

Workers' Compensation and Injury Management Amendment Regulations 2023

SL 2023/37

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Workers' Compensation and Injury Management Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Workers' Compensation and Injury Management Regulations 1982*.

4. Part 9A inserted

After regulation 66 insert:

Part 9A — Specified diseases contracted by firefighters

66A. Specified diseases for firefighters (Act Sch. 4A)

For the purposes of Schedule 4A item 13 of the Act —

- (a) each kind of cancer listed in column 1 of the Table is prescribed; and
- (b) the period listed in column 2 of the Table opposite the kind of cancer is the qualifying period for that cancer.

Table

Column 1 Disease	Column 2 Qualifying period
Primary site melanoma	15 years
Malignant mesothelioma	15 years

5. Regulation 68 amended

- (1) In regulation 68(1) insert in alphabetical order:

firefighting employment has the meaning given in section 49A of the Act;

- (2) In regulation 68(3):

- (a) in paragraph (c) delete “officer.” and insert:

officer;

- (b) after paragraph (c) insert:

(d) firefighting employment.

- (3) Delete regulation 68(4) and insert:

- (4) Section 49F(3) of the Act does not apply to a worker who suffers an injury by contracting post-traumatic stress disorder unless —

- (a) the worker is diagnosed as having post-traumatic stress disorder by a psychiatrist in accordance with the diagnostic criteria in DSM-5 for post-traumatic stress disorder; and
- (b) in the case of a worker who is working or worked in employment prescribed in subregulation (3)(a), (b) or (c) — the worker is first diagnosed as having post-traumatic stress disorder (whether in accordance with paragraph (a) or otherwise) on or after the day on which the *Workers’ Compensation and Injury Management Amendment Regulations 2021* regulation 4 comes into operation; and
- (c) in the case of a worker who is working or worked in firefighting employment — the worker is first diagnosed as having

post-traumatic stress disorder (whether in accordance with paragraph (a) or otherwise) on or after the day on which the *Workers' Compensation and Injury Management Amendment Regulations 2023* regulation 5 comes into operation.

K. COLLERAN, Clerk of the Executive Council.
