

WESTERN AUSTRALIA

ACTS AMENDMENT (WORKERS' COMPENSATION AND ASSISTANCE) ACT

No. 86 of 1986

AN ACT to amend the *Employers' Indemnity Supplementation Fund Act 1980*, the *Workers' Compensation and Assistance Act 1981* and the *Waterfront Workers (Compensation for Asbestos Related Diseases) Act 1986*.

[Assented to 5 December 1986.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Acts Amendment (Workers' Compensation and Assistance) Act 1986*.

PART II—EMPLOYERS' INDEMNITY SUPPLEMENTATION
FUND ACT 1980

Principal Act

2. In this Part the *Employers' Indemnity Supplementation Fund Act 1980** is referred to as the principal Act.

[*Act No. 80 of 1980 as amended by Acts Nos. 26 (as amended by 88 of 1981), 10 and 49 of 1982 and 98 of 1985.]

Section 3 amended

3. Section 3 of the principal Act is amended in the definition of "Commission" by deleting "Assistance" and substituting the following—

“ Compensation and Rehabilitation ”.

PART III—WORKERS' COMPENSATION AND
ASSISTANCE ACT 1981

Principal Act

4. In this Part the *Workers' Compensation and Assistance Act 1981** is referred to as the principal Act.

[*Act No. 86 of 1981 as amended by Acts Nos. 16 and 79 of 1983, 28 and 104 of 1984, 44 and 98 of 1985 and 33 of 1986.]

**References to "Manager" amended;
and transitional provision**

5. (1) The principal Act is amended by deleting "Manager" wherever it occurs in the provisions referred to in the Table to this section and substituting in each case the following—

“ Executive Director ”.

TABLE

Section 5 (1)	Section 95 (1) (b)
Section 36 (1)	Section 95 (4) (a)
Section 37	Section 99 (1)

1986] *Acts Amendment (Workers' Compensation and Assistance) Act* [No. 86

Section 38 (3)	Section 101 (f)
Section 48 (1)	Section 147 (2) (c)
Section 48 (2)	Section 170 (2)
Section 70 (1)	Section 176 (4) (b)
Section 72 (2)	Section 177 (2)
Section 72 (3)	Section 187 (2) (a)
Section 72 (4)	

(2) The person who was the Manager under the principal Act immediately before the coming into operation of this Act shall be deemed to have been appointed to the office of Executive Director within the meaning of the principal Act.

Section 5 amended

6. Section 5 of the principal Act is amended in subsection (1)—

(a) in the definition of “Commission”, by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”;

(b) in the definition of “General Fund” by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”;

(c) in the definition of “Manager” by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”;

(d) in the definition of “the Chairman of the Commission” by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”; and

(e) in the definition of “Trust Fund” by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”.

Part V amended

7. Part V of the principal Act is amended—

- (a) by deleting the heading “PART V—WORKERS’ ASSISTANCE COMMISSION” and substituting the following heading—

“ PART V—WORKERS’ COMPENSATION AND REHABILITATION COMMISSION ”;

- (b) by deleting the heading “Division 3—Workers’ Assistance General Fund” and substituting the following heading—

“ Division 3—Workers’ Compensation and Rehabilitation General Fund ”; and

- (c) by deleting the heading “Division 4—Workers’ Assistance Trust Fund” and substituting the following heading—

“ Division 4—Workers’ Compensation and Rehabilitation Trust Fund ”.

Section 94 amended

8. Section 94 of the principal Act is amended by repealing subsection (1) and substituting the following subsection—

- “ (1) On and after the day on which the *Acts Amendment (Workers’ Compensation and Assistance) Act 1986* comes into operation, the body corporate that was hitherto established under this Act by the name of the “Workers’ Assistance Commission” is preserved and continues in existence as a body corporate under and subject to the provisions of this Act to be called the “Workers’ Compensation and Rehabilitation Commission”, but so that the corporate identity of the body corporate and its rights and obligations are not thereby affected. ”.

Section 106 amended

9. Section 106 of the principal Act is amended—

(a) in subsection (1) by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”; and

(b) in subsection (2) (b) by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”.

Section 110 amended

10. Section 110 of the principal Act is amended in subsection (1) by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”.

PART IV—WATERFRONT WORKERS (COMPENSATION FOR ASBESTOS RELATED DISEASES) ACT 1986

Section 3 amended

11. Section 3 of the *Waterfront Workers (Compensation for Asbestos Related Diseases) Act 1986* is amended in the definition of “Commission” by deleting “Assistance” and substituting the following—

“ Compensation and Rehabilitation ”.
