



# Safety, Rehabilitation and Compensation (Definition of *Employee* – War Artists and Entertainers) Notice 2015

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I, MICHAELIA CASH, Minister for Employment, make this Notice under subsection 5(6) of the *Safety, Rehabilitation and Compensation Act 1988*.

Dated 8 December 2015

MICHAELIA CASH

Minister for Employment

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## 1 Name of Notice

This Notice is the Safety, Rehabilitation and Compensation (Definition of *Employee* – War Artists and Entertainers) Notice 2015.

## 2 Commencement

This Notice commences on the day after it is registered on the Federal Register of Legislative Instruments.

## 3 Declaration

3.1 For the purposes of subsection 5(6) of the *Safety, Rehabilitation and Compensation Act 1988* (the SRC Act), I declare that persons (other than persons specified in item 3.2), who engage in the activities or perform acts specified in Column 2 of the Schedule, at the request or direction of the Commonwealth or the Commonwealth authority identified in Column 3:

- (a) shall be taken, for the purposes of the SRC Act, to be employed by the Commonwealth or the Commonwealth authority as the case may be; and

- (b) the employment of such persons shall, for the purposes of the SRC Act, be taken to be constituted by the performance by such persons of the acts or activities specified in Column 2 of the Schedule.

3.2 This declaration does not apply to:

- (a) a person who is a ‘member’ as defined under section 5 of the *Military Rehabilitation and Compensation Act 2004*; or
- (b) a person to whom a workers’ compensation law of a State, Territory or foreign country applies in respect of that person’s employment as described in item 3.1(b).

## Schedule

Item	Column 1 (Class of persons)	Column 2 (Class of acts or activities)	Column 3 (Body)
1	Persons commissioned by the Australian War Memorial to provide original works in a range of media, including still photography, cinematography, paintings, drawings and written work concerning the operations of the Australian Defence Force	Acts performed in an Australian Defence Force area of operations for the purpose of providing works as commissioned by the Australian War Memorial  <u>Note:</u> A person who is commissioned by the Australian War Memorial to provide original works in a range of media, including still photography, cinematography, paintings, drawings, and written work concerning the operations of the Australian Defence Force is taken to have acted at the direction or request of the Australian War Memorial when performing acts in an Australian Defence Force area of operations for the purposes of providing works as commissioned by the Australian War Memorial.	The Australian War Memorial <u>Note:</u> The Australian War Memorial is a Commonwealth authority.
2	Persons contracted by the Department of Defence for the purposes of providing: (a) entertainment; (b) support for entertainment referred to in paragraph (a); (c) management or technical support for entertainment referred to in paragraph (a); or (d) support for management or technical support referred to in paragraph (c)	Acts performed in the provision or support of entertainment	The Commonwealth <u>Note:</u> The Commonwealth refers to the Commonwealth as represented by the Department of Defence.