



## Employment and Workplace Relations Amendment Bill 2008

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## Employment and Workplace Relations Amendment Bill 2008

**Date introduced:** 3 December 2008

**House:** House of Representatives

**Portfolio:** Employment and Workplace Relations

**Commencement:** On Royal Assent except for certain parts of Schedule 2 as set out in clause 2 of the Bill.

**Links:** The [relevant links](#) to the Bill, Explanatory Memorandum and second reading speech can be accessed via BillsNet, which is at <http://www.aph.gov.au/bills/>. When Bills have been passed they can be found at ComLaw, which is at <http://www.comlaw.gov.au/>.

### Purpose

The Bill increases benefits payable in the event of a workplace death under the Australian government workers' compensation scheme.

The Bill extends provisions preventing people seeking certain payments from being paid while an assurance of support is in force to Sickness Allowance or Parenting Payment (Single).

The Bill also changes incorrect references and clarifies the operation of certain provisions in the *Social Security Act 1991*.

### Financial implications

The Bill has no financial impact. However the increased benefit payable under the government workers compensation scheme is anticipated to increase total Comcare premiums by about \$6.1 million over 4 years.

### Main provisions

The Bill only proposes minor and technical amendments, examples of which are as follows.

**Warning:**

*This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.*

*This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.*

**Item 2 of Schedule 1** inserts **new section 13AA** into the *Safety, Rehabilitation and Compensation Act 1988*. This section provides for indexation using a wage-price index of compensation amounts for dependents of employees when a work-related death occurs. Currently, the Consumer Price Index is used for this, and it will continue to be used only in relation to indexing compensation in respect of funeral expenses.

**Items 3 to 5** increase the amounts of compensation (death benefits) payable to dependents to match the amounts provided under state legislation. The lump sum benefit increases from the current amount of \$225,594.33 to \$400,000 in relation to a death that occurs at or after the date of commencement of this item. The weekly benefit for dependent children increases from \$75.10 to \$110 a week.

**Item 13 of Schedule 2** amends section 500B of *Social Security Act 1991* to prevent eligibility for Parenting Payment (Single) where an assurance of support is in force.

**Item 14** adds **new section 676A**. The new section prevents eligibility for Sickness Allowance where an assurance for support is in force.

These changes mean that where a person has entered Australia subject to someone else undertaking to support them if needed, they will generally be unable to access income support in the form of Sickness Allowance or Parenting Payment (Single). All other income support payments are already covered by existing provisions excluding eligibility.

## Concluding comments

As the Bill only proposes minor and technical amendments, no comments are made in this Digest.

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