

Variations in Prescribed Amount and other Workers' Compensation Payments

Effective 1 July 2009

For the financial year beginning 1 July 2009, 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 2009, unless otherwise stated, are as follows:

| Item | Percentage of prescribed amount | Amount |
|---|--|--------------|
| Maximum Payment¹ | 100% | \$178,047.00 |
| Death | | |
| (a) Notional Residual Entitlement Amount (NRE Amount) | | \$244,082.00 |
| (b) Where wholly dependent | 100% of the "notional residual entitlement". | |
| (c) Child's Allowance ² | | \$46.70 |
| (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. | |
| Medical and Hospital Expenses³ | 30% | \$53,414.00 |
| Vocational Rehabilitation Expenses | 7% | \$12,463.00 |

¹ An additional amount of up to 75% of the Prescribed Amount 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 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 2009 to 30 June 2010 is **\$2,026.10**

Prescribed allowances

| Item | Amount | Date effective |
|---|---------------|-----------------------|
| Funeral Expenses (clause 4 or 17(2)) | \$8,325.00 | July 1, 2009 |
| *Wheeled chair or similar appliance (clause 17(4)) | \$9,924.00 | July 1, 2009 |
| *Board and Lodging Per Day (clause 15) | \$129.00 | July 1, 2009 |
| *Meals and Lodging Per Day (clause 19) | \$99.00 | July 1, 2009 |
| *Vehicle Running Expenses Per km (Regulation 17AA) | \$0.40 | July 1, 2009 |

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

Specialised retraining programs

| Item | Percentage of prescribed amount | Amount |
|--|--|---------------|
| Specialised Retraining Program (Effective from 14 November 2005) Conditions apply. | 75% | \$133,535.00 |

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 2009 and 30 June 2010 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 1/7/09-30/6/10 |
|------------------------|---|---------------------------------|---------------------|
| Eyes | | | |
| 1 | Total loss of sight of both eyes | 100 | \$178,047.00 |
| 2 | Total loss of sight of an only eye | 100 | \$178,047.00 |
| 3 | Total loss of sight of one eye | 50 | \$89,024.00 |
| 4 | Total loss of sight of one eye and serious diminution of the sight of the other eye | 75 | \$133,535.00 |
| 5 | Loss of binocular vision | 50 | \$89,024.00 |
| Hearing | | | |
| 6 | Total loss of hearing | 75 | \$133,535.00 |
| Speech | | | |
| 7 | Total loss of power of speech | 75 | \$133,535.00 |
| Body and mental | | | |
| 8 | Permanent and incurable loss of mental capacity resulting in total inability to work. | 100 | \$178,047.00 |
| 9 | Total and incurable paralysis of the limbs or of mental powers. | 100 | \$178,047.00 |

Schedule 2 - Table of Compensation Payable - Part 1

| Item | Nature of injury | Percentage of prescribed amount | Rate 1/7/09-30/6/10 |
|----------------|---|---------------------------------|---------------------|
| Sensory | | | |
| 10 | Total loss of sense of taste and smell | 50 | \$89,024.00 |
| 11 | Total loss of taste | 25 | \$44,512.00 |
| 12 | Total loss of smell | 25 | \$44,512.00 |
| Arm | | | |
| 13 | Loss of arm at or above elbow | 90 | \$160,242.00 |
| 14 | Loss of arm below elbow | 80 | \$142,438.00 |
| Hand | | | |
| 15 | Loss of both hands | 100 | \$178,047.00 |
| 16 | Loss of a hand and foot | 100 | \$178,047.00 |
| 17 | Loss of hand or thumb and 4 fingers | 80 | \$142,438.00 |
| 18 | Loss of thumb | 35 | \$62,316.00 |
| 19 | Loss of forefinger | 17 | \$30,268.00 |
| 20 | Loss of middle finger | 13 | \$23,146.00 |
| 21 | Loss of ring finger | 9 | \$16,024.00 |
| 22 | Loss of little finger | 6 | \$10,683.00 |
| 23 | Total loss of movement of joint of thumb | 17 | \$30,268.00 |
| 24 | Total loss of distal phalanx of thumb | 20 | \$35,609.00 |
| 25 | Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx | 15 | \$26,707.00 |
| 26 | Total loss of distal phalanx of forefinger | 10 | \$17,805.00 |
| 27 | Total loss of distal phalanx of: | | |
| | (a) middle finger | 8 | \$14,244.00 |
| | (b) ring finger | 6 | \$10,683.00 |
| | (c) little finger | 4 | \$7,122.00 |

Schedule 2 - Table of Compensation Payable - Part 1

| Item | Nature of injury | Percentage of prescribed amount | Rate 1/7/09-30/6/10 |
|------|--|---------------------------------|---------------------|
| 27A | Total loss of distal phalanx of each finger of the same hand (not including the thumb) in one accident | 31 | \$55,195.00 |
| | Leg | | |
| 28 | Loss of leg at or above knee | 70 | \$124,633.00 |
| 29 | Loss of leg below knee | 65 | \$115,731.00 |
| | Feet | | |
| 30 | Loss of both feet | 100 | \$178,047.00 |
| 31 | Loss of foot | 65 | \$115,731.00 |
| 32 | Loss of great toe | 20 | \$35,609.00 |
| 33 | Loss of any other toe | 8 | \$14,244.00 |
| 34 | Loss of two phalanges of any other toe | 5 | \$8,902.00 |
| 35 | Loss of phalanx of great toe | 8 | \$14,244.00 |
| 36 | Loss of phalanx of any other toe | 4 | \$7,122.00 |
| | Back, neck and pelvis | | |
| 36A | Permanent loss of the full efficient use of the back (including thoracic and lumbar spine) | 60 | \$106,828.00 |
| 36B | Permanent loss of the full efficient use of the neck (including cervical spine) | 40 | \$71,219.00 |
| 36C | Permanent loss of the full efficient use of the pelvis | 15 | \$26,707.00 |
| | Miscellaneous | | |
| 37 | Loss of genitals | 50 | \$89,024.00 |
| 38 | Severe facial scarring or disfigurement to a maximum of | 80 | \$142,438.00 |
| 39 | Severe bodily, other than facial, scarring or disfigurement to a maximum of | 50 | \$89,024.00 |

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 2009 and 30 June 2010, 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 1/7/09-30/6/10 |
|------------------------|------------------------------------|---------------------------------|---------------------|
| Eyes | | | |
| 40 | Impairment of sight of both eyes | 100 | \$178,047.00 |
| 41 | Impairment of sight of an only eye | 100 | \$178,047.00 |
| 42 | Impairment of sight of one eye | 50 | \$89,024.00 |
| 43 | Impairment of binocular vision | 50 | \$89,024.00 |
| Hearing | | | |
| 44 | Impairment of hearing | 75 | \$133,535.00 |
| Speech | | | |
| 45 | Impairment of power of speech | 75 | \$133,535.00 |
| Body and mental | | | |
| 46 | Impairment of mental capacity | 100 | \$178,047.00 |
| 47 | Impairment of spinal cord function | 100 | \$178,047.00 |

Schedule 2 - Table of Compensation Payable - Part 2

| Item | Nature of injury or impairment | Percentage of prescribed amount | Rate 1/7/09-30/6/10 |
|-------------|---|--|----------------------------|
| | Sensory | | |
| 48 | Impairment of sense of taste and smell | 50 | \$89,024.00 |
| 49 | Impairment of sense of taste | 25 | \$44,512.00 |
| 50 | Impairment of sense of smell | 25 | \$44,512.00 |
| | Arm | | |
| 51 | Impairment of arm at or above elbow | 90 | \$160,242.00 |
| 52 | Impairment of arm below elbow | 80 | \$142,438.00 |
| | Hand | | |
| 53 | Impairment of both hands | 100 | \$178,047.00 |
| 54 | Impairment of hand and foot | 100 | \$178,047.00 |
| 55 | Impairment of hand or thumb and 4 fingers | 80 | \$142,438.00 |
| 56 | Impairment of thumb | 35 | \$62,316.00 |
| 57 | Impairment of forefinger | 17 | \$30,268.00 |
| 58 | Impairment of middle finger | 13 | \$23,146.00 |
| 59 | Impairment of ring finger | 9 | \$16,024.00 |
| 60 | Impairment of little finger | 6 | \$10,683.00 |
| 61 | Impairment of movement of joint of thumb | 17 | \$30,268.00 |
| 62 | Impairment of distal phalanx of thumb | 20 | \$35,609.00 |
| 63 | Impairment of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx | 15 | \$26,707.00 |
| 64 | Impairment of distal phalanx of forefinger | 10 | \$17,805.00 |
| 65 | Impairment of distal phalanx of: | | |
| | (a) middle finger | 8 | \$14,244.00 |
| | (b) ring finger | 6 | \$10,683.00 |
| | (c) little finger | 4 | \$7,122.00 |
| 66 | Impairment of distal phalanx of each finger of the same hand (not including the thumb) in one accident | 31 | \$55,195.00 |

Schedule 2 - Table of Compensation Payable - Part 2

| Item | Nature of injury or impairment | Percentage of prescribed amount | Rate 1/7/09-30/6/10 |
|-------------|--|--|----------------------------|
| | Leg | | |
| 67 | Impairment of leg at or above knee | 70 | \$124,633.00 |
| 68 | Impairment of leg below knee | 65 | \$115,731.00 |
| | Feet | | |
| 69 | Impairment of both feet | 100 | \$178,047.00 |
| 70 | Impairment of foot | 65 | \$115,731.00 |
| 71 | Impairment of great toe | 20 | \$35,609.00 |
| 72 | Impairment of any other toe | 8 | \$14,244.00 |
| 73 | Impairment of 2 phalanges of any other toe | 5 | \$8,902.00 |
| 74 | Impairment of phalanx of great toe | 8 | \$14,244.00 |
| 75 | Impairment of phalanx of any other toe | 4 | \$7,122.00 |
| | Back, neck and pelvis | | |
| 76 | Impairment of the back (thoracic spine or lumbar spine or both) | 75 | \$133,535.00 |
| 77 | Impairment of the neck (including cervical spine) | 55 | \$97,926.00 |
| 78 | Impairment of the pelvis | 30 | \$53,414.00 |
| | Miscellaneous | | |
| 79 | Impairment of genitals | 50 | \$89,024.00 |
| 80 | Impairment from facial scarring or disfigurement | 80 | \$142,438.00 |
| 81 | Impairment from bodily, other than facial, scarring or disfigurement | 50 | \$89,024.00 |
| 82 | AIDS | 100 | \$178,047.00 |

Schedule 5

In accordance with clause 1 of Schedule 5, the Redemption Amount from 1 July is **\$54,630.00**

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 \$237.80 to 242.92;
- (b) in relation to a worker without a dependant spouse, from the sum of \$133.50 to \$136.38

Section 93F and 93K - Common law

"Amount A" in section 93F and section 93K means,
for the period ending on 30 June 2010, the amount of **\$373,902.00**

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2 JUNE 2009