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WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981 AND EMPLOYERS' INDEMNITY POLICIES (PREMIUM RATES) ACT 1990

In pursuance of the *Workers' Compensation and Injury Management Act 1981* and section 4 of the *Employers' Indemnity Policies (Premium Rates) Act 1990*, the WorkCover Western Australia Authority (WorkCover WA) has determined that the recommended premium rates in respect of employer indemnity policies shall be as set out in the attached schedule, effective from and after 4.00 pm on 30 June 2005.

The recommended premium rates have been calculated **exclusive** of the 10% Goods and Services Tax (referred to as GST), which was implemented by the Commonwealth Government on 1 July 2000. Recommended premium rates are also **exclusive** of the percentage surcharge under section 14(2) of the *Employers' Indemnity Supplementation Fund Act 1980*.

An employer indemnity policy is defined under section 3 of the *Employers' Indemnity Policies (Premium Rates) Act 1990* as a policy of insurance that gives to an employer, in addition to the insurance required by the *Workers' Compensation and Injury Management Act 1981*, such insurance against liability arising under the *Fatal Accidents Act 1959*, the *Law Reform (Miscellaneous Provisions) Act 1941*, the *Law Reform (Contributory Negligence and Tortfeasor's Contribution) Act 1947* or at common law, as limited by the provisions of the *Workers' Compensation and Injury Management Act 1981*, for personal injury sustained by a person employed by the employer under a contract of service or apprenticeship, as may be specified in the policy.

The recommended premium rate shall be applied to the aggregate amount of wages, salaries or other remuneration paid to an employer's workers, in accordance with the provisions of section 160 of the *Workers' Compensation and Injury Management Act 1981*.

For premium rating purposes, all premiums for a particular industry will be calculated on the same rate. Only one rate will apply for each establishment. An establishment is defined as a unit covering all the operations of a company conducted at or from a single location. If an employer conducts more than one industry at the same single location, the classification of the employer's predominant industry (based on gross remuneration) shall apply.

Depending upon an employer's individual risk factor, insurers may discount the recommended rate by any amount, or surcharge it within the limit imposed by section 152 of the *Workers' Compensation and Injury Management Act 1981*.

Appeals against classification or insurance premium assessed by the insurer, must be lodged under the provisions of section 154 of the *Workers' Compensation and Injury Management Act 1981* within one month from the date of being informed of the classification or premium payable.

Dated at Perth this 22nd day of April 2005.

ANTHONY COOKE, Chairperson,
WorkCover WA Authority Board.