

WORKERS' COMPENSATION AND REHABILITATION ACT 1981

VARIATIONS IN PRESCRIBED AMOUNT AND OTHER WORKERS' COMPENSATION PAYMENTS

EFFECTIVE 1 JULY 1996

In March 1996, the index of weighted average minimum weekly award rates for adult males in Western Australia was 142.3 compared with 140 in March 1995, an increase of 2.3 index points, or 1.642857 percent.

In accordance with Part 1, section 5 of the Act, that percentage was calculated and added to the existing Prescribed Amount of \$102,041 to give a new Prescribed Amount of **\$103,717.00** effective from 1 July 1996.

The consequential adjustments to other payments, also effective from 1 July 1996 unless otherwise stated are as follows:

ITEM	PERCENTAGE OF "PRESCRIBED AMOUNT"	AMOUNT
<u>Maximum Payment</u> ¹	100%	\$103,717.00
<u>Death</u>		
(a) Where dependants wholly dependent	100% of the "notional residual entitlement"	
(b) Dependent children ²		\$29.60 per week
(c) Minimum	A sum equal to the aggregate weekly payments for total incapacity of the worker at a rate calculated and varied in accordance with Schedule 1 as at the date of death for a period of one year thereafter.	
(d) Where no dependants	Reasonable expenses of medical attendance and funeral expenses.	
<u>Medical and Hospital Expenses</u> ³	30%	\$31,115.10
<u>Vocational Rehabilitation Expenses</u>	7%	\$ 7,260.19

¹ An additional amount of no more than \$50,000 may be ordered where a worker suffers permanent total incapacity and his/her social and financial circumstances justify it.

² Weekly payment made through WorkCover WA.

³ An additional amount of no more than \$50,000 may be ordered where the worker's social and financial circumstances justify it.

WEEKLY PAYMENTS

Weekly earnings as defined in Schedule 1 of the Act. For the purposes of clause 11A, full time adult average weekly total earnings in Western Australia in February 1996: \$728.40.

PRESCRIBED ALLOWANCES

ITEM	AMOUNT	DATE EFFECTIVE
<u>Funeral Expenses</u> (clause 4 or 17(2))	\$ 4,000.00	23 August 1994
<u>Wheeled chair or similar appliance</u> (clause 17(4))	\$ 7,000.00	23 August 1994
<u>Board and Lodging</u> Per Day (clause 15)	\$ 90.00	23 August 1994
<u>Meals and Lodging</u> Per Day (clause 19)	\$ 70.00	23 August 1994

SCHEDULE 2
(Interpretation: see section 31 of the Act)

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1.7.96
		%	\$
<u>EYES</u>			
1.	Total loss of sight of both eyes	100	103,717.00
2.	Total loss of sight of an only eye	100	103,717.00
3.	Total loss of sight of one eye	50	51,858.50
4.	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	77,787.75
5.	Loss of binocular vision	50	51,858.50
<u>HEARING</u>			
6.	Total loss of hearing	75	77,787.75
<u>SPEECH</u>			
7.	Total loss of power of speech	75	77,787.75
<u>BODY AND MENTAL</u>			
8.	Permanent and incurable loss of mental capacity resulting in total inability to work	100	103,717.00
9.	Total and incurable paralysis of the limbs or of mental powers	100	103,717.00

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1.7.96
		%	\$
<u>SENSORY</u>			
10.	Total loss of sense of taste and smell	50	51,858.50
11.	Total loss of taste	25	25,929.25
12.	Total loss of smell	25	25,929.25
<u>ARM</u>			
13.	Loss of arm at or above elbow	90	93,345.30
14.	Loss of arm below elbow	80	82,973.60
<u>HAND</u>			
15.	Loss of both hands	100	103,717.00
16.	Loss of a hand and foot	100	103,717.00
17.	Loss of hand or thumb and four fingers	80	82,973.60
18.	Loss of thumb	35	36,300.95
19.	Loss of forefinger	17	17,631.89
20.	Loss of middle finger	13	13,483.21
21.	Loss of ring finger	9	9,334.53
22.	Loss of little finger	6	6,223.02
23.	Total loss of movement of joint of thumb	17	17,631.89
24.	Total loss of distal phalanx of thumb	20	20,743.40
25.	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	15,557.55
26.	Total loss of distal phalanx of forefinger	10	10,371.70
27.	Total loss of distal phalanx of:		
	• middle finger	8	8,297.36
	• ring finger	6	6,223.02
	• little finger	4	4,148.68

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1.7.96
		%	\$
<u>LEG</u>			
28.	Loss of leg at or above knee	70	72,601.90
29.	Loss of leg below knee	65	67,416.05
<u>FEET</u>			
30.	Loss of both feet	100	103,717.00
31.	Loss of foot	65	67,416.05
32.	Loss of great toe	20	20,743.40
33.	Loss of any other toe	8	8,297.36
34.	Loss of two phalanges of any other toe	5	5,185.85
35.	Loss of phalanx of great toe	8	8,297.36
36.	Loss of phalanx of any other toe	4	4148.68
<u>BACK, NECK AND PELVIS</u>			
36A.	Permanent loss of the full efficient use of the back (including thoracic and lumbar spine)	60	62,230.20
36B.	Permanent loss of the full efficient use of the neck (including cervical spine)	40	41,486.80
36C.	Permanent loss of the full efficient use of the pelvis	15	15,557.55
<u>MISCELLANEOUS</u>			
37.	Loss of genitals	50	51,858.50
38.	Severe facial scarring or disfigurement to a maximum of	80	82,973.60
39.	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	51,858.50

SCHEDULE 5

In accordance with clause 1 of the Schedule, the existing Redemption Amount of \$33,992.00 was increased by 1.642857% to **\$34,550.00** with effect from 1 July 1996.

In accordance with Regulation 17A of the Workers' Compensation and Rehabilitation Regulations 1982 - 94, the Supplementary Amount referred to in clause 1 of the Schedule remains as follows;

- (a) in relation to a worker with a dependent spouse, the sum of **\$82.00**;
- (b) in relation to a worker without a dependent spouse, the sum of **\$47.00**;

N.B. It is expected these figures will be adjusted during 1996-97.

SECTION 93A - COMMON LAW

"Amount A" means, for the financial year ending on 30 June 1997, the amount of **\$207,000.00**.

"Amount B" means, for the financial year ending on 30 June 1997, the amount of **\$5,000.00**.

H T NEESHAM
EXECUTIVE DIRECTOR
WORKCOVER WA

10 June 1996