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

### **APPROVED FORM [s. 496]**

#### **Common Law Dust Disease — Permanent Impairment Agreement**

In accordance with section 496 of the *Workers Compensation and Injury Management Act 2023* the approved form for an agreement between a worker and employer about the worker's degree of permanent whole of person impairment resulting from a dust disease for the purposes of sections 421(10) and 426(5) of the Act and regulation 120(2)(b)(ii) of the *Workers Compensation and Injury Management Regulations 2024* is **Common Law Dust Disease – Permanent Impairment Agreement** in Appendix 1.

**Common Law Dust Disease – Permanent Impairment Agreement** in Appendix 1 is effective 1 July 2024 and registered as WorkCover WA Approved Form CL2 – v1 [D2024/36871].

CHRIS WHITE  
CHIEF EXECUTIVE OFFICER

26 March 2024

**APPENDIX 1**

*Workers Compensation and Injury Management Act 2023*

**COMMON LAW DUST DISEASE — PERMANENT IMPAIRMENT AGREEMENT**

**Worker**

Name: .....  
Address: .....  
Date of birth: .....  
Phone number: .....  
Email address: .....

**Employer**

Name: .....  
Address: .....  
ABN: .....  
Contact person: .....  
Phone number: .....  
Email address: .....

**Claim**

Insurer: .....  
Insurer claim number: .....  
Date claim made: .....  
Contact person .....  
Phone number: .....  
Email address .....  
.....

## APPENDIX 1

### Injury

Date of injury: .....

Description of injury:

- Pneumoconiosis
- Silicosis
- Mesothelioma
- Lung cancer
- Diffuse pleural fibrosis

### Agreement

It has been agreed between the worker and the employer that the worker's degree of permanent whole of person impairment resulting from the dust disease is:

At least 15%  Yes  No

At least 25%  Yes  No

### Note

This agreement must be lodged with the Director to support an election to pursue common law damages. See approved form: Common Law Election.

Signed by worker: .....

Worker name: .....

Date: .....

Signed by employer: .....

Employer representative name: .....

Date: .....