

TASMANIA

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**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**

*(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.

*Workers Rehabilitation and Compensation Amendment  
(Presumption as to Cause of Disease) Act 2019  
Act No. of 2019*

s. 3

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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 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

*Workers Rehabilitation and Compensation Amendment  
(Presumption as to Cause of Disease) Act 2019  
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- (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 Section 162A repealed**

Section 162A of the Principal Act is repealed.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This Act is repealed on the first anniversary of the day on which it commenced.