

TASMANIA

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**WORKERS REHABILITATION AND  
COMPENSATION AMENDMENT (VALIDATION)  
BILL 2012**

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**WORKERS REHABILITATION AND  
COMPENSATION AMENDMENT (VALIDATION)  
BILL 2012**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*  
21 June 2012

*(Brought in by the Minister for Workplace Relations, the  
Honourable David James O'Byrne)*

**A BILL FOR**

**An Act to amend the *Workers Rehabilitation and Compensation Act 1988* by inserting provisions validating certain guidelines, and for related matters**

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:

**1. Short title**

This Act may be cited as the *Workers Rehabilitation and Compensation Amendment (Validation) Act 2012*.

**2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

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**3. Principal Act**

In this Act, the *Workers Rehabilitation and Compensation Act 1988\** is referred to as the Principal Act.

**4. Section 164C inserted**

After section 164B of the Principal Act, the following section is inserted in Part XIII:

**164C. Validation of certain guidelines, &c.**

(1) In this section –

*April 2011 guidelines* means the document, relating to the assessment of permanent impairment under this Act, that was –

- (a) referred to, at a meeting of the Board on 10 August 2010, as “Guidelines for the Assessment of Permanent Impairment”; and
- (b) approved by the Board at that meeting as guidelines for the assessment of permanent impairment under this Act to take

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effect following the  
completion of certain  
training –

and includes any appendices  
attached to the document when  
the Board approved the  
guidelines;

***October 2011 guidelines*** means the  
document, relating to the  
assessment of permanent  
impairment under this Act, that  
was –

- (a) referred to, at a meeting  
of the Board on  
20 September 2011, as  
“Version 3 of the  
Tasmanian ‘Guidelines  
for the Assessment of  
Permanent Impairment’”;  
and
- (b) approved by the Board at  
that meeting as guidelines  
for the assessment of  
permanent impairment  
under this Act to take  
effect on  
1 October 2011 –

and includes any appendices  
attached to the document when

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the Board approved the  
guidelines.

- (2) Any guidelines for the assessment of permanent impairment under this Act in force before 1 April 2011 are to be taken to have been revoked immediately before that day.
- (3) The April 2011 guidelines are to be taken –
  - (a) to have been validly issued by the Board on 1 April 2011 and to have been in effect as guidelines for the assessment of permanent impairment under this Act on and from that date until immediately before 1 October 2011; and
  - (b) to have been revoked immediately before 1 October 2011.
- (4) The October 2011 guidelines are to be taken to have been validly issued by the Board on 20 September 2011 and to have taken effect as guidelines for the assessment of permanent impairment under this Act on and from 1 October 2011.
- (5) Nothing in this section is to be taken to prevent the Board revoking the October 2011 guidelines.

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- (6) An assessment of permanent impairment is not made, or to be taken to have been made, under this Act or the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011* unless –
- (a) if the assessment was undertaken on or after 1 April 2011 and before 1 October 2011, it was made in accordance with the April 2011 guidelines; or
  - (b) if the assessment was undertaken on or after 1 October 2011 and before the date on which this section commences, it was made in accordance with the October 2011 guidelines.

## **5. Repeal of Act**

This Act is repealed on the ninetieth day from the day on which it commences.