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Workers Compensation and Injury Management Act 2023

**CORRESPONDING PROVISIONS AND PENDING MATTERS
DIRECTION NO. 10**

PENDING DISPUTE PROCEEDINGS: WORKER IN CUSTODY

This is a corresponding provisions and pending matters direction made in accordance with section 548 of the *Workers Compensation and Injury Management Act 2023* (2023 Act).

This direction applies to pending dispute proceedings referred to in section 571 of the 2023 Act commenced prior to 1 July 2024 pursuant to the *Workers' Compensation and Injury Management Act 1981* (1981 Act) related to the entitlement of a worker in custody.

This direction is effective 1 July 2024.

Corresponding provisions direction [s. 548(1)(a)]

Table 1 sets out the provisions of the 1981 Act that correspond to the provisions of the 2023 Act applicable to pending dispute proceedings related to the entitlements of a worker in custody.


Table 1 - Corresponding provisions direction	
1981 Act	2023 Act
s. 72 – suspending entitlement when worker in prison	s. 66 – suspension of income compensation while worker in custody

Modified provisions direction [s. 548(1)(c)]

Table 2 sets out how the operation of section 66 of the 2023 Act is modified to make appropriate provision for differences between the 1981 and 2023 Acts as applicable to pending dispute proceedings regarding the entitlements of a worker in custody.

Table 2 - Modified provision direction (pending dispute proceedings: worker not residing in the State)

1. The requirements of section 66 of the 2023 Act are modified where there is a pending dispute proceeding before 1 July 2024 as per section 571 of the 2023 Act.
2. Section 66 is modified so that section 66 does not apply if an employer has applied for an order of an arbitrator in accordance with section 72 of the 1981 Act before 1 July 2024.



CHRIS WHITE
CHIEF EXECUTIVE OFFICER

13 June 2024