

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

VARIATIONS IN PRESCRIBED AMOUNT AND OTHER WORKERS' COMPENSATION PAYMENTS

EFFECTIVE 1 JULY 2004

For the financial year beginning 1 July 2004, 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 2004, unless otherwise stated, are as follows:

ITEM	PERCENTAGE OF PRESCRIBED AMOUNT	AMOUNT
Maximum Payment¹	100%	\$139,995.00
Death		
(a) Where dependants wholly dependent	100% of the "notional residual entitlement".	
(b) Dependant children ²		\$36.75
(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.	
Medical and Hospital Expenses³	30%	\$41,998.50
Vocational Rehabilitation Expenses	7%	\$9,799.65

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 WA.

³ 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 sub clause 11(2), "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 from January 4, 2005 is \$1,446.00 and indexed annually.

Note: As a result of Workers' Compensation Reforms the cap on weekly payments of compensation to injured workers increased to twice the average weekly earnings (AWE) as calculated by the Australian Bureau of Statistics i.e. \$1,446.00 gross. Previously (from July 1, 2004) it was 1.5 AWE which calculated at \$1,084.50.

PRESCRIBED ALLOWANCES

ITEM	AMOUNT	DATE EFFECTIVE
Funeral Expenses (clause 4 or 17 (2))	\$7,000.00	January 4, 2005 *
Wheeled chair or similar appliance (clause 17 (4))	\$8,345.00	July 1, 2004
Board and Lodging Per Day (clause 15)	\$108.00	July 1, 2004
Meals and Lodging Per Day (clause 19)	\$83.00	July 1, 2004

Indexed annually according to movements in the Consumer Price Index.

* **Note:** As a result of Workers' Compensation Reforms payments for funeral expenses increased to \$7,000.00 from January 4, 2005. Previously from July 1, 2004 the amount was \$4,768.00

SCHEDULE 2

(Interpretation: see section 31 of the Act)

ITEM	NATURE OF INJURY	PERCENTAGE OF PRESCRIBED AMOUNT	RATE AS AT 1/7/04
EYES			
1	Total loss of sight of both eyes	100	\$139,995.00
2	Total loss of sight of an only eye	100	\$139,995.00
3	Total loss of sight of one eye	50	\$69,997.50

4	Total loss of sight of one eye and serious diminution of the sight of the other eye	75	\$104,996.25
5	Loss of binocular vision	50	\$69,997.50
HEARING			
6	Total loss of hearing	75	\$104,996.25
SPEECH			
7	Total loss of power of speech	75	\$104,996.25
BODY AND MENTAL			
8	Permanent and incurable loss of mental capacity resulting in total inability to work.	100	\$139,995.00
9	Total and incurable paralysis of the limbs or of mental powers.	100	\$139,995.00
SENSORY			
10	Total loss of sense of taste and smell	50	\$69,997.50
11	Total loss of taste	25	\$34,998.75
12	Total loss of smell	25	\$34,998.75
ARM			
13	Loss of arm at or above elbow	90	\$125,995.50
14	Loss of arm below elbow	80	\$111,996.00
HAND			
15	Loss of both hands	100	\$139,995.00
16	Loss of hand and foot	100	\$139,995.00
17	Loss of hand or thumb and four fingers	80	\$111,996.00
18	Loss of thumb	35	\$48,998.25
19	Loss of forefinger	17	\$23,799.15
20	Loss of middle finger	13	\$18,199.35
21	Loss of ring finger	9	\$12,599.55
22	Loss of little finger	6	\$8,399.70
23	Total loss of movement of joint of thumb	17	\$23,799.15

24	Total loss of distal phalanx of thumb	20	\$27,999.00
25	Total loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15	\$20,999.25
26	Total loss of distal phalanx of forefinger	10	\$13,999.50
27	Total loss of distal phalanx of:		
	(a) middle finger	8	\$11,199.60
	(b) ring finger	6	\$8,399.70
	(c) little finger	4	\$5,599.80
27A	Total loss of distal phalanx of each finger of the same hand (not including the thumb) in one accident	31	\$43,398.45
	LEG		
28	Loss of leg at or above knee	70	\$97,996.50
29	Loss of leg below knee	65	\$90,996.75
	FEET		
30	Loss of both feet	100	\$139,995.00
31	Loss of foot	65	\$90,996.75
32	Loss of great toe	20	\$27,999.00
33	Loss of any other toe	8	\$11,199.60
34	Loss of two phalanges of any other toe	5	\$6,999.75
35	Loss of phalanx of great toe	8	\$11,199.60
36	Loss of phalanx of any other toe	4	\$5,599.80
	BACK, NECK AND PELVIS		
36A	Permanent loss of the full efficient use of the back (including thoracic and lumbar spine)	60	\$83,997.00
36B	Permanent loss of the full efficient use of the neck (including cervical spine)	40	\$55,998.00
36C	Permanent loss of the full efficient use of the pelvis	15	\$20,999.25

MISCELLANEOUS

37	Loss of genitals	50	\$69,997.50
38	Severe facial scarring or disfigurement to a maximum of	80	\$111,996.00
39	Severe bodily, other than facial, scarring or disfigurement to a maximum of	50	\$69,997.50

SCHEDULE 5

In accordance with clause 1 of the Schedule, the existing Redemption Amount of **\$41,584.00** was increased to **\$42,954.00** with effect from 1 July 2004.

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

SECTION 93F - COMMON LAW

"Amount A" means, for the financial year ending on 30 June 2004, the amount of **\$293,990.00**

DIANE MUNROWD
ACTING CHIEF EXECUTIVE OFFICER
WORKCOVER WA

4 January 2005

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