



WORKERS COMPENSATION AMENDMENT ACT 1991

No. 26 of 1991

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AN ACT to amend the *Workers Compensation Act 1988* and the *Workers' (Occupational Diseases) Relief Fund Act 1954*

[Royal Assent 25 October 1991]

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:—

Short title

1—This Act may be cited as the *Workers Compensation Amendment Act 1991*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Workers Compensation Act 1988** is referred to as the Principal Act.

Sections 65 and 66 substituted

4—Sections 65 and 66 of the Principal Act are repealed and the following sections are substituted:—

Interpretation (Division 1 of Part VI)

65—In this Division—

“basic salary” means—

(a) during the year beginning 1 January 1991 \$311·30; and

(b) during any subsequent year beginning 1 January the basic salary for the previous year as varied by the relevant percentage;

“relevant percentage”, in respect of any year beginning 1 January, means the percentage difference in the average weekly ordinary full-time earnings of adults in Tasmania between the May immediately preceding the start of that year and the immediately preceding May, as evidenced by statistics published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* of the Commonwealth;

“unit” means the amount represented by the basic salary.

Declaration of basic salary

66—(1) Before the start of each year beginning 1 January the Minister shall publish in the *Gazette* a notice stating the basic salary for that year.

(2) A failure by the Minister to publish a notice under subsection (1) before the start of a year beginning 1 January does not affect the basic salary for that year.

* Act No. 4 of 1988 Amended by No. 39 of 1988 and No. 5 of 1990.

Section 151A inserted

5—After section 151 of the Principal Act the following section is inserted:—

Protection from liability for authorized officers

151A (1) Any act or thing done, or omitted to be done, in good faith by an authorized officer in the exercise or purported exercise of the powers conferred on the officer by this Act shall not subject the officer personally to any action, liability, claim or demand.

(2) Subsection (1) does not preclude the Crown from being subject to any action, liability, claim or demand to which the Crown would, but for this subsection, have been subject.

Workers' (Occupational Diseases) Relief Fund Act 1954
amended

6—Section 3 of the *Workers' (Occupational Diseases) Relief Fund Act 1954* is amended as follows:—

(a) by omitting from subsection (1) the definition “basic rate” and substituting the following definition:—

“basic rate” means a sum equal to the basic salary for the purposes of Division 1 of Part VI of the *Workers Compensation Act 1988*;

(b) by omitting subsections (6), (6A), (7) and (8).

