

The clear policy intent is that these particular concessions are meant to apply to ‘voluntary’ disclosures by taxpayers who save the commissioner the time and effort of conducting a formal investigation. The amendment is designed to ensure this clear policy intent is met. There is a further unintended consequence flowing from the current wording of the act whereby a taxpayer who lodges an electronic return but who does not actually pay the associated tax owing benefits from a penalty reduction. This too is to be restricted to instances where both the return is lodged and payment is made.

I commend the bill to the house.

16:02 **Debate adjourned on motion of Mr WELLS (Scoresby).**

**Debate adjourned until Wednesday, 6 June.**

**ACCIDENT COMPENSATION AMENDMENT BILL**



*Statement of compatibility*

**Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Accident Compensation Amendment Bill 2007.

In my opinion, the Accident Compensation Amendment Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

**Overview of bill**

The primary objective of the bill is to continue a soundly administered and fully funded workers compensation scheme in line with the government’s policy.

In particular, refinements are being made to the Accident Compensation Act 1985 to:

- ensure the VWA can enforce compliance with all obligations by scheme swappers;
- remove any uncertainty about provisions relating to financial (bank) guarantees; and
- remove a discretion that existing self-insurers have in relation to tail claims and mandate that they hand back the management of such claims to the VWA before exiting to Comcare.

**Human rights issues**

**1. Human rights protected by the charter that are relevant to the bill**

The bill does not raise any human rights issues.

**2. Consideration of reasonable limitations — section 7(2)**

As the bill does not raise any human rights issues, it does not limit any human right and therefore it is not necessary to consider section 7(2) of the charter.

**Conclusion**

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise human rights issues.

TIM HOLDING, MP  
Minister for Finance, WorkCover and the Transport Accident Commission

*Second reading*

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

That this bill be now read a second time.

The bill before the house today seeks to reinforce and give proper effect to legislative provisions first adopted in 2005.

In early 2005, the Bracks Labor government moved to protect Victorian workers, employers and the WorkCover scheme from the adverse impacts of the commonwealth government’s incursion into workers compensation through the opening up of self-insurance arrangements in the Comcare scheme.

In doing so, the government sought to ensure that the financial burden of managing the ‘tail’ claims of those large employers exiting the WorkCover scheme did not fall on those employers, many of them small businesses, left behind.

At the same time, the government enacted laws to protect the injured workers of those large employers exiting the Victorian scheme for Comcare to ensure that those proposing to leave the scheme did not drop the ball on assisting their workers return to safe, suitable and durable employment.

The legislation introduced in 2005 was sound and effective in protecting the interests of Victorian workers and employers, and the finances of the Victorian WorkCover scheme.

However, it has become apparent in recent times that there are a number of issues in the 2005 provisions which, if not addressed, could result in increasing non-compliance with existing requirements and, as a