

South Australia

**WORKERS REHABILITATION AND COMPENSATION (SCALES OF
CHARGES—MEDICAL PRACTITIONERS) REGULATIONS 1999**

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Revocation
4. Interpretation
5. Scales of charges—Medical Practitioners
6. Increase in fees for Goods and Services Tax

SCHEDULE A

Prescribed Medical Certificates

SCHEDULE B

Worksite Assessment

APPENDIX

LEGISLATIVE HISTORY

**REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION
ACT 1986**

*Workers Rehabilitation and Compensation
(Scales of Charges—Medical Practitioners) Regulations 1999*

being

No. 6 of 1999: *Gaz.* 14 January 1999, p. 58¹

as varied by

No. 38 of 1999: *Gaz.* 27 May 1999, p. 2740²

No. 140 of 2000: *Gaz.* 22 June 2000, p. 3368³

No. 212 of 2001: *Gaz.* 30 August 2001, p. 3490⁴

¹ Came into operation 14 January 1999: reg. 2.

² Came into operation 27 May 1999: reg. 2.

³ Came into operation 22 June 2000: reg. 2.

⁴ **Came into operation 17 September 2001: reg. 2.**

N.B. The amendments effected to these regulations by Regulation No. 26 of 2003 have not come into operation.

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last consolidation.*
- *For the legislative history of the regulations see Appendix.*

Citation

1. These regulations may be cited as the *Workers Rehabilitation and Compensation (Scales of Charges—Medical Practitioners) Regulations 1999*.

Commencement

2. These regulations come into operation on the day on which they are made.

Revocation

3. The *Workers Rehabilitation and Compensation (Scales of Charges—Medical Practitioners) Regulations 1997* (see *Gazette* 15 May 1997 p. 2000) are revoked.

Interpretation

4. (1) In these regulations—

"**Act**" means the *Workers Rehabilitation and Compensation Act 1986*.

"**GST**" means the tax payable under the GST law;

"**GST law**" means—

(a) *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);
and

(b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

"**MBS Book**" means the Medicare Benefits Schedule Book published by the Commonwealth Department of Health and Aged Care in the year 2000 and expressed as operating from 1 November 2000;

"**N/A**" (not applicable), in relation to an item in schedule A, means that a fee is not set by these regulations for the relevant item;

"**prescribed medical certificate**" means a certificate provided by a recognised medical expert in support of a claim for compensation pursuant to section 52 of the Act in a form prescribed by regulation under the Act.

(2) Subject to the Act and subregulation (1), and unless the contrary intention appears, words and expressions used in schedule A or B have the meanings specified in the MBS Book.

Scales of charges—Medical Practitioners

5. Pursuant to section 32(11) of the Act, the scales of charges set out in schedules A and B are, subject to modification under regulation 6, prescribed as scales of charges for the purposes of that section for the provision of medical and related or supplementary services by legally qualified medical practitioners.

Increase in fees for Goods and Services Tax

6. (1) Where a service set out in schedule A or B is subject to GST, the maximum fee set out in (or determined as a derived fee in accordance with) the schedule in respect of the service is increased so that after deduction of the GST in relation to the service the amount of the fee remaining is equal to the maximum fee set out in, or determined in accordance with, the schedule.

3.

(2) Where the maximum fee in respect of a service is determined as a derived fee in accordance with schedule A or B, the fee from which it is derived must not be increased under subregulation (1) to include GST when calculating the derived fee.

2.

[Explanatory notes and schedules A and B appear in
Gaz. 30 August 2001, p. 3490]

APPENDIX**LEGISLATIVE HISTORY**

(entries in bold type indicate amendments incorporated since the last consolidation)

Regulation 4:	redesignated as reg. 4(1) by 212, 2001, reg. 3(b) definitions of "GST" and "GST law" inserted by 140, 2000, reg. 3
Regulation 4(2):	definitions of "MBS Book", "N/A" and "prescribed medical certificate" inserted by 212, 2001, reg. 3(a) inserted by 212, 2001, reg. 3(b)
Regulation 5:	varied by 140, 2000, reg. 4; 212, 2001, reg. 4
Regulation 6:	inserted by 140, 2000, reg. 5
Regulation 6(1):	varied by 212, 2001, reg. 5(a)
Regulation 6(2):	varied by 212, 2001, reg. 5(b)
Notes 1 and 2:	revoked by 212, 2001, reg. 6
Account Preparation Standards:	revoked by 212, 2001, reg. 6
Explanatory notes:	varied by 38, 1999, reg. 3; revoked by 212, 2001, reg. 6
Schedule of items:	varied by 38, 1999, reg. 4; revoked by 212, 2001, reg. 6
Notes 1 and 2 and Schedules A and B:	inserted by 212, 2001, reg. 6