

Workers Compensation (Indexation) Order 2023

under the

Workers Compensation Act 1987

I, the chief executive of the State Insurance Regulatory Authority, make the following Order under the Workers Compensation Act 1987, section 79, definition of **latest index number**, paragraph (b) and sections 82(1), 82A(4) and 82BA(3).

Dated, 27 February 2023.



ADAM DENT

Chief executive, State Insurance Regulatory Authority

Explanatory note

This Order declares:

(a) in relation to the adjustment date of 1 April 2023—

- (i) the latest index number, and
- (ii) the amount that each adjustable amount is to be construed, and

(b) in relation to the review date of 1 April 2023—

- (i) the number that equates to the factor $\frac{CIB}{CIB}$ for the variation of a weekly payment, and
- (ii) the amount that is to apply as the amount specified under section 38A of the *Workers Compensation Act 1987*

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1 Name of Order

This Order is the *Workers Compensation (Indexation) Order 2023*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

3 Definitions

The *Workers Compensation Act 1987*, the *Workplace Injury Management and Workers Compensation Act 1998* and the *Interpretation Act 1987* contain definitions and other provisions that are adopted for the interpretation and application of this Order.

4 Meaning of “latest index number”

For the purposes of paragraph (b) of the definition of **latest index number** in section 79 of the 1987 Act, 313.3 is declared to be the latest index number in respect of the adjustment date of 1 April 2023.

5 Adjustable amounts—Workers Compensation Acts

For the purposes of section 82 (1) of the 1987 Act, the adjusted amount specified in Column 2 of the Table to this clause in respect of an adjustable amount is declared to be the amount at which the adjustable amount is to be construed on and from the adjustment date of 1 April 2023 until immediately before the next following adjustment date.

Table

Column 1	Column 2
Adjustable amount	Adjusted amount
\$750,000 (section 25(1)(a) of the 1987 Act)	\$891,100
\$66.60 (section 25(1)(b) of the 1987 Act)	\$159.50
\$425,000 (section 25(1)(a) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Amendment Act 2015</i>)	\$627,800
\$1,838.70 (section 34(1) of the 1987 Act)	\$2,395.30
\$1,000 (section 35(1) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$2,395.30
\$235.20 (section 37(1)(a)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$563.40
\$187.10 (section 37(1)(a)(ii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$448.20
\$170 (section 37(1)(a)(iii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$407.20
\$153 (section 37(1)(a)(iii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$366.50

\$62 (section 37(1)(b) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$148.50
\$44.30 (section 37(1)(c)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$106.10
\$99.10 (section 37(1)(c)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$237.40
\$164.16 (section 37(1)(c)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$393.20
\$230.90 (section 37(1)(c)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$553.10
\$66.60 (section 37(1)(c)(i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$159.50
\$1,000 (section 40(2A)(a) and (b) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	\$2,395.30
\$76,700 (clause 2(2) of Part 3 of Schedule 6 to the 1987 Act)	\$183,750
\$38.30 (clause 2(3)(b) of Part 3 of Schedule 6 to the 1987 Act)	\$91.70
\$44.80 (clause 4(1)(b)(i) of Part 4 of Schedule 6 to the 1987 Act)	\$107.30
\$22.50 (clause 4(1)(b)(ii) of Part 4 of Schedule 6 to the 1987 Act)	\$53.90
\$196 (clause 4A(2)(a) of Part 4 of Schedule 6 to the 1987 Act)	\$469.50
\$155.90 (clause 4A(2)(b) of Part 4 of Schedule 6 to the 1987 Act)	\$373.40
\$141.60 (clause 4A(2)(c) of Part 4 of Schedule 6 to the 1987 Act)	\$339.20
\$127.50 (clause 4A(2)(c) of Part 4 of Schedule 6 to the 1987 Act)	\$305.40
\$341.30 (clause 7(2)(a) of Part 4 of Schedule 6 to the 1987 Act)	\$817.50
\$906.25 (clause 2 of Part 19H of Schedule 6 to the 1987 Act)	\$1,180.60
\$7,500 (section 297(2) of the 1998 Act)	\$10,328.60

6 Adjustable amounts—*Workers' Compensation (Dust Diseases) Act 1942*

For the purposes of section 82(1) of the 1987 Act (as applied by section 8(3)(d) of the *Workers' Compensation (Dust Diseases) Act 1942*), the adjusted amount specified in Column 2 of the Table to this clause in respect of an adjustable amount is declared to be the amount at which the adjustable amount is to be construed on and from the adjustment date of 1 April 2023 until immediately before the next following adjustment date.

Table

Column 1	Column 2
Adjustable amount	Adjusted amount
\$311,050 (section 8(2B)(b)(i)(C) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	\$398,750
\$137.30 (section 8(2B)(b)(ii) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	\$328.90
\$69.40 (section 8(2B)(b)(iii) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	\$166.20

7 Variation of weekly payments

For the purposes of section 82A(4) of the 1987 Act, 1.0414 is declared to be the number that equates to the factor $\frac{C}{B}$ for the purposes of the variation of a weekly payment required for the review date of 1 April 2023.

Note 1—

The number equating to the factor $\frac{C}{B}$ has been rounded to 4 decimal places.

8 Indexation—compensation amount for workers with highest needs: section 82BA

For the purposes of section 82BA of the 1987 Act, \$955 is declared to be the amount that is to apply as the amount specified in section 38A of the 1987 Act as varied on the review date of 1 April 2023.