

Explanatory Statement

Statutory Rules 1984 No. 306

Issued by the authority of the Minister of State for Social Security

Subject : Seamen's Compensation Act 1911
Seamen's Compensation Regulations (Amendment)

The purpose of the proposed Statutory Rules is to increase, from 1 November 1984, the rates and amounts of compensation benefits payable under the Seamen's Compensation Act 1911.

Regulation 1 of the proposed 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 \$46,400 to \$49,690.
- . 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 \$46,400 to \$49,690.
- . 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 \$1,200 to \$1,290.
 - Clause (1)(b)(i) : the weekly payment for a dependent spouse of a totally incapacitated seaman is increased from \$39.00 to \$41.80.
 - Clause (1)(b)(ii) : the weekly payment for each dependent child of a totally incapacitated seaman is increased from \$18.60 to \$19.90.
 - 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 \$149.00 to \$159.60.
 - Paragraph 10A : the minimum total amount of compensation payable in respect of each dependent child of a deceased employee is increased from \$1,860 to \$1,990.

Regulation 2 of the proposed Statutory Rules amends Regulation 119 of the Seamen's Compensation Regulations to prescribe the amounts of \$49,690 and \$19.90 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 \$46,400 to \$49,690 and the amount of weekly payment for each dependent child of a deceased seaman is increased from \$18.60 to \$19.90.

Regulation 3 of the proposed Statutory Rules amends Regulation 120 of the Seamen's Compensation Regulations to prescribe the amount of \$159.60 for the purposes of sub-paragraph (1)(b) of Schedule 1 to the Act. Accordingly, the weekly payment for a seaman who is totally incapacitated for work as a result of an injury is increased from \$149.00 to \$159.60.

Regulation 4 of the proposed Statutory Rules expresses the date of effect of the amendments to be 1 November 1984.

Paragraph (a) applies the increased amounts of weekly compensation payable under the Act in respect of any period commencing on or after 1 November 1984.

Paragraph (b) applies the increased lump sum amounts of compensation payable under the Act in respect of a loss specified or an event (including death or the incurring of costs relating to the funeral of a deceased seaman) that occurs on or after 1 November 1984.

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