

WorkCover WA & Administration

The **WCIMA23** provides for the continuation of WorkCover WA as the statutory authority responsible for administering the workers compensation scheme, funded by a levy contribution from licensed insurers and self-insurers.

Key Points

Act ref: Part 8 & 9, Part 14 Division 10

- The *WCIMA23* provides for the establishment of WorkCover WA and its functions and powers, the appointment of WorkCover WA Board members and Board administration, and the staff of WorkCover WA.
- There are no substantive changes from the 1981 Act.
- The *WCIMA23* consolidates the various functions of WorkCover WA in one place. There are minor changes to Board meeting and administration provisions to align with contemporary drafting conventions for statutory authorities, and flexibility for meetings to be held remotely or for an issue to be decided without a meeting if an issue requires it.
- There is provision for the use of committees to assist WorkCover WA in the performance of its functions.
- Under the 1981 Act, WorkCover WA operations are funded by a levy on approved insurers and self-insurers which is paid into the General Account, which will continue under the new Act. Savings and transitional provisions provide for the continuation of the General Account.
- The only change in relation to the General Account is that liabilities relating to uninsured employers will no longer be payable from the General Account. The liabilities of uninsured employers will be payable from the Default Insurance Fund (under Part 5 Division 7).

Key Points

- The contribution (levy) methodology that applies to each insurer or self-insurer will be the same methodology that applies for the General Account in the 1981 Act and is based on premium income for insurers and notional premium for self-insurers. The same methodology will also apply with respect to insurer and self-insurer contributions to the Default Insurance Fund.

Questions & Answers

Q. What happens to WorkCover WA Board members and statutory office holders when the new Act commences?

A. Savings and transitional provisions continue the governing body of WorkCover WA as the WorkCover WA Board, and all appointed members immediately before commencement of the new Act will be taken to be appointed under the new Act. Similar savings and transitional provisions apply to other statutory office holders including the chief executive officer, inspectors, conciliators, arbitrators, the Director Conciliation and Registrar Arbitration.

