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Workers Compensation and Injury Management Act 2023

TRANSITIONAL ARRANGEMENTS: PREMIUM LOADINGS AND APPEALS

An appeal under the *Workers' Compensation and Injury Management Act 1981* (WCIMA 1981) will be known as a review under the *Workers Compensation and Injury Management Act 2023* (WCIMA 2023)

Where an insurer is seeking to load the recommended premium rate by more than 75% under the WCIMA 1981:

- Insurers will continue to issue the current Form 330 up to 30 June 2024.
 - If the employer returns their Form 330 on/before 30 June 2024 to the insurer, or otherwise indicates an intent to appeal in writing, the Form 330 (or intent to appeal) is to be returned to WorkCover WA and it will be handled as a review under the WCIMA 2023.
 - If the employer does not return the Form 330 or an intent to appeal, before 30 June 2024, the insurer is to advise the employer of their opportunity to seek a review with WorkCover WA and direct them to the WorkCover WA website.

On the WorkCover WA website, the employer will find a dedicated page on how to seek a review, a copy of the *Premium and Industry Classification Review Guidelines*, and a copy of the *Premium and Industry Classification Review Request Form*.

At this point, the responsibility for initiating a review with WorkCover WA is the responsibility of the employer. All employers in this scenario will have until 31 July 2024, to seek a review with WorkCover WA.

Consented loadings under the WCIMA 1981

Where an insurer is seeking to load a recommended premium rate by more than 75% under the WCIMA 1981, and the employer is in agreement to the proposed loading which is greater than 75%, and the application has missed the deadline to be considered by the WorkCover WA Board in June 2024:

- Insurers are to send the employers agreement to WorkCover WA.
- On the first working day of the 2024/25 FY, WorkCover WA will confirm with the relevant insurer that the requirement to seek WorkCover WA approval is no longer required for consented loadings, and parties can progress as commercially agreed.