

Explanatory Statement

Subject: Seamen's Compensation Regulations (Amendment) 1983 No.234

The purpose of the Statutory Rules is to increase, from 1 November 1983, the amounts of compensation benefits payable under the Seamen's Compensation Act 1911.

Regulation 1 of the Statutory Rules defines "Principal Regulations" to mean the Seamen's Compensation Regulations.

Regulation 2 of the Statutory Rules amends Regulation 118 of the Seamen's Compensation Regulations by omitting the table therein and substituting a new table. The new table applies the prescribed amounts for the purposes of various provisions of the Principal Act and Schedule 1 thereto. The new table operates to increase compensation benefits as follows:

- . Sub-section 5B(1) : the amount of compensation payable for an injury specified in Part 1 of Schedule 3, when the injury results in incapacity other than total and permanent incapacity for work, is increased from \$42,000 to \$44,010.
- . Sub-section 5D(1) : the maximum amount of compensation payable in respect of injury or injuries caused by any one accident, where those injuries did not result in death or total and permanent incapacity for work, is increased from \$42,000 to \$44,010.
- . In Schedule 1:
 - Clause (1)(a)(iii): the maximum amount of compensation payable in respect of funeral expenses where death results from an injury to a seaman is increased from \$1,090 to \$1,140.
 - Clause (1)(b)(i): the weekly payment for a dependent spouse of a totally incapacitated seaman is increased from \$35.30 to \$37.00.
 - Clause (1)(b)(ii): the weekly payment for each dependent child of a totally incapacitated seaman is increased from \$16.80 to \$17.60.
 - Clause 1(c)(i): the maximum weekly amount of compensation payable to a seaman who is partially incapacitated for work as the result of an injury is increased from \$134.85 to \$141.30.
 - Paragraph 10A: the minimum total amount of compensation payable in respect of each dependent child of a deceased seaman is increased from \$1,680 to \$1,760.

Regulation 3 of the Statutory Rules amends Regulation 119 of the Seamen's Compensation Regulations to prescribe the amounts of \$44,010 and \$17.60 for the purposes of Clause 1(a)(i) of Schedule 1 to the Principal Act. Accordingly, the amount of

compensation payable to dependants in respect of death which results from an injury to a seaman is increased from \$42,000 to \$44,010, and the amount of weekly payment for each dependent child of a deceased seaman is increased from \$16.80 to \$17.60.

Regulation 4 of the Statutory Rules amends Regulation 120 of the Seamen's Compensation Regulations to prescribe the amount of \$141.30 for the purposes of sub-paragraph (1)(b) of Schedule 1 to the Act. Accordingly, the weekly payment of compensation for a seaman who is totally incapacitated for work as the result of an injury is increased from \$134.85 to \$141.30.

Regulation 5 of the Statutory Rules expresses the date of effect of these amendments to be 1 November 1983.

Paragraph (a) applies the increased amounts of weekly compensation payable under the Act in respect of any period commencing on or after 1 November 1983.

Paragraph (b) applies the increased lump sum amounts of compensation payable under the Act in respect of an injury sustained, a disease suffered, a loss specified, or an event, that occurs on or after 1 November 1983.

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