




Speech By
Jonty Bush

MEMBER FOR COOPER

Record of Proceedings, 22 June 2022

**PERSONAL INJURIES PROCEEDINGS AND OTHER LEGISLATION
AMENDMENT BILL**

 **Ms BUSH** (Cooper—ALP) (11.42 am), continuing: Following on from my speech yesterday, the final point I want to make is about the final reform in the bill in relation to terminal benefits payments that are payable to an eligible worker with a terminal condition under the Workers' Compensation and Rehabilitation Act. The lump sum terminal benefits enable workers to secure appropriate medical and palliative care and support and allows them to attend to the financial needs of their family and their dependants. These types of financial compensation schemes recognise that workers who have suffered an injury in the workplace, like silicosis or asbestosis, really do not have the time or the energy to be pursuing common-law damages for negligence where that has contributed to their terminal condition.

Two concerns arose from the consultation about this during the committee proceedings, the first being the proposed retrospective application and the second being the imposition of a three-year eligibility period. A number of submitters suggested removal of the retrospective application with the proposed commencement date being a future date so that the provision operates prospectively and not retrospectively. The date most commonly suggested was 1 July 2022, and we have incorporated this feedback into recommendation 3 of the report.

Further, I understand that considerations will be made during the passage of the bill that do reflect submitters' concerns regarding the proposed eligibility date of three years. It is my hope that this will bring a sense of relief to those affected by this proposal. On that note, I am pleased to commend the bill to the House.