

South Australia

Workers Rehabilitation and Compensation (Claims and Registration) (Discontinuance Fee) Variation Regulations 2009

under the *Workers Rehabilitation and Compensation Act 1986*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1999*

- 4 Insertion of regulation 16A
16A Discontinuance fee
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Workers Rehabilitation and Compensation (Claims and Registration) (Discontinuance Fee) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1999*

4—Insertion of regulation 16A

After regulation 16 insert:

16A—Discontinuance fee

- (1) For the purposes of section 76AA(1)(a) of the Act, but subject to this regulation, in relation to an employer who ceases to be registered under section 59 of the Act, the fee to be paid by the employer will be calculated as follows:

$$DF \text{ (GST inclusive)} = \frac{1.1 \times TEL \text{ (GST exclusive)}}{TSL} \times SUL$$

where—

DF is the fee to be paid

TEL is the total amount of levies paid or payable with respect to the relevant period by the employer

TSL is the total amount of levies paid or payable with respect to the relevant period by all employers registered under section 59 of the Act, as shown in the relevant audited accounts of the Corporation

SUL is the unfunded liability of the scheme under the Act, being the amount by which the total consolidated liabilities of the Corporation exceed the total consolidated assets of the Corporation, as shown in the most recently published audited accounts of the Corporation (as at the relevant day).

- (2) The Corporation may, as it thinks fit, waive the whole or a part of any fee payable under this regulation.
- (3) In this regulation—

levy is levy payable under Division 4 of Part 5 of the Act;

relevant day, in relation to an employer, is the day on which the employer ceases to be registered under section 59 of the Act;

relevant period, in relation to an employer, is a period comprising the last 3 financial years for which audited accounts of the Corporation are available (as at the relevant day).

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Workers Rehabilitation and Compensation (Claims and Registration) (Discontinuance Fee) Variation
Regulations 2009**

Variation of Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1999—Part 2

Made by the Governor

with the advice and consent of the Executive Council
on 26 November 2009

No 273 of 2009

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