

Death Entitlements

The Government implemented significant improvements to death entitlements in 2018, in line with recommendations of WorkCover WA's Final Report. The *WCIMA23* replicates the 2018 amendments, consolidates all provisions relating to the claim process and compensation entitlements, and clarifies the status of unborn children.

Key Points

Act ref: Part 2 Division 10

- There are no changes to the structure or quantum of compensation payable to dependants, or to the claims process.
- The *WCIMA23* provides for minor drafting improvements and consolidation of provisions relating to death entitlements.
- The *WCIMA23* also clarifies the status of unborn children of the worker at the time of the worker's death. The definition of 'child' and 'dependant' in section 131 ensures a child of a worker conceived before but born after a worker's death is eligible to receive compensation if they would have been dependent on the worker at the time of birth had the death not occurred.

Questions & Answers

Q. Where can I find out more about the amendments made in 2018?

A. The [WorkCover WA website](https://www.workcover.wa.gov.au)¹ contains information and resources about workplace fatality entitlements and how to make and resolve a claim.

¹ [workcover.wa.gov.au](https://www.workcover.wa.gov.au)

