

LEGISLATIVE COUNCIL

TRANSPORT ACCIDENT AND ACCIDENT COMPENSATION LEGISLATION  
AMENDMENT BILL 2010

(Amendments to be proposed in Committee by Mr RICH-PHILLIPS)

1. Clause 2, lines 10 to 14, omit "49, 51, 53, 54, 56(2), 64, 65, 66, 67, 83, 84, 85, 86, 87, 93, 110, 111, 112 and 127), Part 4 (other than sections 135, 136, 137, 139, 140, 141, 142, 143, 144, 146, 147, 151 and 152), sections 159 and 161" and insert "46, 48, 50, 51, 53(2), 61, 62, 63, 64, 80, 81, 82, 83, 84, 90, 107, 108, 109 and 124), Part 4 (other than sections 132, 133, 134, 136, 137, 138, 139, 140, 141, 143, 144, 148 and 149), sections 156 and 158".
2. Clause 2, line 18, omit "93" and insert "90".
3. Clause 2, lines 20 and 21, omit "51, 56(2), 66, 127, 154, 155, 156, 157, 158, 160 and 162" and insert "48, 53(2), 63, 124, 151, 152, 153, 154, 155, 157 and 159".
4. Clause 2, lines 23 and 24, omit "110, 111, 112, 139, 140, 142, 143, 144, 146, 147, 151, 152, and 153" and insert "107, 108, 109, 136, 137, 139, 140, 141, 143, 144, 148, 149 and 150".
5. Clause 2, line 26, omit "67" and insert "64".
6. Clause 2, lines 29 and 30, omit "64, 65, 135, 136, 137 and 141" and insert "61, 62, 132, 133, 134 and 138".
7. Clause 2, lines 32 and 33, omit "53, 54, 83, 84, 85, 86 and 87" and insert "50, 51, 80, 81, 82, 83 and 84".
8. Clause 2, page 3, line 1, omit "49" and insert "46".
9. Clause 28, lines 16 to 22, omit subparagraph (i) and insert—

"(i) is entitled to receive as consideration a share of the income derived from the land whether in cash or in kind or partly in cash and partly in kind and is not a primary producer within the meaning of Schedule 2G to the Income Tax Assessment Act 1936 of the Commonwealth; or".
10. Clause 28, page 47, line 11, after "farmer" insert "less expenses paid or payable by the share farmer".
11. Clause 28, page 47, after line 28 insert—

*"expenses*, in relation to land, means general deductions within the meaning of section 8.1 of the Income Tax Assessment Act 1997 of the Commonwealth to the extent that the general deductions relate to primary production but do not include remuneration within the

meaning of section 3 of the **Accident Compensation (WorkCover Insurance) Act 1993** paid or payable by the share farmer;".

12. Clause 36, line 3, omit "**Change of name of Authority**" and insert "**Repeal of section 18A**".
13. Clause 36, lines 4 to 35 and page 54, lines 1 to 3, omit all words and expressions on these lines.
14. Clause 36, page 54, line 4, omit "(5)".
15. Clause 37, omit this clause.
16. Clause 39, omit this clause.
17. Clause 42, omit this clause.
18. Clause 43, lines 3 to 9, omit all words and expressions on these lines.
19. Clause 43, line 10, omit "(3)".
20. Clause 43, lines 19 to 32 and page 57, lines 1 to 18, omit all words and expressions on these lines.
21. Clause 83, page 106, line 26, omit "83" and insert "80".
22. Clause 83, page 107, line 3, omit "83" and insert "80".
23. Clause 83, page 108, line 7, omit "83" and insert "80".
24. Clause 83, page 109, line 9, omit "83" and insert "80".
25. Clause 108, lines 28 and 29, omit "**References to non-WorkCover employers in Part VIA**" and insert "**Amendment of definition of tail claims**".
26. Clause 108, lines 30 to 36 and page 140, lines 1 to 26, omit all words and expressions on these lines.
27. Clause 108, page 140, line 27, omit "(4)".
28. Clause 108, page 140, line 28, omit "—" and insert ', in paragraph (b), for "whether under this Act, at common law or otherwise" **substitute** "under this Act (other than section 242AB or 242AD) or damages at common law as permitted by and in accordance with section 134AB or 135C".'.
29. Clause 108, page 140, lines 29 to 34 and page 141, lines 1 to 35, omit all words and expressions on these lines.
30. Clause 123, line 6, omit "44" and insert "41".
31. Clause 123, line 12, omit "80" and insert "77".

32. Clause 123, line 20, omit "98" and insert "95".
33. Clause 123, line 27, omit "99" and insert "96".
34. Clause 132, page 161, line 24, omit "51" and insert "48".
35. Clause 132, page 161, line 29, omit "53" and insert "50".
36. Clause 132, page 162, line 2, omit "55" and insert "52".
37. Clause 132, page 162, line 12, omit "59" and insert "56".
38. Clause 132, page 162, line 17, omit "63(1)" and insert "60(1)".
39. Clause 132, page 162, line 23, omit "93" and insert "90".
40. Clause 132, page 162, line 31, omit "64" and insert "61".
41. Clause 132, page 163, line 6, omit "80" and insert "77".
42. Clause 132, page 163, line 14, omit "76" and insert "73".
43. Clause 132, page 163, line 18, omit "46" and insert "43".
44. Clause 132, page 163, line 24, omit "66" and insert "63".
45. Clause 132, page 163, line 29, omit "67" and insert "64".
46. Clause 132, page 164, line 3, omit "69" and insert "66".
47. Clause 132, page 164, line 8, omit "73" and insert "70".
48. Clause 132, page 164, line 19, omit "74" and insert "71".
49. Clause 132, page 164, line 30, omit "75" and insert "72".
50. Clause 132, page 165, line 7, omit "103" and insert "100".
51. Clause 132, page 165, line 13, omit "104" and insert "101".
52. Clause 132, page 165, line 20, omit "105" and insert "102".
53. Clause 132, page 165, line 27, omit "112" and insert "109".
54. Clause 132, page 165, line 32, omit "115" and insert "112".
55. Clause 132, page 166, line 2, omit "56(2)" and insert "53(2)".
56. Clause 132, page 166, line 9, omit "132" and insert "129".
57. Clause 132, page 166, line 11, omit "56(2)" and insert "53(2)".

58. Clause 134, line 3, omit "**certain references**" and insert "**definition of WorkCover insurance policy**".
59. Clause 134, lines 4 to 9, omit all words and expressions on these lines.
60. Clause 134, line 10, omit "(2)".
61. Clause 134, lines 14 and 15, omit "a WorkSafe insurance policy" and insert "an insurance policy issued or deemed to be in force in accordance with this Act".
62. Clause 134, lines 16 to 32, omit all words and expression on these lines.