



New South Wales

Workers Compensation Amendment (Costs of Claims) Regulation 2015

under the

Workers Compensation Act 1987

His Excellency the 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, Services and Property

Explanatory note

The object of this Regulation is to enable the method of determining the cost of individual claims for compensation, for the purposes of insurance policy premium calculations, to be specified in the insurance premiums order governing the insurance policy.

The regulation also makes other minor and law revision changes related to the calculation of costs of those claims.

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

Workers Compensation Amendment (Costs of Claims) Regulation 2015

under the

Workers Compensation Act 1987

1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Costs of Claims) Regulation 2015*.

2 Commencement

This Regulation commences at 4 pm on 30 June 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Workers Compensation Regulation 2010

[1] Clause 152 Definitions

Omit “the total of the following costs” from clause 152 (1).

[2] Clause 152 (1) (a)

Omit “a policy (other than a retro-paid loss premium policy)”.

Insert instead “a policy issued or renewed so as to take effect before 4 pm on 30 June 2015 (other than a retro-paid loss premium policy)—the total of the following costs”.

[3] Clause 152 (1) (a1)

Insert after clause 152 (1) (a):

- (a1) in relation to an injury year related to, or a period of insurance for, a policy issued or renewed so as to take effect on or after 4 pm on 30 June 2015 (other than a retro-paid loss premium policy)—the amount calculated in accordance with the relevant insurance premiums order that applies to the policy concerned, and

[4] Clause 152 (1) (b)

Insert “—the total of the following costs” after “retro-paid loss premium policy”.

[5] Clause 152 (1)

Omit “clause 169 (5) and (7)”.

Insert instead “clause 154 (5)–(7) or the relevant insurance premiums order (as appropriate)”.

[6] Clause 153 Prevention of double allowance for provisional compensation payments

Omit “If” from clause 153 (2).

Insert instead “For the purposes of paragraphs (a) and (b) of the definition of *cost of claims* in clause 152 (1), if”.

[7] Clause 154 Cost of an individual claim

Omit “this Part” from clause 154 (1).

Insert instead “paragraphs (a) and (b) of the definition of *cost of claims* in clause 152 (1)”.

[8] Clause 154, Table

Omit “30 June 1995 or 30 June of any subsequent year”.

Insert instead “30 June 1995 or 30 June of the years 1996 to 2014”.

[9] Clause 154, Table

Insert at the end of the Table:

30 June 2015 or 30 June of any subsequent year	The amount specified in the relevant insurance premiums order that applies to the policy concerned
------------------------------------------------	----------------------------------------------------------------------------------------------------

[10] Clause 155 Cost of provisional payments of compensation

Omit “this Part” from clause 155 (1).

Insert instead “paragraphs (a) and (b) of the definition of *cost of claims* in clause 152 (1)”.

[11] Clause 156 Certificates relating to cost of claims

Omit “2 last injury years” from clause 156 (1). Insert instead “last 3 injury years”.

[12] Clause 159 Employers who were previously self-insurers

Omit “last 2 injury years” from clause 159 (1) (b). Insert instead “last 3 injury years”.

[13] Clause 161 Applications

Omit “a approved form”. Insert instead “an approved form”.

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

Omit “\$300” from clause 171 (3) (b). Insert instead “\$500”.

[15] Clause 179 Additional records to be kept by employers

Omit “, the number of bouts for boxers and wrestlers and the number of games for football players” from clause 179 (a).

Insert instead “and the number of bouts for boxers and wrestlers”.

[16] Clause 179 (c)

Omit “Department of Education and Training”. Insert instead “Department of Education”.