

South Australia

Return to Work Variation Regulations 2015

under the *Return to Work Act 2014*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Return to Work Variation Regulations 2015*.

2—Commencement

These regulations will come into operation on 1 July 2015.

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 *Return to Work Regulations 2015*

4—Variation of regulations 23—Medical expenses—period of entitlement (section 33(21) of Act)

- (1) Regulation 23—after subregulation (2) insert:
 - (2a) For the purposes of section 33(21)(b)(iv) of the Act, section 33(20) of the Act will not apply if—
 - (a) the services relate to an injury that is subject to the application of the Act by virtue of clause 29(1)(a) of Schedule 9 of the Act (an *existing injury*); and

- (b) the services constitute surgery, or associated medical, nursing or medical rehabilitation services (including the cost of hospitalisation), where the Corporation has determined or accepted, on application made before 1 July 2016, that it is reasonable and appropriate for such surgery to be undertaken at a later time due to the impact (or likely impact) of the existing injury on the worker's health and capacity (or future health and capacity).
- (2) Regulation 23—delete subregulation (3) and substitute:
 - (3) For the purposes of section 97 of the Act—
 - (a) a decision not to grant an approval under subregulation (2)(b); or
 - (b) a decision on an application under subregulation (2a)(b),
is declared to be reviewable.

**5—Variation of regulation 48—Appointment of independent medical advisers
(section 118 of Act)**

Regulation 48—delete "within a period specified in the notice (being not less than 2 weeks, and not more than 4 weeks, from the date of publication of the notice)"

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.

Made by the Governor

with the advice and consent of the Executive Council
on 25 June 2015

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