

Information Notice

Act Title	Accident Compensation Act 1985
Information Title:	Retrospective Commencement
Version:	184

Section 88(2) of the **Accident Compensation Act 1985** was amended by section 628(1) of the **Workplace Injury Rehabilitation and Compensation Act 2013**, No. 67/2013. Section 628(1) is deemed to have come into operation on 5 April 2010.

Section 628(1) reads as follows:

628 Part IV

- (1) In section 88(2) of the **Accident Compensation Act 1985**, for "Divisions 2 and 2A" **substitute** "Divisions 2, 2A and 2B".

Section 313 of the **Accident Compensation Act 1985** was substituted by section 641 of the **Workplace Injury Rehabilitation and Compensation Act 2013**, No. 67/2013. Section 641 is deemed to have come into operation on 5 April 2010. Section 641 reads as follows:

641 Part IX, section 313 substituted

For section 313 of the **Accident Compensation Act 1985 substitute—**

"313 Section 93CD

- (1) Despite section 4A—
 - (a) section 93CD, except subsection (5), as substituted by section 34 of the amending Act, applies in respect of an injury occurring on or after the commencement date;
 - (b) section 93CD, except subsection (5), as in force immediately before the commencement of section 34 of the amending Act, applies in respect of an injury occurring before the commencement date.
- (2) Section 93CD(5), as substituted by section 34 of the amending Act, applies in relation to an entitlement period beginning on or after 5 April 2010."

Section 8(5) of the **Accident Compensation Act 1985** was amended by section 626(7) of the **Workplace Injury Rehabilitation and Compensation Act 2013**, No. 67/2013. Section 626(7) is deemed to have come into operation on 1 July 2010.

Section 626(7) reads as follows:

626 Amendment of sections 5, 5A, 5AB, 5AE, 8(5) and 68

- (7) In section 8(5) of the **Accident Compensation Act 1985**, in the definition of *relevant period*, after "in relation to services provided" insert "on or after 1 July 2010".

Section 96(7) of the **Accident Compensation Act 1985** was amended by section 630(3) of the **Workplace Injury Rehabilitation and Compensation Act 2013**, No. 67/2013. Section 630(3) is deemed to have come into operation on 1 July 2010.

Section 630(3) reads as follows:

630 Further amendment of Part IV

- (3) In section 96(7) of the **Accident Compensation Act 1985**, for the definition of *supplemental pension limit substitute*—

"*supplemental pension limit*, in relation to a worker, means the worker's pre-injury average weekly earnings as calculated under section 5A as indexed in accordance with section 100(1) and calculated as if the period of 52 weeks referred to in paragraph (a) of the definition of *enhancement period* in section 5AD had not expired."

Section 368A of the **Accident Compensation Act 1985** was inserted by section 643 of the **Workplace Injury Rehabilitation and Compensation Act 2013**, No. 67/2013. Section 643 is deemed to have come into operation on 1 November 2010.

Section 643 reads as follows:

643 Part IX, new section 368A inserted

After section 368 of the **Accident Compensation Act 1985**, insert—

"368A Section 91(3AAA)

Section 91(3AAA), as inserted by section 88(2) of the amending Act, applies to assessments of deafness made on or after 1 November 2010 for the purposes of assessing the degree or impairment in relation to a claim made before, on or after that date."