**Republication No 2**

**Effective: 14 November 2019**

Republication date: 14 November 2019

Last amendment made by [A2019-42](#)

## About this republication

### The republished law

This is a republication of the *Racing (Jockeys Accident Insurance) Regulation 2006*, made under the *Racing Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 14 November 2019. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 14 November 2019.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Racing (Jockeys Accident Insurance) Regulation 2006

made under the

**Racing Act 1999**

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R2  
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Racing (Jockeys Accident Insurance) Regulation 2006  
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Australian Capital Territory

# Racing (Jockeys Accident Insurance) Regulation 2006

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made under the

**Racing Act 1999**

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**1 Name of regulation**

This regulation is the *Racing (Jockeys Accident Insurance) Regulation 2006*.

**3 Dictionary**

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*1987 NSW Acts*—see the [Act](#), section 61A.’ means that the term ‘1987 NSW Acts’ is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

**4 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

**5 Application of NSW Acts in relation to jockeys accident insurance—Act, s 61B (4)**

- (1) For the [Act](#), part 5A (Jockeys accident insurance), the following provisions of the [1987 NSW Act](#) do not apply in the ACT:
  - (a) section 9A (No compensation payable unless employment substantial contributing factor to injury);
  - (b) part 3 (Compensation—benefits), division 9 (Commutation of compensation);
  - (c) part 4 (Uninsured liabilities), division 6 (Uninsured liabilities);

- (d) part 5 (Common law remedies), division 4 (Retrospective restoration of modified common law);
  - (e) part 7 (Insurance), other than section 159 (Provisions of policies of insurance) and section 160 (Recovery of excess from employer);
- (2) For the [Act](#), part 5A (Jockeys accident insurance), the following provisions of the [1998 NSW Act](#) do not apply in the ACT:
- (a) chapter 2 (Administration), the following provisions:
    - (i) part 2 (General workers compensation functions);
    - (ii) part 6 (Financial provisions);
  - (b) chapter 4 (Workers compensation), part 2 (Compensation—claims and proceedings), the following provisions:
    - (i) division 1 (Notice of injury etc and claims for compensation);
    - (ii) division 2 (Administration by insurers of claims for compensation or damages);
    - (iii) division 3 (Notification of decisions of insurers);
    - (iv) division 4 (Special provisions with respect to weekly payments of compensation);
    - (v) division 5 (Restrictions on commencing court proceedings);
    - (vi) division 6 (Proceedings before Commission or the Compensation Court);
    - (vii) division 7 (Medical examinations and disputes);
  - (c) chapter 6 (Miscellaneous), section 234 (No contracting out);

- (d) chapter 7 (New claims procedures), the following provisions:
- (i) part 3 (Dealing with claims), division 5 (Enforcement of claims obligations);
  - (ii) part 4 (Compensation dispute determination);
  - (iii) part 5 (Expedited assessment);
  - (iv) part 6 (Court proceedings for work injury damages);
  - (v) part 7 (Medical assessment), other than section 322 (Assessment of impairment) and section 323 (Deduction for previous injury or pre-existing condition or abnormality);
  - (vi) part 8 (Costs);
  - (vii) part 9 (Proceedings before Commission);
  - (viii) part 10 (Administration).

**6 Application of Civil Law (Wrongs) Act in relation to common law claims—Act, s 61B (4) and (5)**

For the operation of the applied NSW Acts in the ACT, the *Civil Law (Wrongs) Act 2002*, chapter 5 (Personal injuries claims—pre-court procedures) applies to a claim for common law damages in relation to an injury suffered by someone as an ACT jockey.

**7 Jurisdiction of courts—Act, s 61B (4) and (5)**

- (1) The Supreme Court has jurisdiction in relation to a proceeding under the applied NSW Acts for compensation in relation to an injury suffered by someone as an ACT jockey.
- (2) The Magistrates Court has jurisdiction in relation to a proceeding under the applied NSW Acts for compensation in relation to an injury suffered by someone as an ACT jockey as if the proceeding were a personal action at law under the *Magistrates Court Act 1930*, section 257 (Personal actions at law—amount or value).



## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- Magistrates Court
- Supreme Court.

*1987 NSW Act*—see the [Act](#), section 61A.

*1998 NSW Act*—see the [Act](#), section 61A.

*ACT jockey*—see the [Act](#), section 61A.

*applied NSW Acts*—see the [Act](#), section 61A.

*injury*—see the [Act](#), section 61A.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

#### **Racing (Jockeys Accident Insurance) Regulation 2006 SL2006-10**

notified LR 30 March 2006

s 1, s 2 commenced 30 March 2006 (LA s 75 (1))

remainder commenced 31 March 2006 (s 2)

as amended by

#### **[Statute Law Amendment Act 2019 A2019-42 sch 3 pt 3.21](#)**

notified LR 31 October 2019

s 1, s 2 commenced 31 October 2019 (LA s 75 (1))

sch 3 pt 3.21 commenced 14 November 2019 (s 2 (1))

### 4 Amendment history

#### **Commencement**

s 2 om LA s 89 (4)

#### **Application of NSW Acts in relation to jockeys accident insurance—Act, s 61B (4)**

s 5 am [A2019-42](#) amdts 3.99-3.101

## Endnotes

### 5 Earlier republications

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#### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 31 Mar 2006	31 Mar 2006– 13 Nov 2019	not amended	new regulation

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