South Australia

Return to Work (Weekly Payments Under Transitional Provisions) Amendment Bill 2016

A BILL FOR

An Act to amend the *Return to Work Act 2014*.

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Part 1—Preliminary

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Return to Work (Weekly Payments Under Transitional Provisions) Amendment Act 2016*.

2—Commencement

This Act will be taken to have come into operation on 1 July 2015 immediately after clause 37 of Schedule 9 of the *Return to Work Act 2014* came into operation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Return to Work Act 2014*

4—Amendment of Schedule 9—Repeal, amendments and transitional provisions

Schedule 9, clause 37—after subclause (6) insert:

 (7) For the purposes of this clause—

  (a) a worker is to be taken to have been entitled to receive weekly payments in respect of an incapacity for work in respect of an existing injury immediately before the designated day if the worker's entitlement to weekly payments under the repealed Act in respect of any current or future period of incapacity for work in respect of the injury had not ceased on account of a decision under section 36 of that Act made before the designated day; and

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      (b)   a worker will be taken not to have ceased to have an entitlement to weekly payments in respect of an existing injury on account of a decision under section 36 of the repealed Act to discontinue weekly payments if the decision was made solely on a ground that did not preclude the worker from receiving weekly payments in respect of a future incapacity for work in respect of that injury.