



New South Wales

Workers Compensation Amendment (Wages Threshold Amount) Regulation 2014

under the

Workers Compensation Act 1987

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Workers Compensation Act 1987*.

DOMINIC PERROTTET, MP
Minister for Finance and Services

Explanatory note

The objects of this Regulation are:

- (a) to provide that, in relation to a policy of insurance issued at or after 4 pm on 30 June 2014, if the total wages payable to workers employed by the members of a group do not exceed \$750,000 (rather than \$600,000) the provisions of Division 2A of Part 7 of the *Workers Compensation Act 1987* do not apply to the members of the group, and
- (b) to provide that the period for giving a declaration of actual wages paid is extended for all medium and large employers from 2 months to 4 months after the end of the relevant period of insurance in relation to a policy of insurance issued at or after 4 pm on 30 June 2014, and
- (c) to provide that if an employer has elected to pay an insurance premium by instalments in accordance with clause 169 or 171 of the *Workers Compensation Regulation 2010* in relation to a policy of insurance issued at or after 4 pm on 30 June 2014 and the premium adjustment amount under those clauses is more than \$1,000, the employer may pay the premium adjustment amount in 3 monthly instalments.

This Regulation is made under the *Workers Compensation Act 1987*, including sections 171 and 280 (the general regulation-making power).

Workers Compensation Amendment (Wages Threshold Amount) Regulation 2014

under the

Workers Compensation Act 1987

1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Wages Threshold Amount) Regulation 2014*.

2 Commencement

This Regulation commences at 4 pm on 30 June 2014 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Workers Compensation Regulation 2010

[1] Clause 61 Employers excluded from grouping provisions: section 175D of the 1987 Act

Insert after heading:

- (1) For the purposes of section 175D (2) (c) (ii) of the 1987 Act, the amount of \$750,000 is prescribed in relation to a policy of insurance issued at or after 4 pm on 30 June 2014.

[2] Clause 61

Omit “The following”. Insert instead “(2) The following”.

[3] Clause 147 Employer to supply insurer with return relating to wages—standard policies

Omit clause 147 (2).

[4] Clause 147 (3)

Omit “A small”. Insert instead “An”.

[5] Clause 147 (3A)

Insert after clause 147 (3):

- (3A) However, subclause (3) applies in relation to a policy of insurance issued to an employer (other than a small employer) before 4 pm on 30 June 2014 as if the reference in that subclause to 4 months were a reference to 2 months.

[6] Clause 169 Number, size and times for payment of instalments

Omit all words under Adjustment of Premium in clause 169 (1). Insert instead:

Payment to be made:

- (a) within 1 month after service on the employer of a notice that such an adjustment is due, or
- (b) within 3 months after service of the notice and in approximately equal monthly instalments as set out in the notice if:
- (i) the amount of the adjustment is more than \$1,000, and
- (ii) the employer elects to pay the amount by monthly instalments, and
- (iii) the policy to which the notice relates was issued at or after 4 pm on 30 June 2014.

The amount of such an adjustment is the amount by which the actual premium payable for a policy exceeds the amounts already paid by way of instalments (including the required instalments deposit).

[7] Clause 171 Number, size and times for payment of instalments

Omit all words under Adjustment of Premium in clause 171 (1). Insert instead:

Payment to be made:

- (a) within 1 month after service on the employer of a notice that such an adjustment is due, or

- (b) within 3 months after service of the notice and in approximately equal monthly instalments as set out in the notice if:
 - (i) the amount of the adjustment is more than \$1,000, and
 - (ii) the employer elects to pay the amount by monthly instalments, and
 - (iii) the policy to which the notice relates was issued at or after 4 pm on 30 June 2014.

The amount of such an adjustment is the amount by which the actual premium payable for a policy exceeds the amounts already paid by way of instalments (including the required instalments deposit).