

## EXPLANATORY STATEMENT

Statutory Rules 1989 No 348  
Issued by the authority of the Minister of State for Land  
Transport and Shipping Support

Subject:           Seamen's Compensation Act 1911

                  Seamen's Compensation Regulations (Amendment)

The purpose of the proposed Regulations is to increase, from 13 December 1989, the rates and amounts of compensation benefits payable under the Seamen's Compensation Act 1911.

Regulation 1 of the proposed Regulations 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. The new table operates to increase compensation benefits as follows:

- .   Subsection 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 \$64,190 to \$65,920.
  
- .   Subsection 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 \$64,190 to \$65,920.
  
- .   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 \$1,660 to \$1,700.
  
  - Clause (1)(b)(i): the weekly payment for dependent spouse of a totally incapacitated seaman is increased from \$54.00 to \$55.50.
  
  - Clause (1)(b)(ii): the weekly payment for each dependent child of a totally incapacitated seaman is increased from \$25.70 to \$26.40.
  
  - Subclause 1(c)(i)(B): the maximum weekly amount of compensation payable to a seaman who is partially incapacitated for work as a result of an injury is increased from \$206.30 to \$211.90.
  
  - Paragraph 10A: the minimum total amount of compensation payable in respect of each dependent child of a deceased employee is increased from \$2,570 to \$2,640.

Regulation 2 of the Statutory Rules amends Regulation 119 of the Seamen's Compensation Regulations to prescribe the amounts of \$65,920 and \$26.40 for the purposes of subclause 1(a)(i) of Schedule 1. Accordingly, the amount of compensation payable to dependents in respect of death which results from an injury to a seaman is increased from \$64,190 to \$65,920, and the amount of weekly payment for each dependent child is increased from \$25.70 to \$26.40.

Regulation 3 of the Statutory Rules amends Regulation 120 of the Seamen's Compensation Regulations to prescribe the amount of \$211.90 for the purposes of sub-paragraph (1)(b) of Schedule 1. Accordingly, the weekly payment for a seaman who is totally incapacitated for work as the result of an injury will increase from \$206.30 to \$211.90.

Regulation 4 of the Statutory Rules provides for the date of effect of these amendments to be 13 December 1989.

Paragraph 4(a) applies the increased rates and amounts of compensation payable at a weekly rate under the Act in respect of any period commencing after 12 December 1989.

Paragraph 4(b) applies the increased lump sum amounts of compensation payable under the Act in respect of an injury, a loss specified, or an event that occurs after 12 December 1989.