

# WORKERS' COMPENSATION AND REHABILITATION ACT 1981

<b>VARIATIONS IN PRESCRIBED AMOUNT AND OTHER WORKERS' COMPENSATION PAYMENTS</b>
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## *EFFECTIVE 5 OCTOBER 1999*

As from 5 October 1999 a new "base" amount for the Prescribed Amount was created being \$119,048. For subsequent financial years, beginning 1 July 2000, the Prescribed Amount will be indexed by varying the amount for the previous financial year by the percentage yearly variation in the Australian Bureau of Statistics (ABS) published as the 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 commencement of the financial year.

The consequential adjustments to other payments, also effective from 5 October 1999, unless otherwise stated, are as follows:

ITEM	PERCENTAGE OF "PRESCRIBED AMOUNT"	AMOUNT
<u>Maximum Payment</u> <sup>1</sup>	100%	\$119,048.00
<u>Death</u>		
(a) Where dependants wholly dependent	100% of the "notional residual entitlement"	
(b) Dependent children <sup>2</sup>		\$31.30 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%	\$35,714.40
<u>Vocational Rehabilitation Expenses</u>	7%	\$ 8,333.36

<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, full time adult average weekly total earnings in Western Australia has a cap of \$852.52 for the duration of a claim. This amount will be indexed annually.*

**PRESCRIBED ALLOWANCES**

<b>ITEM</b>	<b>AMOUNT</b>	<b>DATE EFFECTIVE</b>
<u>Funeral Expenses</u> (clause 4 or 17(2))	\$ 4,092.00	1 July 1999
<u>Wheeled chair or similar appliance</u> (clause 17(4))	\$ 7,161.00	1 July 1999
<u>Board and Lodging</u> Per Day (clause 15)	\$ 92.00	1 July 1999
<u>Meals and Lodging</u> Per Day (clause 19)	\$ 72.00	1 July 1999

Indexed annually according to movements in the Consumer Price Index.

**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 5.10.99</b>
		%	\$
	<b><u>EYES</u></b>		
1.	Total loss of sight of both eyes	100	119,048.00
2.	Total loss of sight of an only eye	100	119,048.00
3.	Total loss of sight of one eye	50	59,524.00
4.	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	89,286.00
5.	Loss of binocular vision	50	59,524.00
	<b><u>HEARING</u></b>		
6.	Total loss of hearing	75	89,286.00
	<b><u>SPEECH</u></b>		
7.	Total loss of power of speech	75	89,286.00
	<b><u>BODY AND MENTAL</u></b>		
8.	Permanent and incurable loss of mental capacity resulting in total inability to work	100	119,048.00
9.	Total and incurable paralysis of the limbs or of mental powers	100	119,048.00

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 5.10.99
		%	\$
<b><u>SENSORY</u></b>			
10.	Total loss of sense of taste and smell	50	59,524.00
11.	Total loss of taste	25	29,762.00
12.	Total loss of smell	25	29,762.00
<b><u>ARM</u></b>			
13.	Loss of arm at or above elbow	90	107,143.20
14.	Loss of arm below elbow	80	95,238.40
<b><u>HAND</u></b>			
15.	Loss of both hands	100	119,048.00
16.	Loss of a hand and foot	100	119,048.00
17.	Loss of hand or thumb and four fingers	80	95,238.40
18.	Loss of thumb	35	41,666.80
19.	Loss of forefinger	17	20,238.16
20.	Loss of middle finger	13	15,476.24
21.	Loss of ring finger	9	10,714.32
22.	Loss of little finger	6	7,142.88
23.	Total loss of movement of joint of thumb	17	20,238.16
24.	Total loss of distal phalanx of thumb	20	23,809.60
25.	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	17,857.20
26.	Total loss of distal phalanx of forefinger	10	11,904.80
27.	Total loss of distal phalanx of:		
	• middle finger	8	9,523.84
	• ring finger	6	7,142.88
	• little finger	4	4,761.92
27A	Total loss of distal phalanax of each finger of the same hand (not including the thumb) in one accident	31	36,904.88

ITEM	NATURE OF INJURY	PERCENTAGE OF "PRESCRIBED AMOUNT"	RATE AS AT 5.10.99
		%	\$
<b><u>LEG</u></b>			
28.	Loss of leg at or above knee	70	83,333.60
29.	Loss of leg below knee	65	77,381.20
<b><u>FEET</u></b>			
30.	Loss of both feet	100	119,048.00
31.	Loss of foot	65	77,381.20
32.	Loss of great toe	20	23,809.60
33.	Loss of any other toe	8	9,523.84
34.	Loss of two phalanges of any other toe	5	5,952.40
35.	Loss of phalanx of great toe	8	9,523.84
36.	Loss of phalanx of any other toe	4	4,761.92
<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	71,428.80
36B.	Permanent loss of the full efficient use of the neck (including cervical spine)	40	47,619.20
36C.	Permanent loss of the full efficient use of the pelvis	15	17,857.20
<b><u>MISCELLANEOUS</u></b>			
37.	Loss of genitals	50	59,524.00
38.	Severe facial scarring or disfigurement to a maximum of	80	95,238.40
39.	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	59,524.00

**SCHEDULE 5**

In accordance with clause 1 of the Schedule, the existing Redemption Amount of \$35,438.00 was increased by 3.07234% to **\$36,527.00** with effect from 1 July 1999.

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 2000, the amount of **\$250,000**.