



Seafarers Rehabilitation and Compensation (Specification of Medical Examination Interval) Instrument 2019

I, KELLY O'DWYER, Minister for Jobs and Industrial Relations, make the following instrument.

Dated 7 March 2019

KELLY O'DWYER
Minister for Jobs and Industrial Relations

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1 Name

This instrument is the *Seafarers Rehabilitation and Compensation (Specification of Medical Examination Interval) Instrument 2019*.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under subsections 66(6) and 83A(9) of the *Seafarers Rehabilitation and Compensation Act 1992*.

4 Definitions

In this instrument:

Act means the *Seafarers Rehabilitation and Compensation Act 1992*.

employer means:

- (a) for the purposes of an examination under section 66 of the Act, the employer to whom the employee gives:
 - (i) notice under section 62 of the Act; or
 - (ii) the claim for compensation under section 63 of the Act; and
- (b) for the purposes of an examination under section 83A of the Act, the employer to whom the employee gives the request for a reconsideration of a determination made by the employer under subsection 78(2) of the Act.

month has the meaning given by the *Acts Interpretation Act 1901*.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in that Schedule, and any other item in that Schedule has effect according to its terms.

6 Specification

- (1) For the purposes of subsection 66(6) of the Act, an employee must not be required to undergo an examination by the same legally qualified medical practitioner nominated by the employer under section 66 of the Act more frequently than at one-month intervals.
- (2) For the purposes of subsection 83A(9) of the Act, an employee must not be required to undergo an examination by the same legally qualified medical

practitioner nominated by the employer under section 83A of the Act more frequently than at one-month intervals.

- (3) The minimum intervals specified in subsections (1) and (2) only apply if the employee undergoes the examination with the legally qualified medical practitioner nominated by the employer.

7 Application

Section 6 applies in relation to an examination that an employer may require the employee to undergo pursuant to section 66 or section 83A of the Act after the commencement of this instrument.

Schedule 1—Repeals

Seafarers Rehabilitation and Compensation Act 1992 – Seacare Authority Notice No. 1 of 1997

1 The whole of the instrument

Repeal the instrument.

Seafarers Rehabilitation and Compensation Act 1992 – Notice of Declarations and Specifications (25/05/1993)

2 Item 3

Repeal the item.