

Queensland



**LOCAL GOVERNMENT AND
OTHER LEGISLATION
AMENDMENT ACT 2003**

Act No. 85 of 2003

Queensland



LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT ACT 2003

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	6
2	Commencement	6
PART 2—AMENDMENT OF CENTRAL QUEENSLAND COAL ASSOCIATES AGREEMENT ACT 1968		
3	Act amended in pt 2	6
4	Renumbering of s 9 (Regulation-making power)	6
5	Insertion of new s 9	6
	9 Making of 2003 agreement authorised	7
6	Insertion of new sch 6	7
SCHEDULE 6		
PROPOSED 2003 AGREEMENT		
PART 3—AMENDMENT OF CITY OF BRISBANE ACT 1924		
7	Act amended in pt 3	11
8	Amendment of s 3A (Application of the Local Government Act)	11
9	Amendment of s 80 (Limitation of increase in rate levied).	11
10	Insertion of new pt 7	12
PART 7—VALIDATION PROVISIONS		
138	Validation provision for Local Government and Other Legislation Amendment Act 2003	12
PART 4—AMENDMENT OF LOCAL GOVERNMENT ACT 1993		
11	Act amended in pt 4	13
12	Amendment of s 9 (Act applies only so far as expressly provided)	13
13	Amendment of s 63 (Meaning of “owner” of land for pt 1)	13

*Local Government and Other Legislation Amendment No. 85, 2003
Act 2003*

14	Amendment of s 221 (General disqualifications)	13
15	Amendment of s 222 (Disqualification and vacation of office for certain offences)	16
16	Amendment of s 224A (Councillor ceases to be councillor on becoming candidate for an Australian Parliament)	16
17	Amendment of s 248 (Access to registers)	16
18	Amendment of s 392 (Responsibility for election matter)	17
19	Insertion of new s 854AA	17
	854AA No jurisdiction to make local laws and subordinate local laws prohibiting placement of election signs or posters	17
20	Amendment of s 1036 (Limitation of increase in rate levied).	18
21	Amendment of s 1170 (Definitions)	18
22	Insertion of new ch 19, pt 9	19
	PART 9—VALIDATION PROVISION FOR LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT ACT 2003	
	1272 Validation for particular resolutions limiting increase in rate levied.	19
	PART 5—AMENDMENT OF WORKERS’ COMPENSATION AND REHABILITATION ACT 2003	
23	Act amended in pt 5.	20
24	Insertion of new ch 2, pt 4, div 1A	20
	<i>Division 1A—Local government self-insurers</i>	
	68A Self-insurance for local governments	20
	68B Entitlements of local government councillors	20
	68C Local government self-insurer’s liability for injury to councillors	21
25	Insertion of new s 73A	21
	73A Calculation of the number of fulltime workers for local government self-insurers	21
26	Insertion of new s 92A	22
	92A Powers of local government self-insurers	22
27	Insertion of new s 93A	22
	93A Documents that must be kept by local government self-insurers	22
	PART 6—MINOR AND CONSEQUENTIAL AMENDMENTS	
28	Minor and consequential amendments of Acts	22
	SCHEDULE	23

MINOR AND CONSEQUENTIAL AMENDMENTS

CITY OF BRISBANE ACT 1924	23
LOCAL GOVERNMENT ACT 1993	24
LOCAL GOVERNMENT (CHINATOWN AND THE VALLEY MALLS) ACT 1984	25
LOCAL GOVERNMENT (QUEEN STREET MALL) ACT 1981	25
WORKERS' COMPENSATION AND REHABILITATION ACT 2003 ...	25

Queensland



**Local Government and Other Legislation
Amendment Act 2003**

Act No. 85 of 2003

An Act to amend local government legislation, and for other purposes

[Assented to 6 November 2003]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the *Local Government and Other Legislation Amendment Act 2003*.

2 Commencement

Section 17 commences on a day to be fixed by proclamation.

PART 2—AMENDMENT OF CENTRAL QUEENSLAND COAL ASSOCIATES AGREEMENT ACT 1968

3 Act amended in pt 2

This part amends the *Central Queensland Coal Associates Agreement Act 1968*.

4 Renumbering of s 9 (Regulation-making power)

Section 9—

renumber as section 10.

5 Insertion of new s 9

After section 8—

insert—

‘9 Making of 2003 agreement authorised

‘(1) The Premier is authorised, for the State, to make an agreement (the “**2003 agreement**”) with the other parties named in the 2003 agreement.

‘(2) The 2003 agreement must be substantially in the form set out in schedule 6.

‘(3) The Premier must notify, by gazette notice, the date the 2003 agreement is made.’.

6 Insertion of new sch 6

After schedule 5—

insert—

‘SCHEDULE 6

‘PROPOSED 2003 AGREEMENT

section 9

AN AGREEMENT made the day of 2003

BETWEEN THE STATE OF QUEENSLAND

and **BHP COAL PTY LTD ACN 010 595 721** (formerly BHP Australia Coal Pty Ltd) (formerly Utah Development Company), a company duly incorporated according to law and having its registered office at Level 13, Riverside Centre, 123 Eagle Street, Brisbane, Queensland (“**BHPC**”)

and **MITSUBISHI DEVELOPMENT PTY LTD ACN 009 779 873**, a company duly incorporated according to law and having its registered office at Level 43, Gateway,

1 Macquarie Place, Sydney, New South Wales
(“Mitsubishi”)

and **UMAL CONSOLIDATED PTY LTD ACN 000 767 386**
(formerly Utah Mining Australia Limited), a company duly
incorporated according to law and having its registered
office at Level 13, Riverside Centre, 123 Eagle Street,
Brisbane, Queensland (“UCL”)

and **QCT INVESTMENT PTY LTD ACN 010 487 831**,
a company duly incorporated according to law and having
its registered office at 410 Queen Street, Brisbane,
Queensland (“QCT Investment”)

and **QCT MINING PTY LTD ACN 010 487 840**, a company
duly incorporated according to law and having its registered
office at 410 Queen Street, Brisbane, Queensland (“QCT
Mining”)

and **QCT MANAGEMENT LIMITED ACN 010 472 036**,
a company duly incorporated according to law and having
its registered office at Level 43, Gateway, 1 Macquarie
Place, Sydney, New South Wales (“QCT Management”)

and **BHP QUEENSLAND COAL INVESTMENTS PTY
LTD ACN 098 876 825**, a company duly incorporated
according to law and having its registered office at
Level 13, Riverside Centre, 123 Eagle Street, Brisbane.
Queensland (“BHPQ Investments”)

and **QCT RESOURCES LIMITED ACN 010 808 705**,
a company duly incorporated according to law and having
its registered office at Level 43, Gateway, 1 Macquarie
Place, Sydney, New South Wales (“QCT Resources”)

RECITAL

QCT Management wishes to transfer its 6.69% interest in the benefits and obligations under the agreement (including its 6.69% interest in its rights to, or as the holder of, any lease, licence, easement, grant or other title granted to it under the agreement) to its immediate holding company, QCT Resources.

IT IS AGREED—

‘1 Definitions

In this agreement—

“**Act**” means the *Central Queensland Coal Associates Agreement Act 1968*.

“**the agreement**” means the agreement as defined in section 1A of the Act.

‘2 Amendment of the agreement

The parties agree that the agreement is amended as follows—

(1) In part I, clause 2, definition “Companies”—
omit, insert—

‘“**Companies**” means—

- (a) BHP Coal Pty Ltd; and
- (b) Mitsubishi Development Pty Ltd; and
- (c) Umal Consolidated Pty Ltd; and
- (d) BHP Queensland Coal Investments Pty Ltd; and
- (e) QCT Investment Pty Ltd; and
- (f) QCT Mining Pty Ltd; and
- (g) QCT Resources Limited.’.

(2) In part IX, clauses 11 and 12, ‘QCT Management Limited’—
omit, insert—

‘QCT Resources Limited’.’.

‘3 When agreement takes effect

This agreement takes effect at 12.01 a.m. (Brisbane time) on 1 April 2003.

‘4 Effect of agreement

The parties agree that on and from the date this agreement takes effect—

- (a) QCT Management is released and discharged from all the duties, obligations and liabilities it has under the agreement to the extent of its 6.69% interest assigned to QCT Resources but not otherwise; and
- (b) QCT Resources agrees to be bound by the agreement as if it had been party to it; and
- (c) the companies hold the interests in the operations carried on under the agreement as follows—

BHPC	40.75%
Mitsubishi	15.53%
UCL	0.75%
BHPQ Investments	8.50%
QCT Investment	12.00%
QCT Mining	15.78%
QCT Resources	6.69%.

SIGNED by the parties as follows’.

PART 3—AMENDMENT OF CITY OF BRISBANE ACT 1924

7 Act amended in pt 3

This part amends the *City of Brisbane Act 1924*.

8 Amendment of s 3A (Application of the Local Government Act)

(1) Section 3A(2), tenth dot point, after ‘15’—

insert—

‘, other than sections 1114 and 1115’.

(2) Section 3A(2), after the tenth dot point—

insert—

- chapter 17A’.

9 Amendment of s 80 (Limitation of increase in rate levied)

(1) Section 80(1)(a), from ‘full year’—

omit, insert—

‘full year—

- the amount of the rate levied for the previous financial year;
or
- the amount of the rate levied for the previous financial year increased by a stated percentage; or’.

(2) Section 80(1)(b), from ‘full year’—

omit, insert—

‘full year—

- the corresponding annual amount for the rate levied for the previous financial year; or
- the corresponding annual amount for the rate levied for the previous financial year increased by a stated percentage.’.

(3) Section 80—

insert—

‘(3) In this section—

“**corresponding annual amount**”, for a rate levied for a previous financial year for a period less than the full year, means the amount worked out by—

- (a) reducing the amount of the rate levied for the previous financial year to a daily amount; and
- (b) multiplying the daily amount by 365.’.

10 Insertion of new pt 7

After part 6—

insert—

‘PART 7—VALIDATION PROVISIONS

‘138 Validation provision for Local Government and Other Legislation Amendment Act 2003

‘(1) This section applies if—

- (a) after 31 May 2003 but before the commencement of this section, the council resolved to make and levy a rate for land on which the rate levied for the previous financial year was for a period less than the full year; and
- (b) the council also resolved to limit the amount levied; and
- (c) the resolution did not comply with section 80 as in force when the resolution was made.

‘(2) The resolution is as valid as it would have been if section 80, as in force immediately after the commencement, had been in force on the day the resolution was made.’.

PART 4—AMENDMENT OF LOCAL GOVERNMENT ACT 1993

11 Act amended in pt 4

This part amends the *Local Government Act 1993*.

12 Amendment of s 9 (Act applies only so far as expressly provided)

Section 9(2), tenth dot point, after ‘15’—

insert—

‘, other than sections 1114 and 1115’.

13 Amendment of s 63 (Meaning of “owner” of land for pt 1)

(1) Section 63(1)(a)(i), (iv), (vi) and (viii)—

omit.

(2) Section 63(1)(a)(iii), after ‘State’—

insert—

‘, other than a lease granted under the *Land Act 1994*’.

(3) Section 63(1)(a)(v), after ‘regulation’—

insert—

‘, other than a permit issued under the *Land Act 1994*’.

(4) Section 63(1)(a)(vii), ‘; or’—

omit, insert—

‘; and’.

(5) Section 63(1)(a)(ii) to (vii)—

renumber as section 63(1)(a)(i) to (iv).

14 Amendment of s 221 (General disqualifications)

(1) Section 221(1)(a), after ‘(Cwlth)’—

insert—

‘, or a corresponding law of another jurisdiction’.

(2) Section 221(1)(b) and (c), after ‘part X’—

insert—

‘, or a corresponding law of another jurisdiction,’.

(3) Section 221(1)(d) to (f)—

omit, insert—

- (d) the person is subject to a term of imprisonment or detention, periodic or otherwise; or
- (e) the person has been convicted, and not pardoned, of treason, sedition or sabotage under the law of Queensland, another State or the Commonwealth; or
- (f) for a candidate for an election, the person—
 - (i) has, within 2 years before the day of nomination, been convicted of an offence against the law of Queensland, another State or the Commonwealth, and been sentenced to more than 1 year’s imprisonment; or
 - (ii) has, within 7 years before the day of nomination, been convicted of an offence against—
 - (A) for nomination as a councillor of the Brisbane City Council—section 98C of the Criminal Code;¹ or
 - (B) for nomination as a councillor of another local government—section 385;² or
 - (iii) has, within 10 years before the day of nomination, been convicted of—
 - (A) a disqualifying electoral offence; or
 - (B) an offence that would be a disqualifying electoral offence, except that the conviction was recorded before the commencement of the *Electoral and Other Acts Amendment Act 2002*; or
- (g) for a councillor, the person is convicted of—

1 Section 98C (Bribery) of the Criminal Code

2 Section 385 (Bribery)

- (i) an offence against—
 - (A) for a councillor of the Brisbane City Council—
section 98C of the Criminal Code; or
 - (B) for a councillor of another local government—
section 385; or
- (ii) a disqualifying electoral offence; or
- (h) the person is a member of an Australian Parliament; or
- (i) the person is elected or appointed as mayor or a councillor of a local government of another State.’.

(4) Section 221(2)—

renumber as section 221(4).

(5) Section 221—

insert—

‘**(2)** For subsection (1)(d), the circumstances in which a person is subject to a term of imprisonment or detention—

- (a) include circumstances in which the person is released from the term of imprisonment or detention on parole, home detention, leave of absence or otherwise without being discharged from all liability to serve all or part of the term; but
- (b) do not include circumstances in which a person is subject to a term of imprisonment but is at liberty because the term of imprisonment has been suspended.

‘**(3)** For subsection (1)(f)(i)—

- (a) the provision does not apply if the sentence of imprisonment is suspended; but
- (b) the provision applies if the person is ordered at any time to actually serve more than 1 year of the suspended term of imprisonment.’.

(6) Section 221(4), as renumbered—

insert—

‘ **“corresponding law of another jurisdiction”** means a corresponding law of another jurisdiction, whether inside or outside Australia.’.

15 Amendment of s 222 (Disqualification and vacation of office for certain offences)

Section 222(1)—

omit, insert—

‘(1) This section applies if a person is convicted of an offence against—

- (a) for the Brisbane City Council—section 98B, 98E or 98G(a) or (b) of the Criminal Code;³ or
- (b) for another local government—section 384, 399 or 401(a) or (b);⁴ or
- (c) for all local governments—section 242, 244, 247 or 436.⁵’.

16 Amendment of s 224A (Councillor ceases to be councillor on becoming candidate for an Australian Parliament)

(1) Section 224A, heading, ‘an Australian Parliament’—

omit, insert—

‘the Legislative Assembly’.

(2) Section 224A(b)—

omit.

17 Amendment of s 248 (Access to registers)

(1) Section 248(2)—

omit, insert—

‘(2) A register of other persons’ interests is not open to inspection other than by—

3 Section 98B (False or misleading information), 98E (Influencing voting) or 98G (Voting if not entitled) of the Criminal Code

4 Section 384 (False, misleading or incomplete electoral documents), 399 (Influencing voting) or 401 (Voting if not entitled)

5 Section 242 (Requirements of councillors before acting in office), 244 (Exclusion from meeting of councillor with material personal interest), 247 (Registers of interests) or 436 (Offences about returns)

- (a) for the Brisbane City Council, each of the following persons under the *City of Brisbane Act 1924*—
 - (i) the mayor;
 - (ii) the leader of the opposition;
 - (iii) the chairperson of the council; and
- (b) for another local government, the mayor; and
- (c) for all local governments—
 - (i) the chief executive officer; and
 - (ii) a person permitted by law to have access to information in the register, or the person’s agent.’.

(2) Section 248(6)(b)(i) and (ii)—

omit, insert—

- ‘(i) for the Brisbane City Council—a person mentioned in subsection (2)(a) or (c); or
- (ii) for another local government—a person mentioned in subsection (2)(b) or (c).’.

18 Amendment of s 392 (Responsibility for election matter)

Section 392(2)—

omit, insert—

‘(2) The particulars are the name and address, other than a post office box or facility, of the person who authorised the advertisement, handbill, pamphlet or notice.’.

19 Insertion of new s 854AA

After section 854A—

insert—

‘854AA No jurisdiction to make local laws and subordinate local laws prohibiting placement of election signs or posters

‘(1) A local government has no jurisdiction to make a local law or subordinate local law prohibiting, in its area, the placement of election

signs or posters for an election under this Act, the *City of Brisbane Act 1924*, the *Electoral Act 1992* or the *Commonwealth Electoral Act 1918* (Cwlth).

‘(2) A local law or subordinate local law, to the extent it is contrary to subsection (1), is of no effect.

‘(3) In this section—

“**election signs or posters**” means signs or posters that are able, or are intended—

- (a) to influence a person about voting at an election; or
- (b) to affect the result of an election.’.

20 Amendment of s 1036 (Limitation of increase in rate levied)

(1) Section 1036(1)(b), from ‘year—’—

omit, insert—

‘year—

- (i) the corresponding annual amount for the rate levied for the previous financial year; or
- (ii) the corresponding annual amount for the rate levied for the previous financial year increased by a stated percentage.’.

(2) Section 1036—

insert—

‘(3) In this section—

“**corresponding annual amount**”, for a rate levied for a previous financial year for a period less than the full year, means the amount worked out by—

- (a) reducing the amount of the rate levied for the previous financial year to a daily amount; and
- (b) multiplying the daily amount by 365.’.

21 Amendment of s 1170 (Definitions)

(1) Section 1170, definition “local government entity”, paragraph (a)(iii), ‘; and’—

omit, insert—

‘; or’.

(2) Section 1170, definition “local government entity”, paragraph (a)—

insert—

‘(iv) helps a local government in exercising its jurisdiction; and’.

22 Insertion of new ch 19, pt 9

Chapter 19—

insert—

‘PART 9—VALIDATION PROVISION FOR LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT ACT 2003

‘1272 Validation for particular resolutions limiting increase in rate levied

‘(1) This section applies if—

- (a) after 31 May 2003 but before the commencement of this section, a local government resolved to make and levy a rate for land on which the rate levied for the previous financial year was for a period less than the full year; and
- (b) the local government also resolved to limit the amount levied; and
- (c) the resolution did not comply with section 1036 as in force when the resolution was made.

‘(2) The resolution is as valid as it would have been if section 1036, as in force immediately after the commencement, had been in force on the day the resolution was made.’.

PART 5—AMENDMENT OF WORKERS’ COMPENSATION AND REHABILITATION ACT 2003

23 Act amended in pt 5

This part amends the *Workers’ Compensation and Rehabilitation Act 2003*.

24 Insertion of new ch 2, pt 4, div 1A

After section 68—

insert—

‘Division 1A—Local government self-insurers

‘68A Self-insurance for local governments

‘(1) A local government self-insurer may, under the self-insurer’s licence, also cover councillors of a local government.

‘(2) If councillors of a local government are covered under a local government self-insurer’s licence, each councillor of the local government is covered under the licence.

‘(3) A local government self-insurer must, when advising councillors of its decision to cover them, also advise the Authority of the decision.

‘68B Entitlements of local government councillors

‘(1) A councillor covered under a local government’s self-insurer’s licence is entitled under the licence to compensation from the local government to which the councillor is elected or appointed for injury sustained by the councillor while—

- (a) attending meetings of the local government; or
- (b) performing any other duty of office as a councillor.

‘(2) The councillor has, subject to this section—

- (a) an entitlement to weekly payments of compensation under chapter 3, part 9, division 4, subdivision 3 and division 5, subdivision 1;⁶ and
- (b) for all other entitlements—the same entitlements to compensation as a worker.

‘(3) The councillor is not covered for payment of damages for injury sustained by the councillor.

‘(4) In the application of the definition “injury” to the councillor—

- (a) the activity mentioned in subsection (1)(a) or (b) is taken to be the councillor’s employment; and
- (b) the local government to which the councillor is elected or appointed is taken to be the councillor’s employer.

‘68C Local government self-insurer’s liability for injury to councillors

‘If a local government self-insurer’s licence covers councillors, the only liability the self-insurer has under the licence in relation to a councillor is the liability to pay the compensation to which a councillor is entitled under section 68B for the total of the accrued, continuing, future and contingent liabilities for all injuries sustained, during the period of the licence, by the councillor in the circumstances mentioned in section 68B.’.

25 Insertion of new s 73A

After section 73—

insert—

‘73A Calculation of the number of fulltime workers for local government self-insurers

‘To remove any doubt, it is declared that if a local government self-insurer’s licence covers councillors, the number of ordinary time hours worked by a councillor is not to be taken into account for section 73(1).’.

6 Chapter 3 (Compensation), part 9 (Weekly payment of compensation), division 4 (Entitlement for total incapacity), subdivision 3 (Persons entitled to compensation other than workers, students and eligible persons) and division 5 (Entitlement for partial incapacity), subdivision 1 (Persons entitled to compensation other than eligible persons)

26 Insertion of new s 92A

After section 92—

insert—

‘92A Powers of local government self-insurers

‘(1) If a local government self-insurer’s licence covers councillors, the self-insurer has, in relation to councillors, the functions and powers set out in section 92(1)(a)(i), (ii) and (iv).

‘(2) Section 92(4) to (8) also applies to the self-insurer.’.

27 Insertion of new s 93A

After section 93—

insert—

‘93A Documents that must be kept by local government self-insurers

‘If a local government self-insurer’s licence covers councillors, section 93 applies to the self-insurer as if a reference in section 93(1)(a) to a worker were a reference to a councillor.’.

PART 6—MINOR AND CONSEQUENTIAL AMENDMENTS

28 Minor and consequential amendments of Acts

The schedule amends the Acts it mentions.

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS

section 28

CITY OF BRISBANE ACT 1924

1 Section 2, ‘In this Act—’—

omit, insert—

‘The dictionary in schedule 2 defines particular words used in this Act.’.

2 Section 2, definitions—

relocate to schedule 2, as inserted by this Act.

3 Sections 25C(1) and (3) and 25D(1), (2), (6) and (8), ‘schedule 3’—

omit, insert—

‘schedule 1’.

4 Section 133, heading—

omit, insert—

‘133 Regulation-making power’.

5 Schedule 3—

renumber as schedule 1.

SCHEDULE (continued)

6 After schedule 1, as renumbered by this Act—

insert—

‘SCHEDULE 2

‘DICTIONARY

section 2’.

LOCAL GOVERNMENT ACT 1993

1 Section 157(2)(d), after ‘operational plan’—

insert—

‘or a revenue policy’.

2 Section 1180(3), after ‘regulated’—

insert—

‘superannuation’.

SCHEDULE (continued)

**LOCAL GOVERNMENT (CHINATOWN AND THE
VALLEY MALLS) ACT 1984**

1 Section 45, heading—

omit, insert—

‘45 Regulation-making power’.

**LOCAL GOVERNMENT (QUEEN STREET MALL)
ACT 1981**

1 Section 39, heading—

omit, insert—

‘39 Regulation-making power’.

**WORKERS’ COMPENSATION AND REHABILITATION
ACT 2003**

1 Section 12(1)(a), ‘division 5;³—

insert—

‘division 5, subdivision 1;⁷’.

⁷ Chapter 3, (Compensation), part 9 (Weekly payment of compensation), division 4 (Entitlement for total incapacity), subdivision 3 (Persons entitled to compensation other than workers, students and eligible persons) and division 5 (Entitlement for partial incapacity), subdivision 1 (Persons entitled to compensation other than eligible persons)

SCHEDULE (continued)

2 Section 16, heading—

omit, insert—

‘16 Local government, statutory or industrial body member’.

3 Section 16(3), ‘member.’—

omit, insert—

‘member.’⁸.

4 Section 20, heading, after ‘persons’—

insert—

‘mentioned’.

5 Section 20(1)(a), ‘division 5;’⁵—

insert—

‘division 5, subdivision 1;’⁹.

6 Section 89(2)(b)—

omit, insert—

‘(b) satisfactory arrangements have been made in relation to the total liability of the member or members leaving.’.

8 A local government councillor can also be covered by a self-insurer’s licence—see chapter 2 (Employer’s obligations), part 4 (Employer’s self-insurance), division 1A (Local government self-insurers)

9 Chapter 3, (Compensation), part 9 (Weekly payment of compensation), division 4 (Entitlement for total incapacity), subdivision 3 (Persons entitled to compensation other than workers, students and eligible persons) and division 5 (Entitlement for partial incapacity), subdivision 1 (Persons entitled to compensation other than eligible persons)

SCHEDULE (continued)

7 Section 75(2)(e), after ‘section 92’—

insert—

‘or 92A’.

8 Section 79(4)(b), after ‘section 92’—

insert—

‘or 92A’.

**9 Section 84(6), definition “estimated claims liability”,
paragraph (a)(ii), after ‘section’—**

insert—

‘68C or’.

10 Section 88, before ‘group employer’—

insert—

‘self-insurer that is a’.

11 Section 99(a), after ‘section 92’—

insert—

‘or 92A’.

12 Section 100(2), after ‘section 92’—

insert—

‘or 92A’.

SCHEDULE (continued)

13 Section 101(1)(b)(i)—

omit, insert—

‘(i) pays compensation or damages for which a self-insurer is liable under section 68C or 87;¹⁰ or’.

14 Section 102(2) and (6), ‘section’—

omit, insert—

‘sections 68C and’.

15 Section 576(3), after ‘section 92’—

insert—

‘or 92A’.

16 Section 422, ‘(4)’, second mention—

omit, insert—

‘(5)’.

17 Section 581, after ‘section 92’—

insert—

‘or 92A’.

18 Section 607, ‘is’—

omit, insert—

‘in’.

10 Section 68C (Local government self-insurer’s liability for injury to councillors) or 87 (Self-insurer replaces WorkCover in liability for injury)

SCHEDULE (continued)

19 Schedule 6, definition “total liability”—

omit.

20 Schedule 6—

insert—

‘ **“councillor”** has the meaning given by the *Local Government Act 1993*.

“local government group employer” means a group employer whose members are all local governments.

“local government self-insurer” means a self-insurer that is a single local government or a local government group employer.

“total liability”, for chapter 2, part 4, means the total of the following—

- (a) residual liability;
- (b) outstanding liability;
- (c) any liability under section 68C.’.