WORKERS’ COMPENSATION AND INJURY MANAGEMENT AMENDMENT (JOCKEYS) BILL 2012

EXPLANATORY MEMORANDUM

OVERVIEW

The purpose of this Bill is to:

- align the rate of weekly compensation paid to licensed jockeys with their pre-injury average weekly earnings on the same basis as other non-award workers under the Workers’ Compensation and Injury Management Act 1981 (the Act).

- clarify the scope of the workers’ compensation insurance obligation between Racing and Wagering Western Australia (RWWA) and licensed trainers regarding work done by jockeys for trainers at unlicensed facilities.

The changes only affect licensed jockeys and do not impact on current arrangements for track work riders, apprentice jockeys or harness reinsmen.

CLAUSE 1. SHORT TITLE
Sets out the name of the Act.

CLAUSE 2. COMMENCEMENT
Provides that the Act is to come into operation as follows:

(a) sections 1 and 2 — on the day on which the Act receives the Royal Assent.

(b) the rest of the Act — on a day fixed by proclamation.

CLAUSE 3. ACT AMENDED
Sets out the name of the Act to be amended.

CLAUSE 4. SECTION 11A REPLACED

Section 11A(1) Defines terms by reference to the Racing and Wagering Western Australia Act 2003 which is the statute that provides for the licensing of jockeys, trainers, racing clubs and facilities.
CLAUSE 6. SCHEDULE 1 AMENDED

A transitional provision that preserves the stable foremen award rate for determining weekly compensation payments for jockeys with injuries that occur before the amendment bill comes into operation. This ensures the amendments are not retrospective.