

South Australia



**WORKERS REHABILITATION AND COMPENSATION (DISPUTE  
RESOLUTION) AMENDMENT ACT 1996**

**No. 21 of 1996**

**SUMMARY OF PROVISIONS**

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ANNO QUADRAGESIMO QUINTO

**ELIZABETHAE II REGINAE**

A.D. 1996

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**No. 21 of 1996**

**An Act to amend the Workers Rehabilitation and Compensation Act 1986 and the Workers Rehabilitation and Compensation (Dispute Resolution) Amendment Act 1995.**

[Assented to 24 April 1996]

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Workers Rehabilitation and Compensation (Dispute Resolution) Amendment Act 1996*.

(2) The *Workers Rehabilitation and Compensation Act 1986* is referred to in this Act as "the principal Act".

**Commencement**

2. This Act will come into operation on a day to be fixed by proclamation.

**Amendment of s. 80—The President**

3. Section 80 of the principal Act is amended by striking out subsection (5) and substituting the following subsection:

(5) The President may delegate administrative powers and responsibilities.

(6) A delegation under subsection (5)—

(a) may be made to any person; and

(b) is revocable at will; and

(c) does not derogate from the President's power to act personally in any matter.

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**Substitution of s. 82A**

4. Section 82A of the principal Act is repealed and the following section is substituted:

**Appointment etc of the Registrar**

**82A.** A person cannot be appointed to the office of Registrar of the Tribunal, nor can a person holding that office be dismissed or reduced in status, except on the recommendation, or with the concurrence, of the President.

**Insertion of s. 88DA**

5. The following section is inserted in the principal Act after section 88D:

**Power to enlarge scope of proceedings**

**88DA.** The Tribunal may, with the consent of all parties to proceedings, enlarge the scope of the proceedings to include questions that are not presently at issue in the proceedings.

**Amendment of Workers Rehabilitation and Compensation (Dispute Resolution) Amendment Act 1995**

6. The *Workers Rehabilitation and Compensation (Dispute Resolution) Amendment Act 1995* is amended—

(a) by striking out section 16 and substituting the following section:

**Amendment of Schedule 1—Transitional provisions**

**16.** Schedule 1 to the principal Act is amended—

(a) by striking out clause 2(8)(a) and substituting the following:

(a) to the Tribunal (constituted of a presidential member); or;

(b) by striking out "Industrial Court" wherever it occurs in subclauses (9) and (10) and substituting in each case "Tribunal".;

(b) by striking out subsections (4), (5) and (6) of section 17 and substituting the following subsections:

(4) The new legislation applies to reviewable decisions made under the principal Act before or after the commencement of this Act, but if proceedings were commenced before the commencement of this Act in relation to a reviewable decision—

(a) the proceedings may only be continued and completed under the principal Act as in force before the commencement of this Act; and

(b) new proceedings cannot be commenced under the new legislation in relation to the same decision.

(5) The President may make rules, or give directions, governing practice, procedure or evidence in relation to proceedings that continue under subsection (4).;

(c) by inserting the following subsection after section 17(8):

(9) A person who continues as a Review Officer under this section is subject to administrative control and direction by the President.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor