



TASMANIA

**WORKERS REHABILITATION AND
COMPENSATION REFORM
(CONSEQUENTIAL AMENDMENTS) ACT
1996**

No. 42 of 1996

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**WORKERS REHABILITATION AND
COMPENSATION REFORM
(CONSEQUENTIAL AMENDMENTS) ACT
1996**

No. 42 of 1996

**An Act to amend certain Acts consequential upon
the enactment of the *Workers Rehabilitation and
Compensation Reform Act 1995***

[Royal Assent 16 December 1996]

Be it enacted by His Excellency the Governor of Tasmania,
by and with the advice and consent of the Legislative
Council and House of Assembly, in Parliament assembled,
as follows:

Short title

1. This Act may be cited as the *Workers Rehabilitation
and Compensation Reform (Consequential Amendments)
Act 1996*.

Commencement

2. This Act is taken to have commenced on the day on
which the *Workers Rehabilitation and Compensation
Reform Act 1995* commenced.

Amendment of enactments

3. The enactments specified in Schedule 1 are amended in the manner specified in that Schedule.

SCHEDULE 1 - ENACTMENTS AMENDED

Section 3

Ambulance Service Act 1982

(No. 105 of 1982)

1. Section 36(1) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".
2. Section 40A(2) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Botanical Gardens Act 1950

(No. 56 of 1950)

1. Section 4A(3) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Civil Process Act 1985

(No. 73 of 1985)

1. Section 4(2)(g) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Emergency Services Act 1976

(No. 29 of 1976)

1. Section 43(1) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Emergency Services Regulations 1976

(S. R. 1976, No. 147)

1. Regulation 3(1) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".
2. Regulation 3(2) is amended by omitting all words after "to the Workers" and substituting "Rehabilitation and Compensation Tribunal in accordance with the *Workers Rehabilitation and Compensation Act 1988*".

Employment Incentive Assistance Act 1984

(No. 106 of 1984)

1. Section 3(1) is amended by omitting from the definition of "employer" "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Financial Institutions Duty Regulations 1986

(S. R. 1986, No. 214)

1. Regulation 5(b)(i) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Fire Service Act 1979

(No. 35 of 1979)

1. Section 40(3) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".
2. Section 41(5) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".
3. Section 121(4) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".
4. Section 130A(2) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Hire-Purchase Act 1959

(No. 79 of 1959)

1. Section 24(6)(b) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Industrial Relations Act 1984

(No. 21 of 1984)

1. Section 6(5)(c) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Local Government Act 1993

(No. 95 of 1993)

1. Section 265(4) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Long Service Leave Act 1976

(No. 95 of 1976)

1. Section 2(1) is amended by omitting paragraph (a) of the definition of "workers' compensation" and substituting the following paragraph:

- (a) the *Workers Rehabilitation and Compensation Act 1988*; or

***Long Service Leave (Casual Wharf Employees)
Act 1982***

(No. 37 of 1982)

1. Section 3 is amended by omitting from the definition of "workers' compensation" all the words after "payable under the" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Magistrates Court Act 1987

(No. 45 of 1987)

1. Section 10(4) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

***Motor Accidents (Liabilities and Compensation)
Act 1973***

(No. 71 of 1973)

1. Section 14(3) is amended by omitting "*Workers Compensation Act 1988*" (wherever occurring) and substituting "*Workers Rehabilitation and Compensation Act 1988*".

National Parks and Wildlife Act 1970

(No. 47 of 1970)

1. Section 48B(1) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

2. Section 48B is amended by omitting subsection (5) and substituting the following subsection:

(5) Compensation under this section is to be calculated in accordance with the *Workers Rehabilitation and Compensation Act 1988*.

3. Section 48B(8) is amended by omitting "*Workers' Compensation Act 1927*" from the definition of "dependants" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

***Pollution of Waters by Oil and Noxious Substances
Act 1987***

(No. 95 of 1987)

1. Section 38(1) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Probation of Offenders Act 1973

(No. 2 of 1973)

1. Section 12(8) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

2. Section 17A is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Stamp Duties Act 1931

(22 Geo. V No. 19)

1. Schedule 3 is amended by omitting from paragraph (b)(ix) of item 31 "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Tasmanian Government Insurance Act 1919

(10 Geo. V No. 63)

1. Section 2 is amended by omitting "*Workers Compensation Act 1988*" from the definition of "workers' compensation insurance" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

Vocational Education and Training Act 1994

(No. 88 of 1994)

1. Section 51 is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

***Workers' (Occupational Diseases) Relief Fund
Act 1954***

(No. 45 of 1954)

1. Section 3(1) is amended by omitting "*Workers Compensation Act 1988*" from the definition of "basic rate" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

2. Section 43(2)(a) is amended by omitting "*Workers Compensation Act 1988*" and substituting "*Workers Rehabilitation and Compensation Act 1988*".

*[Second reading presentation speech made in:—
House of Assembly on 20 June 1996
Legislative Council on 15 August 1996]*