



Western Australia

# **Workers Compensation and Injury Management Act 2023**



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# Workers Compensation and Injury Management Act 2023

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#### Defined terms





Western Australia

## **Workers Compensation and Injury Management Act 2023**

**An Act —**

- **to provide for employers to be liable to compensate workers who suffer injuries from employment; and**
- **to establish a scheme for compulsory insurance against that liability; and**
- **to provide for the management of those injuries; and**
- **to provide for the resolution of disputes; and**
- **to make administrative and other related provisions; and**
- **to make consequential and related amendments to, and repeals of, various written laws.**

## **Part 1 — Preliminary**

### **Division 1 — General**

#### **1. Short title**

This is the *Workers Compensation and Injury Management Act 2023*.

#### **2. Commencement**

This Act comes into operation as follows —

- (a) Part 1 (but only Division 1) — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) Part 14 (but only Divisions 1, 4 and 10 and only sections 542, 543, 545, 574, 579, 603, 606 and 609) — on the day after assent day;
- (c) Part 15 Division 3 Subdivision 18 —
  - (i) if the *Criminal Law (Mental Impairment) Act 2023* section 188 comes into operation on or before assent day — when section 66 of this Act comes into operation; or
  - (ii) otherwise — when the *Criminal Law (Mental Impairment) Act 2023* section 188 comes into operation;
- (d) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

#### **3. Act binds Crown**

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

**4. No contracting out**

- (1) The application of this Act or any of its provisions cannot be excluded, restricted or modified by contract, agreement or other arrangement, except as provided by this Act.
- (2) A person who enters into a contract, agreement or other arrangement that purports to exclude, restrict or modify the application of this Act or any of its provisions, except as provided by this Act, commits an offence.

Penalty for this subsection: a fine of \$15 000.

*[Div. 2-4 have not come into operation.]*

*[Parts 2-15 have not come into operation.]*

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## Notes

This is a compilation of the *Workers Compensation and Injury Management Act 2023*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

### Compilation table

Short title	Number and year	Assent	Commencement
<i>Workers Compensation and Injury Management Act 2023</i> Pt. 1 Div. 1	21 of 2023	24 Oct 2023	24 Oct 2023 (see s. 2(a))

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

Short title	Number and year	Assent	Commencement
<i>Workers Compensation and Injury Management Amendment Act 2023</i> (other than Pt. 1 Div. 1)	21 of 2023	24 Oct 2023	Pt. 14 (but only Div. 1, 4 and 10 and only s. 542, 543, 545, 574, 579, 603, 606 and 609): 25 Oct 2023 (see s. 2(b)); Pt 15 Div. 3 Subdiv. 18: if the <i>Criminal Law (Mental Impairment) Act 2023</i> s. 188 comes into operation on or before assent day — when s. 66 of this Act comes into operation; or otherwise — when the <i>Criminal Law (Mental Impairment) Act 2023</i> s. 188 comes into operation (see s. 2(c)); Act other than Pt. 14 Div. 1 s. 542, 543 and 545, Pt. 14 Div. 4 s. 574 and 579, Pt. 14 Div. 10 s. 603, 606 and 609 and Pt. 15 Div. 3 Subdiv. 18: to be proclaimed (see s. 2(d))



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<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Workers Compensation and Injury Management Act 2023</i> s. 4-8	22 of 2023	24 Oct 2023	s. 4: operative on the commencement of the <i>Workers Compensation and Injury Management Act 2023</i> section 261 (see s. 2(b)); s. 5: operative on the commencement of the <i>Workers Compensation and Injury Management Act 2023</i> section 263 (see s. 2(c)); s. 6: operative on the commencement of the <i>Workers Compensation and Injury Management Act 2023</i> section 300 (see s. 2(d)) s. 7: operative on the commencement of the <i>Workers Compensation and Injury Management Act 2023</i> section 302 (see s. 2(e)) s. 8: operative on the commencement of the <i>Workers Compensation and Injury Management Act 2023</i> section 491 (see s. 2(f))

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Defined terms

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**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
assent day .....	2

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