

LEGISLATIVE COUNCIL

State Insurance and Care Governance Bill 2015

First print

Proposed amendments

No. 1 **Committees of ICNSW Board**

Page 4, clause 9 (1), lines 15–18. Omit all words on those lines.

No. 2 **Proposed committees of ICNSW Board**

Page 4, clause 9 (2), line 19. Omit “other”.

No. 3 **Supervision by Parliamentary Committee**

Page 11. Insert after line 1:

27 Supervision of operation of insurance and compensation schemes by Parliamentary Committee

- (1) As soon as practicable after the commencement of this section and the commencement of the first session of each Parliament, a committee of the Legislative Council is to be designated by resolution of the Legislative Council as the designated committee for the purposes of this section.
- (2) The resolution of the Legislative Council is to specify the terms of reference of the committee so designated which are to relate to the supervision of the operation of the insurance and compensation schemes established under the workers compensation and motor accidents legislation.
- (3) On the commencement of this section, the Parliamentary Committee designated under section 11 of the *Safety, Return to Work and Support Board Act 2012* (as in force immediately before its repeal by this Act) is taken to be the designated committee under this section.
- (4) In this section, the *workers compensation and motor accidents legislation* includes the following:
 - (a) the *Motor Accidents (Lifetime Care and Support) Act 2006*,
 - (b) the *Workers’ Compensation (Dust Diseases) Act 1942*.

No. 4 **Existing Parliamentary Committee**

Page 26, Schedule 4, lines 5–7. Omit all words on those lines.

No. 5 **Review of Act by Parliamentary Committee**

Page 26, Schedule 4. Insert after line 16:

13 Review by Parliamentary Committee

- (1) As soon as practicable after the second anniversary of the commencement of this clause, a committee of the Legislative Council is to be designated by resolution of the Legislative Council to review this Act (including the amendments made by this Act) to determine whether the policy objectives of the Act or those amendments remain valid and whether the terms of the Act (or of the Acts so amended) remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the committee is appointed.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament.

No. 6 **New Dust Diseases Board**

Page 52, Schedule 10 [2]. Insert after line 12:

Dust Diseases Board means the Dust Diseases Board established by section 5AC.

No. 7 **New Dust Diseases Board**

Page 53, Schedule 10 [4]. Insert after line 8:

5AC Dust Diseases Board

- (1) There is established a Dust Diseases Board comprising the following members appointed by the Minister:
 - (a) 3 persons appointed to represent employers,
 - (b) 3 persons appointed to represent employees,
 - (c) representatives of dust diseases sufferers' support, advocacy or awareness groups or organisations,
 - (d) persons involved in research into dust diseases or in academic matters relating to dust diseases,
 - (e) health professionals,
 - (f) an independent chairperson.
- (2) The Dust Diseases Board has such functions as are conferred or imposed on it by or under this or any other Act.
- (3) Subject to the regulations, a member of the Dust Diseases Board holds office for such period (not exceeding 3 years) as is specified in the member's instrument of appointment.
- (4) Subject to the regulations, the procedure for the calling of meetings of the Dust Diseases Board and for the conduct of business at those meetings is to be determined by the Chairperson of the Dust Diseases Board.
- (5) The regulations may make provision for or with respect to the members and procedure of the Dust Diseases Board.

No. 8 **Functions of new Dust Diseases Board**

Page 53, Schedule 10. Insert after line 32:

[9] Section 6 (2A)

Omit "board". Insert instead "Dust Diseases Board".

No. 9 **Time limit for determining claims for compensation under Dust Diseases Act**

Page 54, Schedule 10. Insert after line 25:

[19] Section 8 Certificate of Medical Assessment Panel and rates of compensation

Insert after section 8 (1):

- (1A) The Authority is to decide whether to accept or refuse a claim for compensation within 2 working days after:
 - (a) the Medical Assessment Panel issues a certificate under subsection (1), or
 - (b) the Authority is provided with the information required by the Authority to enable the claim to be determined,whichever is the later.
- (1AA) However any decision by the Authority made after that 2-day period in respect of the claim is not invalid merely because of when it is made.