TASMANIA

WORKERS REHABILITATION AND COMPENSATION AMENDMENT (PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019

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WORKERS REHABILITATION AND COMPENSATION AMENDMENT (PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019

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.

SHANE DONNELLY, Clerk of the House
10 April 2019

(Brought in by the Minister for Building and Construction, the Honourable Sarah Courtney)

A BILL FOR

An Act to amend the Workers Rehabilitation and Compensation Act 1988 in relation to post-traumatic stress disorder

Be it enacted by Her 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 (Presumption as to Cause of Disease) Act 2019.

2. Commencement

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

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

4. **Section 28A inserted**

After section 28 of the Principal Act, the following section is inserted in Division 1:

**28A. Presumption as to cause of post-traumatic stress disorder**

(1) In this section –

*relevant worker* means –

(a) a worker who is employed by the Crown or appointed under an Act of the State; and

(b) a worker who is employed by a Government Business Enterprise, within the meaning of the *Government Business Enterprises Act 1995*; and

(c) a worker who is employed by a State-owned company, within the meaning of the *Government Business Enterprises Act 1995*.

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*No. 4 of 1988*
(2) Subject to section 25(1A) and (2), where a relevant worker suffers an injury that consists of post-traumatic stress disorder, the worker’s employment is, in the absence of evidence to the contrary, taken to have contributed to a substantial degree to that injury.

5. **Section 162A repealed**

   Section 162A of the Principal Act is repealed.

6. **Repeal of Act**

   This Act is repealed on the first anniversary of the day on which it commenced.