

## Variations in Prescribed Amount and other Workers' Compensation Payments

### Effective 1 July 2008

For the financial year beginning 1 July 2008, the prescribed amount has been indexed by varying the amount for the previous financial year by the percentage yearly variation in the Australian Bureau of Statistics (ABS) Labour Price Index ordinary time hourly rates of pay (excluding bonuses) for Western Australia, varied between the second last December quarter before the financial year commenced, and the last December quarter before the financial year commenced.

The consequential adjustments to other payments, also effective from 1 July 2008, unless otherwise stated, are as follows:

Item	Percentage of prescribed amount	Amount
<b>Maximum Payment<sup>1</sup></b>	100%	\$168,499.00
<b>Death</b>		
(a) Notional Residual Entitlement Amount (NRE Amount)		\$230,992.00
(b) Where wholly dependent	100% of the "notional residual entitlement".	
(c) Child's Allowance <sup>2</sup>		\$44.20
(d) 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.	
(e) Where no dependants	Reasonable expenses of medical attendance and funeral expenses.	
<b>Medical and Hospital Expenses<sup>3</sup></b>	30%	\$50,550.00
<b>Vocational Rehabilitation Expenses</b>	7%	\$11,795.00

<sup>1</sup> An amount of no more than 75% of the Prescribed Amount may be ordered where a worker suffers permanent total incapacity and his/her social and financial circumstances justify it.

<sup>2</sup> Weekly payment made through WorkCover WA.

<sup>3</sup> An additional amount of up to \$50,000 may be ordered by an arbitrator where a worker's social and financial circumstances justify it. An additional amount of up to \$250,000, beyond the \$50,000, may be ordered by an arbitrator in the circumstances described in Schedule 1, clause 18A(2aa) of the *Workers' Compensation and Injury Management Act 1981* (the Act).

### *Weekly payments*

Weekly earnings as defined in Schedule 1 of the Act. For the purposes of sub-clause 11(2) of Schedule 1, "Amount C" is obtained by multiplying by 2.0 the average of the amounts that the Australian Statistician published as the all employees average weekly total earnings in Western Australia for pay periods ending in the months of May, August, November and February preceding the financial year.

"Amount C for the period 1 July 2008 to 30 June 2009 is **\$1,904.40**

### *Prescribed allowances*

<b>Item</b>	<b>Amount</b>	<b>Date effective</b>
Funeral Expenses (clause 4 or 17(2))	\$8,149.00	July 1, 2008
*Wheeled chair or similar appliance (clause 17(4))	\$9,715.00	July 1, 2008
*Board and Lodging Per Day (clause 15)	\$126.00	July 1, 2008
*Meals and Lodging Per Day (clause 19)	\$97.00	July 1, 2008
*Vehicle Running Expenses Per km (Regulation 17AA)	\$0.39	July 1, 2008

\*Indexed annually according to movements in the Consumer Price Index.

### *Specialised retraining programs*

<b>Item</b>	<b>Percentage of prescribed amount</b>	<b>Amount</b>
Specialised Retraining Program (Effective from 14 November 2005) Conditions apply.	75%	\$126,374.00

## Schedule 2 - Table of Compensation Payable

### Part 1

#### Important - please note the following

The rates specified in Part 1 of this Schedule apply to subsequent injuries which occur between 1 July 2008 and 30 June 2009 to the same part or faculty of the body for which a Schedule 2 payment has previously been paid, and where the initial injury occurred before 14 November 2005.

Refer

*Part III, Division 2 of the Workers' Compensation and Injury Management Act 1981*

#### Schedule 2 - Table of Compensation Payable - Part 1

Item	Nature of injury	Percentage of prescribed amount	Rate 1/7/08-30/6/09
<b>Eyes</b>			
1	Total loss of sight of both eyes	100	\$168,499.00
2	Total loss of sight of an only eye	100	\$168,499.00
3	Total loss of sight of one eye	50	\$84,250.00
4	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	\$126,374.00
5	Loss of binocular vision	50	\$84,250.00
<b>Hearing</b>			
6	Total loss of hearing	75	\$126,374.00
<b>Speech</b>			
7	Total loss of power of speech	75	\$126,374.00
<b>Body and mental</b>			
8	Permanent and incurable loss of mental capacity resulting in total inability to work.	100	\$168,499.00
9	Total and incurable paralysis of the limbs or of mental powers.	100	\$168,499.00

## Schedule 2 - Table of Compensation Payable - Part 1

Item	Nature of injury	Percentage of prescribed amount	Rate 1/7/08-30/6/09
<b>Sensory</b>			
10	Total loss of sense of taste and smell	50	\$84,250.00
11	Total loss of taste	25	\$42,125.00
12	Total loss of smell	25	\$42,125.00
<b>Arm</b>			
13	Loss of arm at or above elbow	90	\$151,649.00
14	Loss of arm below elbow	80	\$134,799.00
<b>Hand</b>			
15	Loss of both hands	100	\$168,499.00
16	Loss of a hand and foot	100	\$168,499.00
17	Loss of hand or thumb and 4 fingers	80	\$134,799.00
18	Loss of thumb	35	\$58,975.00
19	Loss of forefinger	17	\$28,645.00
20	Loss of middle finger	13	\$21,905.00
21	Loss of ring finger	9	\$15,165.00
22	Loss of little finger	6	\$10,110.00
23	Total loss of movement of joint of thumb	17	\$28,645.00
24	Total loss of distal phalanx of thumb	20	\$33,700.00
25	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	\$25,275.00
26	Total loss of distal phalanx of forefinger	10	\$16,850.00
27	Total loss of distal phalanx of:		
	(a) middle finger	8	\$13,480.00
	(b) ring finger	6	\$10,110.00
	(c) little finger	4	\$6,740.00

## Schedule 2 - Table of Compensation Payable - Part 1

Item	Nature of injury	Percentage of prescribed amount	Rate 1/7/08-30/6/09
27A	Total loss of distal phalanx of each finger of the same hand (not including the thumb) in one accident	31	\$52,235.00
	<b>Leg</b>		
28	Loss of leg at or above knee	70	\$117,949.00
29	Loss of leg below knee	65	\$109,524.00
	<b>Feet</b>		
30	Loss of both feet	100	\$168,499.00
31	Loss of foot	65	\$109,524.00
32	Loss of great toe	20	\$33,700.00
33	Loss of any other toe	8	\$13,480.00
34	Loss of two phalanges of any other toe	5	\$8,425.00
35	Loss of phalanx of great toe	8	\$13,480.00
36	Loss of phalanx of any other toe	4	\$6,740.00
	<b>Back, neck and pelvis</b>		
36A	Permanent loss of the full efficient use of the back (including thoracic and lumbar spine)	60	\$101,099.00
36B	Permanent loss of the full efficient use of the neck (including cervical spine)	40	\$67,400.00
36C	Permanent loss of the full efficient use of the pelvis	15	\$25,275.00
	<b>Miscellaneous</b>		
37	Loss of genitals	50	\$84,250.00
38	Severe facial scarring or disfigurement to a maximum of	80	\$134,799.00
39	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	\$84,250.00

## Schedule 2 - Table of Compensation Payable

### Part 2

#### Important - please note the following

The rates specified in Part 2 of this Schedule apply to:

- (1) injuries which occur between 1 July 2008 and 30 June 2009, or  
 (2) subsequent injuries to the same part or faculty of the body for which a Schedule 2 payment has previously been paid, and where the initial injury occurred on or after 14 November 2005.

Refer:

Part III Division 2A of the *Workers' Compensation and Injury Management Act 1981*

*WorkCover WA Guides for the Evaluation of Permanent Impairment, Second Edition*, published in a *Special Government Gazette* (No.210, p.85) on Tuesday, 9 October 2007

#### Schedule 2 - Table of Compensation Payable - Part 2

Item	Nature of injury or impairment	Percentage of prescribed amount	Rate 1/7/08-30/6/09
<b>Eyes</b>			
40	Impairment of sight of both eyes	100	\$168,499.00
41	Impairment of sight of an only eye	100	\$168,499.00
42	Impairment of sight of one eye	50	\$84,250.00
43	Impairment of binocular vision	50	\$84,250.00
<b>Hearing</b>			
44	Impairment of hearing	75	\$126,374.00
<b>Speech</b>			
45	Impairment of power of speech	75	\$126,374.00
<b>Body and mental</b>			
46	Impairment of mental capacity	100	\$168,499.00
47	Impairment of spinal cord function	100	\$168,499.00

**Schedule 2 - Table of Compensation Payable - Part 2**

<b>Item</b>	<b>Nature of injury or impairment</b>	<b>Percentage of prescribed amount</b>	<b>Rate 1/7/08-30/6/09</b>
	<b>Sensory</b>		
48	Impairment of sense of taste and smell	50	\$84,250.00
49	Impairment of sense of taste	25	\$42,125.00
50	Impairment of sense of smell	25	\$42,125.00
	<b>Arm</b>		
51	Impairment of arm at or above elbow	90	\$151,649.00
52	Impairment of arm below elbow	80	\$134,799.00
	<b>Hand</b>		
53	Impairment of both hands	100	\$168,499.00
54	Impairment of hand and foot	100	\$168,499.00
55	Impairment of hand or thumb and 4 fingers	80	\$134,799.00
56	Impairment of thumb	35	\$58,975.00
57	Impairment of forefinger	17	\$28,645.00
58	Impairment of middle finger	13	\$21,905.00
59	Impairment of ring finger	9	\$15,165.00
60	Impairment of little finger	6	\$10,110.00
61	Impairment of movement of joint of thumb	17	\$28,645.00
62	Impairment of distal phalanx of thumb	20	\$33,700.00
63	Impairment of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	\$25,275.00
64	Impairment of distal phalanx of forefinger	10	\$16,850.00
65	Impairment of distal phalanx of:		
	(a) middle finger	8	\$13,480.00
	(b) ring finger	6	\$10,110.00
	(c) little finger	4	\$6,740.00
66	Impairment of distal phalanx of each finger of the same hand (not including the thumb) in one accident	31	\$52,235.00

## Schedule 2 - Table of Compensation Payable - Part 2

Item	Nature of injury or impairment	Percentage of prescribed amount	Rate 1/7/08-30/6/09
<b>Leg</b>			
67	Impairment of leg at or above knee	70	\$117,949.00
68	Impairment of leg below knee	65	\$109,524.00
<b>Feet</b>			
69	Impairment of both feet	100	\$168,499.00
70	Impairment of foot	65	\$109,524.00
71	Impairment of great toe	20	\$33,700.00
72	Impairment of any other toe	8	\$13,480.00
73	Impairment of 2 phalanges of any other toe	5	\$8,425.00
74	Impairment of phalanx of great toe	8	\$13,480.00
75	Impairment of phalanx of any other toe	4	\$6,740.00
<b>Back, neck and pelvis</b>			
76	Impairment of the back (thoracic spine or lumbar spine or both)	75	\$126,374.00
77	Impairment of the neck (including cervical spine)	55	\$92,674.00
78	Impairment of the pelvis	30	\$50,550.00
<b>Miscellaneous</b>			
79	Impairment of genitals	50	\$84,250.00
80	Impairment from facial scarring or disfigurement	80	\$134,799.00
81	Impairment from bodily, other than facial, scarring or disfigurement	50	\$84,250.00
82	<b>AIDS</b>	100	\$168,499.00

## **Schedule 5**

In accordance with clause 1 of Schedule 5, the Redemption Amount from 1 July is **\$51,700.00**

In accordance with Regulation 17A of the *Workers' Compensation and Injury Management Regulations 1982*, the Supplementary Amount referred to in clause 1 of the Schedule is indexed annually in accordance with the Consumer Price Index and is increased:

- (a) in relation to a worker with a dependant spouse, from the sum of \$228.00 to \$237.80;
- (b) in relation to a worker without a dependant spouse, from the sum of \$128.00 to \$133.50

## **Section 93F and 93K - Common law**

"Amount A" in section 93F and section 93K means,  
for the period ending on 30 June 2009, the amount of **\$353,850.00**

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**13 June 2008**