

FACT SHEET

Asbestos-Related Diseases (Occupational Exposure) Compensation Amendment Bill 2023

The purpose of the *Asbestos-Related Diseases (Occupational Exposure) Compensation Amendment Bill 2023* (the Bill) is to implement recommendations made in the second five yearly review of the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011* report that was published in September 2022. The Bill also includes the implementation of two recommendations from the 2017 independent review.

The amendments include the following changes:

- A determination of an Impairment Assessor is no longer taken to be a determination of the Medical Panel (amendments to section 61).
- Claimants and family members will now be able to claim for the costs of support services (amendments to sections 116, 118, 119, 121, 123 and 126).
- The Tribunal will now be able to distribute compensation other than in accordance with Schedule 1 if a family member is aggrieved by the default position under Schedule 1 (insertion of new section 127A).
- The Asbestos Compensation Commissioner will now be required to meet the review costs of a successful claimant where an error of law has been made by the Medical Panel (amendments to section 146).
- Expenditure from the Asbestos Compensation Fund will specifically now include funds for the provision of professional training and education; and public information and community education (amendments to section 162).
- Claimants will not be required to repay the Commissioner an amount of compensation which has been incorrectly calculated (amendments to section 173).

These changes will be beneficial to workers suffering from asbestos-related diseases as a result of exposure to asbestos during the course of their work in Tasmania, and their families. They are valuable changes and implement the recommendations from the Second Five Yearly Review of the Act in full, which demonstrates our Government's commitment to ongoing support of the Asbestos Compensation Scheme. Additionally, the recommendations to be implemented from the 2017 review provide additional clarity and surety to those workers and their families.

The amendments are prospective.

The Bill is to commence on the Royal Assent.