

# WORKERS' COMPENSATION AND REHABILITATION ACT 1981

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

EFFECTIVE 1 JULY 2000

For the financial year beginning 1 July 2000, 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) Wage Cost 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 2000, unless otherwise stated, are as follows:

ITEM	PERCENTAGE OF "PRESCRIBED AMOUNT"	AMOUNT
<u>Maximum Payment</u> <sup>1</sup>	100%	\$122,139.00
<u>Death</u>		
(a) Where dependants wholly dependent	100% of the "notional residual entitlement"	
(b) Dependent children <sup>2</sup>		\$32.10 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%	\$36,641.70
<u>Vocational Rehabilitation Expenses</u>	7%	\$ 8,549.75

<sup>1</sup> 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.

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

<sup>3</sup> 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 11 (2) "Amount C" is obtained by multiplying by 1.5 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 is currently **\$870.10** and indexed annually.*

**PRESCRIBED ALLOWANCES**

ITEM	AMOUNT	DATE EFFECTIVE
<u>Funeral Expenses</u> (clause 4 or 17(2))	\$ 4,205.00	1 July 2000
<u>Wheeled chair or similar appliance</u> (clause 17(4))	\$ 7,358.00	1 July 2000
<u>Board and Lodging</u> Per Day (clause 15)	\$ 95.00	1 July 2000
<u>Meals and Lodging</u> Per Day (clause 19)	\$ 74.00	1 July 2000

Indexed annually according to movements in the Consumer Price Index.

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

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1/7/00
		%	\$
<b><u>EYES</u></b>			
1.	Total loss of sight of both eyes	100	122,139.00
2.	Total loss of sight of an only eye	100	122,139.00
3.	Total loss of sight of one eye	50	61,069.50
4.	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	91,604.25
5.	Loss of binocular vision	50	61,069.50
<b><u>HEARING</u></b>			
6.	Total loss of hearing	75	91,604.25
<b><u>SPEECH</u></b>			
7.	Total loss of power of speech	75	91,604.25
<b><u>BODY AND MENTAL</u></b>			
8.	Permanent and incurable loss of mental capacity resulting in total inability to work	100	122,139.00
9.	Total and incurable paralysis of the limbs or of mental powers	100	122,139.00

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1/700
		%	\$
<b><u>SENSORY</u></b>			
10.	Total loss of sense of taste and smell	50	61,069.50
11.	Total loss of taste	25	30,534.75
12.	Total loss of smell	25	30,534.75
<b><u>ARM</u></b>			
13.	Loss of arm at or above elbow	90	109,925.10
14.	Loss of arm below elbow	80	97,711.20
<b><u>HAND</u></b>			
15.	Loss of both hands	100	122,139.00
16.	Loss of a hand and foot	100	122,139.00
17.	Loss of hand or thumb and four fingers	80	97,711.20
18.	Loss of thumb	35	42,748.65
19.	Loss of forefinger	17	20,763.65
20.	Loss of middle finger	13	15,878.10
21.	Loss of ring finger	9	10,992.50
22.	Loss of little finger	6	7,328.35
23.	Total loss of movement of joint of thumb	17	20,763.65
24.	Total loss of distal phalanx of thumb	20	24,427.80
25.	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	18,320.85
26.	Total loss of distal phalanx of forefinger	10	12,213.90
27.	Total loss of distal phalanx of:		
	• middle finger	8	9,771.10
	• ring finger	6	7,328.35
	• little finger	4	4,885.55
27A	Total loss of distal phalanx of each finger of the same hand (not including the thumb) in one accident	31	37,863.10

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 1/7/00
		%	\$
<b><u>LEG</u></b>			
28.	Loss of leg at or above knee	70	85,497.30
29.	Loss of leg below knee	65	79,390.35
<b><u>FEET</u></b>			
30.	Loss of both feet	100	122,139.00
31.	Loss of foot	65	79,390.35
32.	Loss of great toe	20	24,427.80
33.	Loss of any other toe	8	9,771.10
34.	Loss of two phalanges of any other toe	5	6,106.95
35.	Loss of phalanx of great toe	8	9,771.10
36.	Loss of phalanx of any other toe	4	4,885.55
<b><u>BACK, NECK AND PELVIS</u></b>			
36A.	Permanent loss of the full efficient use of the back (including thoracic and lumbar spine)	60	73,283.40
36B.	Permanent loss of the full efficient use of the neck (including cervical spine)	40	48,855.60
36C.	Permanent loss of the full efficient use of the pelvis	15	18,320.85
<b><u>MISCELLANEOUS</u></b>			
37.	Loss of genitals	50	61,069.50
38.	Severe facial scarring or disfigurement to a maximum of	80	97,711.20
39.	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	61,069.50

**SCHEDULE 5**

In accordance with clause 1 of the Schedule, the existing Redemption Amount of \$36,527.00 was increased to **\$37,475.00** with effect from 1 July 2000.

In accordance with Regulation 17A of the Workers' Compensation and Rehabilitation Regulations 1982 - 94 , amended 12 August 1997, the Supplementary Amount referred to in clause 1 of the Schedule remains at:

- (a) in relation to a worker with a dependent spouse,  
the sum of **\$88.00**;
- (b) in relation to a worker without a dependent spouse,  
the sum of **\$50.00**;

**SECTION 93F - COMMON LAW**

"Amount A" means, for the financial year ending on 30 June 2001, the amount of **\$256,490.00**.