

A guide to the *Workers Rehabilitation and Compensation Regulations 2010*

Introduction

All South Australian regulations are subject to the *Subordinate Legislation Act 1978* which includes provisions which result in regulations expiring after 10 years. As such, a comprehensive review of the regulations underpinning the *Workers Rehabilitation and Compensation Act 1986* (the Act) commenced in late 2008.

On 24 June 2010, the *Workers Rehabilitation and Compensation Regulations 2010* were made by the Governor in Executive Council. The new regulations will commence on 1 November 2010 and WorkCover's current regulations will continue to apply until this time.

The main change is the consolidation of most of the current regulations into one simplified document. Other changes include:

- updating obsolete terms and legislative references
- removing obsolete or irrelevant regulations
- standardising the indexation and rounding processes applied to sums
- including transitional provisions to enable smooth implementation
- making general updates to ensure the regulations correctly reflect the Act.

Purpose of this guide

This guide outlines the changes to the regulations effective from 1 November 2010. The tables on pages 2 to 6 provide you with more detail on each individual amendment affecting injured workers, registered employers and self-insured employers. The tables on pages 7 to 11 detail further changes for your information. To see how the names and numbers of the regulations will change refer to the *Quick reference chart* on pages 12 to 14.

Consultation with stakeholders

The changes commencing on 1 November 2010 have undergone extensive consultation with stakeholders in the period October 2008 to March 2010.

Where to go for more information

For information on the regulation review visit www.workcover.com/regulationreview or call 13 18 55. For a copy of the *Workers Rehabilitation and Compensation Regulations 2010* visit www.legislation.sa.gov.au

Important note

Interpretation

This guide is intended as a summary only and in relation to technical or legal interpretation, independent advice should be obtained.

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Changes affecting all stakeholders

2010 regulation	Current regulation	What is the change?
-	-	The remaining regulations under the Act have been consolidated into one set and structured in a similar manner to the current regulations – divided into Parts 1-6 and Schedules 1-5.
-	-	Regulation titles have been amended to refer to the relevant sections of the Act where appropriate and some titles have been amended to more appropriately describe each regulation.
-	-	Definitions have been largely restructured so the relevant definitions are included in each regulation for ease of referral. Terms that are used in more than one regulation are included in regulation 3 'Interpretation'.
Schedule 3 'Forms', Form 1	(Dispute Resolution) Schedule 1 Notice of dispute	The current Notice of dispute form in Schedule 1 has been simplified, revised and included in this schedule in text format. Drafting conventions dictate that forms are prescribed in text format and do not include logos or addresses (unlike the published form). This is to allow for potential future logo/address changes. Section 25 of the <i>Acts Interpretation Act 1915</i> permits deviations from forms as prescribed, so the actual forms produced for use may still change those details, provided that any deviation is not calculated to mislead.
Schedule 3 'Forms', Form 2	(Dispute Resolution) Schedule 2 Application for expedited decision	The current Application for expedited decision form in Schedule 2 has been simplified, revised and included in this schedule in text format.

Changes affecting injured workers

2010 regulation	Current regulation	What is the change?
Regulation 38 'Prescribed limits on costs - Provision of professional advice'	(General) 12 Prescribed limits on costs—Provision of professional advice	The currently regulated sum of \$341 in regulation 12(1) is replaced with its 2010 value of \$450 and the currently regulated sum of \$220 in regulation 12(1) has been increased from its 2010 value of \$300 to \$800 to reflect realistic market prices for obtaining financial advice. Both sums are linked to the overarching indexation provision in new regulation 4.
Regulation 40 'Compensation payable on death'	(General) 15 Compensation payable on death	The prescribed sum for funeral benefits has been increased from \$7570 to \$9,000. Please note the increased funeral benefits sum will apply to work-related deaths occurring on or after 1 November 2010. The reference to s44(14) has been changed to s44(18).
Regulation 35 'Notices'	(General) 7 Notices	The current regulation 7 of the General regulations is extended to apply to notices under section 53(6) of the Act. Compensating authorities are also required to include 'reasons' for the decisions as opposed to providing the 'general basis'. The regulation has also been reworded to simplify the provision.
Regulation 32 'Medical expenses – accommodation costs'	(General) 4 Medical expenses	The name of the regulation has been changed from 'Medical expenses' to 'Medical expenses – accommodation costs' to be clearer. There is no effect on entitlements. The currently regulated sum of \$143 in regulation 4(1) has been replaced with its 2010 value of \$190 and linked to the overarching indexation provision in new regulation 4. The currently regulated sum of \$55 in regulation 4(2) has been replaced with its estimated 2010 value of \$76 and linked to the overarching indexation provision in new regulation 4. This sum has not increased since it was introduced and will now be indexed annually .

Changes affecting registered employers

2010 regulation	Current regulation	What is the change?
Regulation 11 'Registration'	(Claims and Registration) 11 Registration	<p>The fee to accompany an application for self-insurance has been increased from \$5 000 plus \$5 for each worker (to a maximum of \$20,000) to \$10,000 plus \$15 for each worker (to a maximum of \$40,000). This is the first fee increase since the last regulations were made in 1999.</p> <p>Current regulation 11(1) is also amended so that the majority of the 'prescribed information to accompany an application for registration under Part 5' in the current Schedule 3 is incorporated into the regulation. Schedule 3 clause 1(a) (requirement to provide five years of audited financial statements) and clause 3 (requirement to provide claims data) have been deleted.</p> <p>For more information about application requirements refer to the <i>Code of conduct for self-insured employers under the WorkCover Scheme</i> available at www.workcover.com</p>
-	(Claims and Registration) Schedule 3 Additional information to accompany application for registration as a self-insured employer or group of self-insured employers	<p>Schedule 3 has been removed as a consequence of amending regulation 11(1) and incorporating the majority of current Schedule 3 into the regulation.</p>
Regulation 43 'Payments by the Corporation on behalf of defaulting employers'	(General) 18 Payments by the Corporation on behalf of defaulting employers	<p>The WorkCover administration fee recoverable from employers who default on their payments to workers has been increased from \$50 to \$120 (including GST) as it has not increased since it was introduced.</p>
-	(General) 21 Progress reports to employers	<p>Regulation 21 of the General regulations has been removed so there is no fee for employers to request a progress report under section 107. Employers can also request copies of medical reports under section 107A without being charged a fee.</p>

Changes affecting self-insured employers

2010 regulation	Current regulation	What is the change?
Schedule 1, Clause 11	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	Clause 7(13) has been amended to require self-insured employers to maintain claims files for at least 20 years after the claim is finalised and that claims managed by self-insured employers on behalf of WorkCover must be returned to WorkCover 20 years after the last claims payment is made , in accordance with the <i>State Records Act 1997</i> . Please note that these new requirements will apply to current and past claims as well as post 1 November 2010 claims. Penalties will not apply where documentation has been lawfully disposed of before the commencement of this clause on 1 November 2010.
Schedule 1, Clause 5(3)	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	Clause 7(1) of Schedule 4 of the Claims and Registration regulations has been amended to extend the period of time that a self-insured employer has to provide data to WorkCover from 7 days to 14 days .
-	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	Clauses 4, 6, and 15(b) of Schedule 4 of the Claims and Registration regulations have been removed as they are obsolete or unused .
Schedule 1, 'Self-insured employers terms and conditions of registration', Clause 5(1)	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	Clause 7(2) of Schedule 4 of the Claims and Registration regulations has been streamlined by deleting the following sub-clauses: <ul style="list-style-type: none"> • 2(a)(i) – name of employer • 2(a)(ii) – location name • 2(b)(xxii) – estimate of cost The new Clause 5(1)(b) has been renumbered (i) - (xxvi) and the prescribed scaling factor definition has been moved from current Clause 10(6) and instead incorporated into the relevant new Clause 8(6).
Regulation 40 'Compensation payable on death'	(General) 15 Compensation payable on death	The prescribed sum for funeral benefits has been increased from \$7570 to \$9,000 . Please note the increased funeral benefits sum will apply to work-related deaths occurring on or after 1 November 2010. The reference to s44(14) has been changed to s44(18).
Regulation 38 'Prescribed limits on costs – Provision of professional advice'	(General) 12 Prescribed limits on costs – Provision of professional advice	The currently regulated sum of \$341 in regulation 12(1) is replaced with its 2010 value of \$450 and the currently regulated sum of \$220 in regulation 12(1) has been increased from what would have been its 2010 value of \$300 to \$800 to reflect realistic market prices for obtaining financial advice. Both sums are linked to the overarching indexation provision in new regulation 4.

2010 regulation	Current regulation	What is the change?
Regulation 32 'Medical expenses – accommodation costs'	(General) 4 Medical expenses	<p>The name of the regulation has been changed from 'Medical expenses' to 'Medical expenses – accommodation costs' to be clearer. There is no effect on entitlements.</p> <p>The currently regulated sum of \$143 in regulation 4(1) has been replaced with its 2010 value of \$190 and linked to the overarching indexation provision in new regulation 4.</p> <p>The currently regulated sum of \$55 in regulation 4(2) has been replaced with its estimated 2010 value of \$76 and linked to the overarching indexation provision in new regulation 4. This sum has not increased since it was introduced and will now be indexed annually.</p>
Schedule 1, Clause 10	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	The reference to the 'Corporations Law' has been replaced by the <i>Corporations Act 2001</i> .
Schedule 1, Clause 6	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	<p>The current definition of 'prescribed period' refers to the 'Corporations Law' but the reference has been updated to the <i>Corporations Act 2001</i>.</p> <p>Operationally, WorkCover allows five months for a self-insured employer to provide their financial accounts so the clause now reflects current practice.</p>

Further changes for your information

2010 regulation	Current regulation	What is the change?
Regulation 21 'Interpretation'	(Rehabilitation standards and requirements) 3 Interpretation	The definition of injured worker has been updated so that the regulation is consistent with section 26 of the Act. This has no effect on rehabilitation and return to work plans or rehabilitation programs. References to 'compensable' have been removed in new regulations 22(h)(i) and (ii) to also ensure general consistency with section 26 of the Act.
Regulation 21 'Interpretation' and Regulation 22 'Standards and requirements – rehabilitation programs' and Regulation 23 'Standards and requirements – rehabilitation and return to work plans'	(Rehabilitation standards and requirements) 3 Interpretation 4 'Standards and requirements – rehabilitation programmes' and 5 Standards and requirements – rehabilitation and return to work plans	The definition of 'pre-injury remuneration' has been removed from the interpretation and the reference to 'pre-injury remuneration' in current regulation 5(c)(i) has been changed to 'notional weekly earnings' to reflect current practice and to be more in line with the Act. The current regulation 4(i) has been deleted as it inferred that rehabilitation and return to work plans and rehabilitation programs cannot coexist, which is inconsistent with the Act and the views of the Workers Compensation Tribunal. The current regulations 4(e) and 5(f) have been amended to remove the references to all section 32 services and to ensure that only relevant rehabilitation services be listed in the plan or program.
Regulation 30 'Indexation'	-	This new regulation, referred to in section 3(15) of the Act, will now prescribe that all relevant sums in the Act are to be rounded up to the nearest dollar after they are indexed each year. This regulation reflects current practice and applies to the sums listed in sections 43B(2), 32A(4), s42(2)(e)(i) and Schedules 3 and 3A in the Act.
Regulation 4 'Indexation' and relevant individual regulations listed elsewhere	-	A new overarching indexation and rounding regulation will apply to the majority of indexed sums within the regulations to ensure the indexation and rounding process is simple and consistent with the Act and throughout the regulations.
Regulation 5 'Contract of service and other terms'	(Claims and Registration) 5 Legislative definitions	The current regulated sum of \$12,000 in regulation 5(1)(a)(v) has been replaced with its 2010 value of \$16,800 and linked to the overarching indexation provision in new regulation 4. The regulation has also been renamed as Regulation 5 'Contract of service and other terms' Current regulation 5(3) of the Claims and Registration regulations referring to a deeming provision for Boral Energy Limited workers has been deleted as it is obsolete. The prescribed bodies to be included within the definition of 'local government corporation' have been updated by removing obsolete references and including new ones where necessary.
Regulation 9 'Registration of employers'	(Claims and Registration) 8 Registration of employers	The current regulated sum of \$10,200 in regulation 8(1)(c) has been replaced with its 2010 value of \$10,870 and linked to the overarching indexation provision in new regulation 4.

2010 regulation	Current regulation	What is the change?
Regulation 19 'Expiation of certain offences'	(Claims and Registration) 19 Expiation of certain offences	The current regulated sum of \$360 in regulation 19(1) has been replaced with its 2010 value of \$500 and linked to the overarching indexation provision in new regulation 4.
Regulation 29 'Costs'	(Dispute resolution) 7 Costs	The current regulated sums of \$350, \$650 or \$2150 and \$120, \$230 and \$150, \$90 and \$50 (up to a maximum of \$460) in regulation 7 have been replaced with their 2010 values of \$355, \$659 or \$2180 and \$122, \$234 and \$153, \$92 and \$51 (up to a maximum of \$467) and linked to the overarching indexation provision in new regulation 4.
Regulation 33 'Transportation for initial treatment'	(General) 5 Transportation for initial treatment	The current regulated sum of \$240 in regulation 5(1) has been replaced with its 2010 value of \$245 and linked to the overarching indexation provision in new regulation 4.
Regulation 34 'Compensation for property damage'	(General) 6 Compensation for property damage	The current regulated sum of \$1970 in regulation 6(1) has been replaced with its 2010 value of \$2100 and linked to the overarching indexation provision in new regulation 4.
Regulation 39 'Lump sum compensation'	(General) 14 Lump sum compensation	The current regulated sum of \$420,558 in regulation 14(2) has been replaced with its 2010 value of \$426,255 and linked to the overarching indexation provision in new regulation 4.
Regulation 40 'Compensation payable on death'	(General) 15 Compensation payable on death	The current regulated sum of \$5,500 in regulation 15(1) has been replaced with the new value of \$9,000 as discussed above and linked to the overarching indexation provision in new regulation 4.
Schedule 1, Clause 8(6)	(Claims and Registration) Schedule 4 Self-insured employers terms and conditions of registration	The current regulated prescribed sum of \$520,000 in Schedule 4, clause 10(6) has been replaced with its 2010 value of \$730,000 and the overarching indexation provision in regulation 4 is replicated within this regulation, with a rounding provision of 'to the nearest multiple of \$10,000'.
Schedule 4 - Scale of entitlements	(General) Schedule 1 Scale of entitlements	The reformatted Scale of entitlements sets out the relevant lump sums payable for percentages of whole person impairment for 2008, 2009 and 2010 and is linked to the overarching indexation provision in new regulation 4.
-	(Disclosure of information) 5 Disclosure of information	The current regulation 5(1) has been removed as it refers to information sharing with a government department that no longer exists.
-	(Disclosure of information) 5 Disclosure of information	The current regulation 5(2) has been removed as it refers to information sharing with a government department that no longer exists. This regulation is subject to a special commencement provision under section 112(2a) so may commence at a later date.
Regulation 49 'Disclosure of information'	(Disclosure of information) 5 Disclosure of information	A new regulation allowing WorkCover to enter into information sharing arrangements with SafeWork Australia (SWA) and Commonwealth workers compensation authorities.
Regulation 49 'Disclosure of information'	(Disclosure of information) 5 Disclosure of information	A new regulation allowing WorkCover to enter into information sharing arrangements with the SafeWorkSA Advisory Committee or the Department, in addition to the disclosure of information authorised by section 54A of the <i>Occupational Health, Safety and Welfare Act 1986</i> .

2010 regulation	Current regulation	What is the change?
Regulation 49 'Disclosure of information'	(Disclosure of information) 5 Disclosure of information	A new regulation under section 112(2)(h) of the Act, to allow WorkCover to provide RevenueSA with data as listed in the regulation . This regulation is subject to a special commencement provision under section 112(2a) so may commence at a later date.
Regulation 28 'Nomination of a person to reconsider a disputed decision'	(Dispute resolution) 6 Nomination of person to reconsider disputed decision s91	A nominated person's email address will now also be included in the information to be provided to the Registrar of the Workers Compensation Tribunal to reflect current practice.
Regulation 37 'Absence from Australia'	(General) 11 Absence from Australia	Current regulation 11(2) has been amended so that there is no reference to the relevant form for workers to notify WorkCover of an absence from Australia as the form in 'Schedule 7' has been removed from the regulation and will now be published by WorkCover in the South Australian Government Gazette .
Regulation 6 'Exclusions'	(Claims and Registration) 5 Legislative definitions	The current regulation 5 has been restructured into two new regulations 5 and 6. Regulation 6 lists all people excluded from the application of the Act, separate to the prescribed classes of work listed in Regulation 5. The obsolete reference to review officers in current regulation 5(7) has been removed .
-	-	References to the <i>Industrial and Employee Relations Act 1994</i> have been replaced with the Fair Work Act 1994 . References to the <i>Local Government Act 1934</i> have been replaced with the Local Government Act 1999 . References to the <i>Industrial Relations Act 1988</i> have been replaced with the Fair Work Act 2009 .
-	-	The word 'exempt' has been replaced with 'self-insured' wherever it appears in the regulations to be consistent with the Act. References to 'rehabilitation programmes' have been replaced with 'rehabilitation programs' as the Parliamentary Counsel preferred spelling.
Regulation 10 'Agencies of the Crown'	(Claims and Registration) Schedule 6 - Section 61—agencies and instrumentalities of the Crown	The current Schedule 6 of the Claims and Registration regulations has been removed and the remaining entities incorporated into new Regulation 10 .
Regulation 17 'Volunteers'	(Claims and Registration) 17 Volunteers	References to the Country Fires Act 1989 throughout the regulation have been replaced with references to the Fire and Emergency Services Act 2005 . References to CFS in current Regulation 4 – Interpretation, and Regulation 17 have been updated to read SACFS (South Australian Country Fire Service) . This definition is now also incorporated into this regulation instead of in the Interpretation.
Regulation 36 'Recovery of certain amounts paid to workers'	(General) 8 Recovery of certain amounts paid to workers	References to section 42B of the Act have been deleted as the Loss of earning capacity (LOEC) provisions have been removed from the Act . However, the old Act and regulation references to LOEC still apply under the <i>Acts Interpretation Act 1915</i> to ongoing LOEC claims.

2010 regulation	Current regulation	What is the change?
Regulation 45 'Substantive law'	(General) 18A Substantive law	References to the Australian Capital Territory and Northern Territory legislation have been updated.
Regulation 50 'Noise-induced hearing loss'	(General) 23 Noise-induced hearing loss	The names of relevant Australian/New Zealand Standards and references to clinical certificates have been updated.
Regulation 32 'Accommodation costs'	(General) 4 Medical expenses	Regulations 4(1a) and 4(1b) have been deleted from regulation 4 of the General regulations as they were obsolete references to GST.
Regulation 38 'Prescribed limits on costs - Provision of professional advice'	(General) 12 Prescribed limits on costs – provision of professional advice	Regulations 12(4), 12(5) and 12(6) have been deleted as they were obsolete references to GST.
-	(General) 13 Compensation for loss of earning capacity	Regulation 13 of the General regulations has been removed as the Loss of earning capacity (LOEC) provisions have been removed from the Act.
Regulation 40 'Compensation payable on death'	(General) 15 Compensation payable on death	Regulations 15(1a) and 15(1b) have been deleted from regulation 15 of the General regulations as they were obsolete references to GST.
-	(General) 29 Transitional provision – rehabilitation and return to work coordinators	Regulation 29 of the General regulations has been removed as it is now obsolete.
-	(General) 30 Transitional provision – compensation for medical expenses	Regulation 30 of the General regulations has been removed as it is now obsolete.
Schedule 5 'Revocation and transitional provisions', Part 1 'Revocation of regulations'	All regulations (Reviews and appeals) Entire set of regulations	All of the current regulations have been revoked so that they can be remade as one new consolidated set (excluding the Reviews and Appeals regulations which are not being remade).
Schedule 5, Part 2 – Transitional provisions	All regulations	Transitional provisions included for the proper application of the new regulations: <ul style="list-style-type: none"> • Clause 7(1) provides that a determination of WorkCover regarding levy remittance before the revocation of the current regulations will continue to be a determination under the new regulations. • Clause 7(2) provides that current regulation 15 'Compensation payable on death' will continue to apply for the determination of funeral benefits payable in respect of workers who died prior to 1 November 2010. • Clause 7(3) will ensure that rehabilitation programs in existence prior to the change will not be invalidated by any changes in the standards and requirements under the new regulations, as there are some subtle differences between the requirements of the current regulations and the requirements of the new regulations.

2010 regulation	Current regulation	What is the change?
		<ul style="list-style-type: none"> • Clause 7(4) will ensure that rehabilitation and return to work plans in existence prior to the change will not be invalidated by any changes, as in respect of programs above. • Clauses 7(5) and (6) will ensure that an exemption made under the rehabilitation and return to work coordinator requirement regulation, prior to 1 November 2010, still applies under the new regulations. • Clause 7(7) will ensure that the approval by WorkCover of a financial institution for the purposes of clause 10(3) of Schedule 4 of the current Claims and Registration regulations will be taken to be an approval for the purposes of clause 8(3) of Schedule 1 of the new regulations. • Clause 7(8) will ensure that an arrangement entered into in substitution for a guarantee under clause 10(3) of Schedule 4 of the current Claims and Registration regulations is taken to be an arrangement in substitution for the guarantee under the new clause 8, Schedule 1. • Clause 7(9) provides that the new self-insurer record keeping requirements will apply to all claim documentation, regardless of when the claim was made. (That is, this provision will apply to current and past claims as well as post 1 November 2010 claims). However, where documentation has been lawfully disposed of by self-insurers before the commencement of this clause, they will not be penalised.

Quick reference chart

The *Quick reference chart* details how the names and numbers of the regulations will change. The list on the left hand side is a full list of the current regulations. The list on the right hand side is the corresponding new 2010 regulations (number and name) where relevant.

Current regulation	2010 regulation	
-	1 Short title	Part 1 - Preliminary
-	2 Commencement	
New regulation (includes definitions of terms used in multiple regulations, all other definitions now incorporated in relevant regulations)	3 Interpretation	
New regulation	4 Indexation	
Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1999		
1 Short title	-	-
2 Interpretation	Definitions moved to relevant regulations	-
5 Legislative definitions	5 Contract of service and other terms (section 3 of Act) 6 Exclusions (section 3 of Act)	Part 2 - Claims and registration
5A Average weekly earnings	7 Average weekly earnings (section 4 of Act)	
6 Evidentiary provision	8 Evidentiary provision (section 31 of Act)	
8 Registration of employers	9 Registration of employers (section 59 of Act)	
10 Agencies of the Crown	10 Agencies of the Crown (section 61 of Act)	
11 Registration	11 Registration (section 62 of Act)	
12 Special provisions relating to self-insured employers	12 Special provisions relating to self-insured employers (sections 50 and 60 of Act)	
13 Remission of levy	13 Remission of levy (section 66 of Act)	
14 Payment of levies	14 Payment of levies (Part 5 Division 6 of Act)	
16 Penalty for late payment of levy	15 Penalty for late payment of levy (section 71 of Act)	
16A Discontinuance fee (disallowed)	16 Discontinuance fee (section 76AA of Act)	
17 Volunteers	17 Volunteers (section 103A of Act)	
18 Insurance for employers against liabilities apart from the Act	18 Insurance for employers against liabilities apart from Act (section 105 of Act)	
19 Expiation of certain offences	19 Expiation of section 59 offences (section 122A of Act)	
20 Interest payable under transitional provisions	20 Interest payable under transitional provisions (Schedule 1 of Act)	
Schedule 3 - Additional information to accompany application for registration as a self-insured employer or group of self-insured employers	<i>Deleted and majority of information incorporated into new regulation 11</i>	
Schedule 4 - Self-insured employers terms and conditions of registration	Schedule 1 - Self-insured employers terms and conditions of registration	Schedule 1
Schedule 5 - Section 105 -insurance of employers terms and conditions	Schedule 2 - Terms and conditions for insurance of employers	Schedule 2
Schedule 6 - Section 61 - agencies and instrumentalities of the Crown	<i>Deleted and three remaining entities incorporated into new regulation 10</i>	-
Workers Rehabilitation and Compensation (Rehabilitation Standards and Requirements) Regulations 1996		
1 Short title	-	-
2 Commencement	-	-
3 Interpretation	21 Interpretation	Part 3 - Rehabilitation
4 Standards and requirements - Rehabilitation programmes	22 Standards and requirements—rehabilitation programs (section 28C of Act)	
5 Standards and requirements—Rehabilitation and return to work plans	23 Standards and requirements—rehabilitation and return to work plans (section 28C of Act)	
6 Amendment to programmes and plans	24 Amendment to programs and plans	

Current regulation	2010 regulation	
Workers Rehabilitation and Compensation (Dispute Resolution) Regulations 1996		
1 Short title	-	-
2 Commencement	-	-
3 Interpretation	-	-
4 Notice of dispute (section 90)	27 Notice of dispute and other applications (sections 90, 90A and 97 of Act)	Part 4 - Dispute resolution
5 Application for an extension of time (section 90A)		
6 Nomination of person to reconsider a disputed decision (section 91)		
7 Costs	29 Costs (sections 95 and 97C of Act)	
8 Special jurisdiction	<i>Also incorporated into new regulation 27</i>	
Schedule 1 - Notice of dispute	Schedule 3—Forms	Schedule 3
Schedule 2 - Application for expedited decision		
Workers Rehabilitation and Compensation (General) Regulations 1999 (continued on page 14)		
1 Short title	-	-
3 Interpretation	-	-
New regulation	30 Indexation (section 3 of Act)	Part 5 - General
3A Designated courts	31 Designated courts (section 6B of Act)	
3B Rehabilitation and return to work co-ordinators - filling of vacancies	25 Rehabilitation and return to work coordinators - filling of vacancies (section 28D of Act)	Part 3 - Rehabilitation
3C Rehabilitation and return to work coordinators - exemptions from requirements	26 Rehabilitation and return to work coordinators - exemptions from requirements (section 28D of Act)	
4 Medical expenses	32 Medical expenses – accommodation costs (section 32 of Act)	Part 5 - General
5 Transportation for initial treatment		
6 Compensation for property damage		
7 Notices	35 Notices	Part 5 - General
8 Recovery of certain amounts paid to workers	36 Recovery of certain amounts paid to workers (sections 32A, 36 and 50H of Act)	
11 Absence from Australia	37 Absence from Australia (section 41 of Act)	
12 Prescribed limits on costs - Provision of professional advice	38 Prescribed limits on costs - Provision of professional advice (section 42 of Act)	
13 Compensation for loss of earning capacity	<i>Deleted</i>	-
14 Lump sum compensation	39 Lump sum compensation (section 43 of Act)	Part 5 - General
15 Compensation payable on death	40 Compensation payable on death (sections 44, 45A and 45B of Act)	
16 Exemption from two weeks of payments	41 Exemption from two weeks of payments (section 46 of Act)	
17 Rate of interest payable on weekly payments in arrears	42 Rate of interest payable on weekly payments in arrears (section 47 of Act)	Part 5 - General
18 Payments by Corporation on behalf of defaulting employers	43 Payments by Corporation on behalf of defaulting employers (section 48 of Act)	
18AA Period of notice if provisional weekly payments not commenced	44 Period of notice if provisional weekly payments not commenced (section 50D of Act)	
18A Substantive law	45 Substantive law (section 58AE of Act)	
20 Notification by self-insured employers	46 Notification by self-insured employers (section 63 of Act)	Part 5 - General
20A Constitution of Medical Panels	47 Constitution of medical panels (section 98 of Act)	
21 Progress reports to employers	<i>Deleted</i>	-
22 Medical examination requested by employers	48 Medical examination requested by employers (section 108 of Act)	Part 5 - General
23 Noise induced hearing loss		

Current regulation	2010 regulation	
<i>Workers Rehabilitation and Compensation (General) Regulations 1999 (continued from page 13)</i>		
New regulation	51 Interpretation	Part 6 - Transitional provisions
26 Transitional provision - Weekly payments	52 Transitional provision - Weekly payments	
27 Transitional provision - Compensation payable on death - lump sums	53 Transitional provision - Compensation payable on death – lump sums	
28 Transitional provision - References to exempt employers	54 Transitional provision - References to exempt employers	
29 Transitional provision - Rehabilitation and return to work coordinators	<i>Deleted</i>	-
30 Transitional provision - Compensation for medical expenses	<i>Deleted</i>	-
31 Transitional provision - lump sum compensation	55 Transitional provision - lump sum compensation	Part 6 - Transitional provisions
Schedule 1 - Scale of entitlements - section 43(2)	Schedule 4 - Scale of entitlements - section 43(2) of Act	Schedule 4
Schedule 7 - Prescribed notice	<i>Deleted</i>	
<i>Workers Rehabilitation and Compensation (Disclosure of Information) Regulations 1999</i>		
1 Short title	-	-
2 Commencement	-	-
3 Revocation	-	-
4 Interpretation	-	-
5 Disclosure of information	49 Disclosure of information (section 112 of Act)	Part 5 - General
New regulations	1 Revocation of <i>Workers Rehabilitation and Compensation (Claims and registration) Regulations 1999</i>	Schedule 5, Part 1 – Revocation of regulation
	2 Revocation of <i>Workers Rehabilitation and Compensation (Disclosure of Information) Regulations 1999</i>	
	3 Revocation of <i>Workers Rehabilitation and Compensation (Dispute resolution) Regulations 1996</i>	
	4 Revocation of <i>Workers Rehabilitation and Compensation (General) Regulations 1999</i>	
	5 Revocation of <i>Workers Rehabilitation and Compensation (Rehabilitation standards and requirements) Regulations 1996</i>	
	6 Revocation of <i>Workers Rehabilitation and Compensation (Reviews and appeals) Regulations 1999</i>	
	7 Transitional provisions	Schedule 5, Part 2 – Transitional provisions

Free information support services are available for:
TTY (deaf or have hearing/speech impairments) call (08) 8233 2574.
Languages other than English call the Interpreting and Translating Centre
(08) 8226 1990 and ask for an interpreter to call WorkCoverSA on 13 18 55.
Braille, audio, or e-text call 13 18 55.

The information in this publication is compiled by WorkCover Corporation of South Australia. The data and facts referred to are correct at the time of publishing and provided as general information only. It is not intended that any opinion as to the meaning of legislation referred to is to be relied upon by readers who should seek independent advice as to any specific issues relevant to you, your workplace or organisation.

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