SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2000

FURTHER SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on behalf of the Government

(Circulated by authority of the Minister for Employment, Workplace Relations and Small Business, the Honourable Tony Abbott MP)
SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2000

(Amendments to be moved on behalf of the Government)

OUTLINE

These amendments make changes consequential to the proposed deferral of the commencement date for Part 10 of Schedule 2 to the Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2000 (SRCOLA Bill) from 1 July 2001 to 1 July 2002. The deferral of the commencement date is proposed in separate amendments to the SRCOLA Bill. The commencement of Part 10 has been deferred because of delays in the passage of the SRCOLA Bill.

FINANCIAL IMPACT STATEMENT

The amendments proposed to the SRCOLA Bill are not expected to have any impact on Commonwealth expenditure.
NOTES ON AMENDMENTS

Amendment No. 1 – Clause 2, page 2 (line 30)

Subclause 2(8) provides for the repeal of items 47 and 48 of Schedule 2 of the SRCOLA Bill if they have not commenced before 1 July 2001. This amendment changes the reference to “2001” to “2002” and is the first of a number of similar proposed amendments. These amendments are necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

Amendment No. 2 – Schedule 2, item 59, page 63 (lines 30 and 31)

This amendment is the first of the amendments proposed to provisions dealing with special premiums and the years in respect of which they are payable. This amendment amends item 59 of the SRCOLA Bill which inserts a definition of special premium. The SRCOLA Bill currently defines a special premium as an amount paid or payable in respect of the financial years starting on 1 July 1999 or 1 July 2000. The proposed amendment will add the financial year starting on 1 July 2001 to the definition. This is a consequential change to the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

Amendment No. 3 – Schedule 2, item 69, page 69 (line 29)

This amendment replaces the reference to “2001” to “2002 and is necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

Amendment No. 4 – Schedule 2, item 69, page 69 (lines 32 and 33)

This amendment amends proposed paragraph 69 (eb) in relation to the years in respect of which special premiums are payable and adds the financial year starting on 1 July 2001. This is a consequential change to the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

Amendment No. 5 - Schedule 2, Item 69 at page 70 (line 3)
Amendment No 6 - Schedule 2, Item 71 at page 71 (line 2)
Amendment No 7 - Schedule 2, Item 72 at page 71 (line 18)
Amendment No 8 - Schedule 2, Item 72 at page 71 (line 27)
Amendment No 9 - Schedule 2, Item 72 at page 72 (line 21)
Amendment No 10 - Schedule 2, Item 72 at page 72 (line 29)
Amendment No 11 - Schedule 2, Item 72 at page 72 (line 35)
Amendment No 12 - Schedule 2, Item 72 at page 73 (line 12)

These amendments replace references to “2001” with references to “2002” and are necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.
**Amendment No. 13** – Schedule 2, item 72, page 73 (lines 14 and 15)

This amendment amends item 72 in relation to the years in respect of which special premiums have been paid and adds the financial year starting on 1 July 2001. This is a consequential change to the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

**Amendment No. 14** – Schedule 2, item 73, page 73 (line 21)

**Amendment No. 15** – Schedule 2, item 73, page 73 (line 23)

**Amendment No. 16** – Schedule 2, item 73, page 73 (line 27)

**Amendment No. 17** – Schedule 2, item 75, page 74 (line 14)

**Amendment No. 18** – Schedule 2, heading to section 97B, page 76 (line 27)

These amendments replace references to “2001” with references to “2002” and are necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

**Amendment No. 19** – Schedule 2, item 75, page 76 (after line 33)

This amendment amends item 75 of the SRCOLA Bill, in particular, proposed new subsection 97B(1) which refers to special premiums to be determined by Comcare to deal with actions for non-economic loss arising from injuries suffered in the financial year starting 1 July 1999 or 1 July 2000. This amendment further includes injuries suffered in the financial year starting 1 July 2001. This is a consequential change to the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

**Amendment No. 20** – Schedule 2, item 75, page 77 (line 20)

**Amendment No. 21** – Schedule 2, item 75, page 77 (line 28)

**Amendment No. 22** – Schedule 2, item 75, page 78 (line 11)

These amendments replace references to “2001” with references to “2002” and are necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

**Amendment No. 23** – Schedule 2, item 75, page 79 (line 21)

This amendment proposes to replace the reference to “2002”, in proposed subsection 97F(1), to “2003”. Proposed subsection 97F(1) presently provides that information is to be provided to Comcare by the prescribed day in 2002 and in each later year, on the salary, wages or pay to be paid to employees for the next financial year. The change of the date to 2003 is consequential to the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.

**Amendment No. 24** – Schedule 2, item 76, page 85 (line 5)
Notes on Amendments

Amendment No. 25 – Schedule 2, item 76, page 85 (line 9)
Amendment No. 26 – Schedule 2, item 77, page 85 (line 15)
Amendment No. 27 – Schedule 2, item 77, page 85 (line 20)
Amendment No. 28 – Schedule 2, item 78, page 85 (line 27)
Amendment No. 29 – Schedule 2, item 78, page 85 (line 32)
Amendment No. 30 – Schedule 2, item 78, page 86 (line 4)
Amendment No. 31 – Schedule 2, item 78, page 86 (line 9)
Amendment No. 32 – Schedule 2, item 79, page 86 (line 19)
Amendment No. 33 – Schedule 3, item 12, page 95 (line 2)

These amendments replace references to “2001” with references to “2002” and are necessary because of the proposed deferral of the commencement date for Part 10 of Schedule 2 of the SRCOLA Bill.