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26 August 2004

The Committee Clerk  
Select Committee on Workers Compensation  
Legislative Council of WA  
Parliament House  
PERTH WA 6000

Attention: Ms Sheena Hutchison

**BY EMAIL:** [shutchison@parliament.wa.gov.au](mailto:shutchison@parliament.wa.gov.au);  
[council@parliament.wa.gov.au](mailto:council@parliament.wa.gov.au)

Dear Madam

**TRANSCRIPT OF EVIDENCE**

I refer to your letter dated 24 August 2004. I attach herewith the handwritten amendments I propose to the transcript of my evidence with my signature thereon.

In relation to the informational error on page 4 (lines 7 – 9), what I intended to say and mean was:

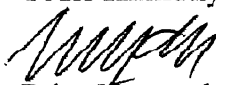
*“What is bad is that it seeks to remove the protection given by the High Court decision in *Dossett* by removing the presumption against retrospectivity twice over – once in 1999 and again in 2004”.*

That the above was my meaning and intention is clear I hope from the passage contained in the third last paragraph on page number 3 (commencing: *“Forgive me for not being articulate enough...”*).

I attach a copy of the *Macphilomey* and *Short* decisions referred to in the transcript. Finally, I would like a copy of the transcript once finalised.

Kindly let me know if you would still like me to send all these materials to you by facsimile or courier, or whether this electronic transmission will suffice.

Yours faithfully

  
Brian Nugawela