

# WORKERS' COMPENSATION AND REHABILITATION ACT 1981-93

## VARIATIONS IN PRESCRIBED AMOUNT AND OTHER WORKERS' COMPENSATION PAYMENTS

**EFFECTIVE 1ST JULY 1994**

In March 1994, the index of weighted average minimum weekly award rates for adult males in Western Australia was 138.2 compared with 137.2 in March 1993, an increase of 1 index point, or 0.72886 percent.

In accordance with Part I, section 5 of the Act, that percentage was calculated and added to the existing Prescribed Amount of \$100,000 to give a new Prescribed Amount of **\$100,729.00** effective July 1, 1994.

The consequential adjustments to other payments, also effective July 1, 1994 unless otherwise stated are as follows:

ITEM	PERCENTAGE OF "PRESCRIBED AMOUNT"	AMOUNT
<u>Maximum Payment</u> <sup>1</sup>	100%	\$100,729.00
<u>Death</u>		
(a) Where dependants wholly dependent	100% of the "notional residual entitlement"	
(b) Dependent children <sup>2</sup>		\$28.70 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> <sup>3</sup>	30%	\$30,218.70
<u>Vocational Rehabilitation Expenses</u>	7%	\$ 7,051.03

### WEEKLY PAYMENTS

Weekly earnings as defined in Schedule 1 of the Act. (Full time adult average weekly total earnings in Western Australia in February 1994 was \$644.40).

**PRESCRIBED ALLOWANCES**

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

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

**SCHEDULE 2**

(Interpretation: see section 31 of the Act)

<b>ITEM</b>	<b>NATURE OF INJURY</b>	<b>PERCENTAGE OF "PRESCRIBED AMOUNT"</b>	<b>RATE AS AT 1.7.94</b>
		%	\$
<u>EYES</u>			
1.	Total loss of sight of both eyes	100	100,729.00
2.	Total loss of sight of an only eye	100	100,729.00
3.	Total loss of sight of one eye	50	50,364.50
4.	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	75,546.75
5.	Loss of binocular vision	50	50,364.50
<u>HEARING</u>			
6.	Total loss of hearing	75	75,546.75
<u>SPEECH</u>			
7.	Total loss of power of speech	75	75,546.75
<u>BODY AND MENTAL</u>			
8.	Permanent and incurable loss of mental capacity resulting in total inability to work	100	100,729.00
9.	Total and incurable paralysis of the limbs or of mental powers	100	100,729.00

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1.7.94
		%	\$
<u>SENSORY</u>			
10.	Total loss of sense of taste and smell	50	50,364.50
11.	Total loss of taste	25	25,182.25
12.	Total loss of smell	25	25,182.25
<u>ARM</u>			
13.	Loss of arm at or above elbow	90	90,656.10
14.	Loss of arm below elbow	80	80,583.20
<u>HAND</u>			
15.	Loss of both hands	100	100,729.00
16.	Loss of a hand and foot	100	100,729.00
17.	Loss of hand or thumb and four fingers	80	80,583.20
18.	Loss of thumb	35	35,255.15
19.	Loss of forefinger	17	17,123.93
20.	Loss of middle finger	13	13,094.77
21.	Loss of ring finger	9	9,065.61
22.	Loss of little finger	6	6,043.74
23.	Total loss of movement of joint of thumb	17	17,123.93
24.	Total loss of distal phalanx of thumb	20	20,145.80
25.	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	15,109.35
26.	Total loss of distal phalanx of forefinger	10	10,072.90
27.	Total loss of distal phalanx of:		
	• middle finger	8	8,058.32
	• ring finger	6	6,043.74
	• little finger	4	4,029.16

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1.7.94
		%	\$
<u>LEG</u>			
28.	Loss of leg at or above knee	70	70,510.30
29.	Loss of leg below knee	65	65,473.85
<u>FEET</u>			
30.	Loss of both feet	100	100,729.00
31.	Loss of foot	65	65,473.85
32.	Loss of great toe	20	20,145.80
33.	Loss of any other toe	8	8,058.32
34.	Loss of two phalanges of any other toe	5	5,036.45
35.	Loss of phalanx of great toe	8	8,058.32
36.	Loss of phalanx of any other toe	4	4,029.16
<u>BACK, NECK AND PELVIS</u>			
36A.	Permanent loss of the full efficient use of the back (including thoracic and lumbar spine)	60	60,437.40
36B.	Permanent loss of the full efficient use of the neck (including cervical spine)	40	40,291.60
36C.	Permanent loss of the full efficient use of the pelvis	15	15,109.35
<u>MISCELLANEOUS</u>			
37.	Loss of genitals	50	50,364.50
38.	Severe facial scarring or disfigurement to a maximum of	80	80,583.20
39.	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	50,364.50

## SCHEDULE 5

In accordance with Clause 1 of the Schedule, the Redemption Amount was increased to **\$33,555.00** with effect from 1 July 1994.

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 was increased -

- (a) in relation to a worker with a dependent spouse, to the sum of **\$78.00** with effect from 23 August 1994;
- (b) in relation to a worker without a dependent spouse, to the sum of **\$45.00** with effect from 23 August 1994.

### SECTION 93A - COMMON LAW

"Amount A" means, for the financial year ending on 30 June 1995, the amount of **\$201,000.00**.

"Amount B" means, for the financial year ending on 30 June 1995, the amount of **\$5,000.00**.

H T NEESHAM  
EXECUTIVE DIRECTOR  
WORKERS' COMPENSATION AND  
REHABILITATION COMMISSION

24 August 1994