



TASMANIA

**WORKERS REHABILITATION AND
COMPENSATION AMENDMENT (PRESUMPTION
AS TO CAUSE OF DISEASE) ACT 2019**

No. 11 of 2019

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 28A inserted
 - 28A. Presumption as to cause of post-traumatic stress disorder
5. Section 162A repealed
6. Repeal of Act



**WORKERS REHABILITATION AND
COMPENSATION AMENDMENT (PRESUMPTION
AS TO CAUSE OF DISEASE) ACT 2019**

No. 11 of 2019

An Act to amend the *Workers Rehabilitation and Compensation Act 1988* in relation to post-traumatic stress disorder

[Royal Assent 4 June 2019]

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Act 2019*.

*Workers Rehabilitation and Compensation Amendment
(Presumption as to Cause of Disease) Act 2019
Act No. 11 of 2019*

s. 2

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Workers Rehabilitation and Compensation Act 1988** is referred to as the Principal Act.

4. Section 28A inserted

After section 28 of the Principal Act, the following section is inserted in Division 1:

28A. Presumption as to cause of post-traumatic stress disorder

(1) In this section –

relevant worker means –

- (a) a worker who is employed by the Crown or appointed under an Act of the State; and
- (b) a worker who is employed by a Government Business Enterprise, within the meaning of the *Government Business Enterprises Act 1995*; and

*No. 4 of 1988

*Workers Rehabilitation and Compensation Amendment
(Presumption as to Cause of Disease) Act 2019
Act No. 11 of 2019*

s. 5

- (c) a worker who is employed by a State-owned company, within the meaning of the *Government Business Enterprises Act 1995*.
- (2) Subject to section 25(1A) and (2), where a relevant worker suffers an injury that consists of post-traumatic stress disorder, the worker's employment is, in the absence of evidence to the contrary, taken to have contributed to a substantial degree to that injury.

5. Section 162A repealed

Section 162A of the Principal Act is repealed.

6. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.

*[Second reading presentation speech made in:—
House of Assembly on 9 April 2019
Legislative Council on 22 May 2019]*