

Queensland



**WORKERS'
COMPENSATION
AMENDMENT BILL 1995**



WORKERS' COMPENSATION AMENDMENT BILL 1995

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1995

A BILL

FOR

An Act to amend the Workers' Compensation Act 1990

Workers' Compensation Amendment

The Parliament of Queensland enacts—

1

Short title

2

Clause **1.** This Act may be cited as the *Workers' Compensation Amendment Act 1995*.

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Act amended

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Clause **2.** This Act amends the *Workers' Compensation Act 1990*.

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Amendment of s 1.5 (Application of Act to workers)

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Clause **3.** Section 1.5(2) to (4)—
omit.

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Amendment of s 2.1 (Interpretation)

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Clause **4.** Section 2.1(1), definitions “**employer**” and “**policy**”—
omit, insert—

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‘ “**employer**” means an entity that employs a worker, and includes—

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(a) a government entity; and

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(b) the legal personal representative of a deceased employer; and

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(c) a person who is an employer, or a person by whom a worker is employed, because of any of the following provisions—

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• section 2.2 (Persons declared to be employers or workers)

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• section 4.12 (Extent of indemnity for principals and contractors)

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• section 10.1(3) (Reduction of damages recoverable at law).

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“**government entity**” means the State, a State agency or instrumentality or a GOC.

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“**government worker**” means a worker employed by a government entity.

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“non-policy compensation arrangement” means an arrangement (other than a policy for a contract of accident insurance) between the board and a government entity for compensation in relation to an injury sustained by a worker or another individual.

“policy” means a policy for a contract of accident insurance, and includes—

- (a) existing policies of accident or other insurance declared to be policies to which this Act applies;¹ and
- (b) a non-policy compensation arrangement.’.

Amendment of s 4.1 (The Fund)

Clause 5. Section 4.1—
insert—

‘(5) Despite subsection (3), the board may—

- (a) transfer premiums for policies for contracts of accident insurance or other insurance business paid for government workers into an account (other than the fund) kept at the Treasury; and
- (b) use amounts held in the account for purposes mentioned in subsection (3) in relation to the government workers.’.

Insertion of new s 11.5A

Clause 6. After section 11.5—
insert—

‘Recovery of amounts from State

‘11.5A(1) This section applies if—

- (a) the board pays compensation under this Act in relation to an injury sustained by a government worker; and
- (b) a non-policy compensation arrangement exists between the board and a government entity for the worker.

‘(2) The government entity must pay the board the total of—

¹ See section 13.1 (Application of Act to existing policies).

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- (a) the amount paid; and 1
- (b) the reasonable amount the board fixes as its charge for 2
administering the claim for compensation.'. 3
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