

## CLAUSE NOTES

### *Workers Rehabilitation and Compensation Amendment Bill 2022*

- Clause 1**            **Short title**
- The short title will be the *Workers Rehabilitation and Compensation Amendment Act 2022*.
- Clause 2**            **Commencement**
- This clause provides that the Act commences on 1 March 2023.
- Clause 3**            **Principal Act**
- Establishes the *Workers Rehabilitation and Compensation Act 1988* as the *Principal Act*.
- Clause 4**            **Section 27 amended (Presumption as to cause of certain diseases in relation to fire-fighters)**
- Clause 4(a) amends section 27 of the Principal Act to insert a new subsection (6B). The new subsection provides that the amendments to section 27 are not retrospective. Subsection (6B) specifies that only new injuries, i.e. those that are taken to have occurred on or after commencement of the Amending Act will be covered by the new provisions of section 27.
- Clause 4(b) amends section 27 of the Principal Act to amend the existing definition of “occupational fire-fighter” in subsection (8) to include an additional group of employees who are employed by the Tasmania Fire Service and undertake bushfire prevention and bushfire fighting activities. The change will include the members of the Bushfire Risk Unit within the Tasmania Fire Service within the meaning of “occupational fire-fighters”.
- Clause 5**            **Section 87 amended (Cessation on account of age of entitlement to weekly payments)**
- Clause 5 amends section 87 of the Principal Act to insert a new definition of “cessation date” which applies to workers who are injured before the pension age.
- Depending on when the injury occurred, the cessation date will be either the pension age (if the injury occurred two years or more before the pension age) or two years after the date of the injury (if the injury occurred less than two years before the pension age).

Clause 5(k) amends section 87 of the Principal Act to insert subsection (4) to provide that the amendments to section 87 are not retrospective.

## Clause 6

### **Repeal of Act**

The *Workers Rehabilitation and Compensation Amendment Act 2022* will be automatically repealed after the first anniversary of this Act commencing.