

Compliance and Enforcement

The *Workers Compensation and Injury Management Act 2023 (WCIMA23)* provides for compliance and enforcement of the workers compensation legislation.

Key Points

Act ref: Part 11

- The *WCIMA23* provides for the designation of WorkCover WA staff members as inspectors and the powers of inspectors in undertaking compliance investigations.
- Part 11 of the *WCIMA23* consolidates provisions for several offences (e.g. fraud, providing false and misleading information) and includes penalties for a variety of offences.
- Infringement notices issued for the purposes of the *WCIMA23* are made under the general framework of the *Criminal Procedure Act 2004* – which applies to most WA state Acts.
- The *Workers Compensation and Injury Management Regulations 2024* specify provisions to which an infringement and modified penalty apply.

Key Points

- The *WCIMA23* allows for an infringement notice to be given within 12 months. This reflects the complexity of some investigations and allows for minor matters to be dealt with by way of an infringement notice instead of a court prosecution.

Questions & Answers

Q. What powers will an inspector have?

A. An inspector's powers include powers of entry to workplaces for compliance purposes, to require relevant documents and information to be provided, copied or retained, and to require persons to answer questions in an interview with the inspector.