

SOUTH AUSTRALIA

**WORKERS REHABILITATION AND COMPENSATION  
(CLAIMS AND REGISTRATION) REGULATIONS, 1987**

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at 23 March 1995.*

*It should be noted that the regulations were not revised (for obsolete references, etc.) prior to the publication of this reprint.*

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# REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION ACT, 1986

## WORKERS REHABILITATION AND COMPENSATION (CLAIMS AND REGISTRATION) REGULATIONS, 1987

being

No. 179 of 1987: *Gaz.* 6 August 1987, p. 379<sup>1</sup>

as varied by

No. 271 of 1987: *Gaz.* 12 November 1987, p. 1598<sup>2</sup>

No. 216 of 1988: *Gaz.* 6 October 1988, p. 1249<sup>3</sup>

No. 168 of 1989: *Gaz.* 31 August 1989, p. 761<sup>4</sup>

No. 68 of 1990: *Gaz.* 24 May 1990, p. 1438<sup>5</sup>

No. 230 of 1990: *Gaz.* 29 November 1990, p. 1641

No. 263 of 1990: *Gaz.* 20 December 1990, p. 1915

No. 2 of 1991: *Gaz.* 17 January 1991, p. 191

No. 46 of 1991: *Gaz.* 24 April 1991, p. 1390

No. 85 of 1991: *Gaz.* 27 June 1991, p. 2064

No. 158 of 1991: *Gaz.* 11 July 1991, p. 249

No. 159 of 1991: *Gaz.* 11 July 1991, p. 250

No. 232 of 1991: *Gaz.* 14 November 1991, p. 1292

No. 32 of 1992: *Gaz.* 26 March 1992, p. 930<sup>6</sup>

No. 125 of 1992: *Gaz.* 25 June 1992, p. 1978<sup>7</sup>

No. 126 of 1992: *Gaz.* 25 June 1992, p. 1980<sup>8</sup>

No. 162 of 1992: *Gaz.* 16 July 1992, p. 625

No. 193 of 1992: *Gaz.* 1 October 1992, p. 1264<sup>9</sup>

No. 146 of 1993: *Gaz.* 24 June 1993, p. 2112<sup>10</sup>

No. 177 of 1993: *Gaz.* 22 July 1993, p. 645<sup>11</sup>

No. 253 of 1993: *Gaz.* 4 November 1993, p. 2195<sup>12</sup>

No. 31 of 1994: *Gaz.* 26 May 1994, p. 1301<sup>13</sup>

No. 106 of 1994: *Gaz.* 30 June 1994, p. 1955<sup>14</sup>

No. 112 of 1994: *Gaz.* 7 July 1994, p. 37<sup>15</sup>

No. 116 of 1994: *Gaz.* 14 July 1994, p. 102<sup>16</sup>

No. 25 of 1995: *Gaz.* 23 March 1995, p. 1007<sup>17</sup>

**NOTE:**

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

## 2 Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987

- 1 Came into operation at 4 p.m. on 30 September 1987: reg. 2.
- 2 Came into operation (except regs. 4 and 5) 12 November 1987: reg. 2(1); regs. 4 and 5 came into operation 23 November 1987: reg. 2(2).
- 3 Came into operation 17 October 1988: reg. 2.
- 4 Came into operation 18 September 1989: reg. 2.
- 5 Came into operation 1 June 1990: reg. 2.
- 6 Came into operation 1 April 1992: reg. 2.
- 7 Came into operation 1 July 1992: reg. 2.
- 8 Came into operation 1 July 1992: reg. 2.
- 9 Came into operation 1 October 1992: reg. 2.
- 10 Came into operation 1 July 1993: reg. 2.
- 11 Came into operation 1 July 1993: reg. 2.
- 12 Came into operation 4 November 1993: reg. 2.
- 13 Came into operation 26 September 1994: reg. 2.
- 14 Came into operation 1 July 1994: reg. 2.
- 15 Came into operation 7 July 1994: reg. 2.
- 16 Came into operation 14 July 1994: reg. 2.
- 17 Came into operation 23 March 1995: reg. 2.

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*Citation*

1. These regulations may be cited as the *Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987*.

*Commencement*

2. These regulations will come into operation at 4 p.m. on 30 September, 1987.

*Interpretation*

3. In these regulations—

"the Act" means the *Workers Rehabilitation and Compensation Act, 1986*;

"award" means—

(a) an award or order of the Industrial Commission;

(b) an award of a conciliation committee;

or

(c) an award or order of the Australian Industrial Relations Commission;

"building work" has the same meaning as in *Builders Licensing Act, 1986*;

"cleaning work" means the work of cleaning any building or a part of a building (including the windows of the building and the surrounds of the building);

"commercial motor vehicle" means a motor vehicle constructed or adapted solely or mainly for the carriage of goods or materials (including money) by road, including a prime mover, truck, panel van, utility and station wagon, but not including a motor cycle;

"industrial agreement" means—

(a) an industrial agreement within the meaning of the *Industrial Conciliation and Arbitration Act, 1972*;

or

(b) a certified agreement within the meaning of the *Industrial Relations Act 1988* of the Commonwealth;

"outworker" means an outworker as defined in the *Industrial Conciliation and Arbitration Act, 1972*;

"prime bank rate", for a particular financial year, means the rate (expressed as a percentage per annum) fixed by the State Bank of South Australia at the commencement of that financial year as its indicator lending rate;

"wall or floor tiling" means any work performed within the wall and floor tiling trade, as prescribed under the *Builders Licensing Act 1986*.

#### 4 Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987

##### *Legislative definitions*

4. (1) For the purposes of the definition of "contract of service" in section 3(1) of the Act (but subject to this regulation), the following classes of work under a contract, arrangement or understanding are prescribed classes of work:

- (a) building work, other than wall or floor tiling;
- (b) cleaning work;
- (c) driving a motor vehicle used for the purposes of transporting goods or materials (whether or not the vehicle is registered in the driver's name) where the driver is paid under the Local Government Employees Award or the Adelaide City Corporation Award;
- (ca) driving a taxi-cab or similar motor vehicle used for the purpose of transporting members of the public where the driver does not hold or lease a licence issued in relation to the vehicle;
- (cb) driving or riding for fee or reward a vehicle, other than a commercial motor vehicle, for the purpose of transporting by road goods or materials (including money) where the driver or rider does not simultaneously own or operate more than one vehicle for work purposes;
- (d) performing as a singer, dancer, musician, ventriloquist, acrobat, juggler, comedian or other entertainer at a hotel, discotheque, restaurant, dance hall, club, reception house or other similar venue, but excluding work as an actor, model or mannequin, or as any other type of entertainer, in performing as part of a circus, concert recital, opera, operetta, mime, play or other similar performance,

where—

- (e) the work is performed by one person to the contract, arrangement or understanding (the worker) in the course of or for the purposes of a trade or business carried on by another person to the contract, arrangement or understanding (the employer);
- (f) the work is performed personally by the worker (whether or not the worker supplies any tools, plant or equipment);
- (g) the worker does not employ any other person to carry out any part of the work;
- (h) (i) in the case of building work—
  - the value of any materials supplied, or reasonably expected to be supplied, by the worker does not exceed—
    - 4 per cent of the total amount payable, or reasonably expected to be payable, under or pursuant to the contract, arrangement or understanding;
    - or
    - \$50,
  - whichever is the greater;

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and

- the value of any one tool, or any single item of plant or equipment, owned or leased by the worker for work purposes (whether or not it is used in the performance of the particular work) does not exceed—
  - in 1991—\$10 000;
  - in a subsequent year—an amount (calculated to the nearest multiple of \$100) that bears to \$10 000 the same proportion as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1990;
- (ia) in the case of cleaning work (other than window cleaning)—the value of any materials supplied, or reasonably expected to be supplied, by the worker does not exceed—
  - if the term of the contract, arrangement or understanding is not more than one month—\$50;
  - if the term of the contract, arrangement or understanding is more than one month—an average of \$50 per month;
- (ib) in the case of window cleaning—the value of any materials supplied, or reasonably expected to be supplied, by the worker does not exceed—
  - if the term of the contract, arrangement or understanding is not more than one month—\$25;
  - if the term of the contract, arrangement or understanding is more than one month—an average of \$25 per month;
- (ii) in any other case—the value of any materials supplied, or reasonably expected to be supplied, by the worker does not exceed \$50;

and

- (i) in the case of work referred to in paragraph (cb)—the goods or materials are not owned (and have not been previously owned) by the driver or rider (as the case may be), or by the employer.

(1aa) For the purposes of subregulation (1)(h)(i)—

- (a) the value of any tool, plant or equipment owned or leased by a worker is the price that, at the time that the worker enters into the relevant contract, arrangement or understanding, the worker would reasonably be expected to pay if the worker were to purchase an equivalent, unused, tool or item of plant or equipment;

and

- (b) a vehicle will not be taken to be used for work purposes if its sole or principal use is to transport the worker, and any tools, plant or equipment, to any work site.

## 6 Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987

(1a) Where—

(a) a licensed gas fitter is engaged by the South Australian Gas Company to perform building work;

and

(b) the licensed gas fitter supplies materials for the purposes of that work,

that work is not included in the classes of work prescribed by subregulation (1).

(1b) Subject to subregulation (1ba), the work of a minister, priest or other member of a religious order is a prescribed class of work for the purposes of the definition of "contract of service" in section 3(1) of the Act.

(1ba) Pursuant to section 3(7) of the Act, the following persons are excluded from the application of the Act:

(a) a minister ministering within The Anglican Church of Australia in South Australia;

(b) a priest or other member of a religious order ministering within the Catholic Church of South Australia;

(c) a pastor ministering within the Lutheran Church of Australia South Australia District Inc.;

or

(d) an ordained minister, deaconess or lay pastor of The Uniting Church in Australia ministering in South Australia in an approved placement under the "Classification of Ministers" of that Church.

(1c) Where—

(a) a person performs work as an outworker;

and

(b) any aspect of that work is governed by an award or industrial agreement that is expressed to apply to outworkers (or a specified class or classes of outworkers),

that work is prescribed work for the purposes of the definition of "contract of service" in section 3(1) of the Act.

(1d) The work of a Review Officer appointed under the Act is prescribed work for the purposes of the definition of "contract of service" in section 3(1) of the Act (and, for the purposes of the application of the Act to such a Review Officer as a worker, the Crown will be taken to be his or her employer).

(2) For the purposes of the definition of "local government corporation" in section 3(1) of the Act, all controlling authorities constituted under the *Local Government Act, 1934*, are prescribed as being within this definition.

(2a) For the purposes of the definition of "prescribed allowance" in section 3(1) of the Act, any contribution to a superannuation scheme paid or payable by an employer on behalf of or for the benefit of a worker is prescribed as being within this definition.

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(3) For the purposes of section 3(6) of the Act, a prescribed circumstance is where a person (the principal) contracts with another person (the contractor) who is not registered as an employer under the Act.

(4) Pursuant to section 3(7) of the Act, but subject to subregulation (5), a worker who is employed by an employer to participate as a contestant in a sporting or athletic activity (and to engage in training or preparation with a view to such participation, and other associated activities) is, in relation to that employment, excluded from the application of the Act.

(5) Subregulation (4) does not apply to—

(a) a person authorized or permitted under the *Racing Act 1976* to ride or drive in a race as defined in that Act;

or

(b) a boxer or wrestler employed or engaged for a fee to take part in a boxing or wrestling match.

(6) A person ("the driver") who is employed or engaged by another ("the principal") to transport goods or materials (including money) by motor vehicle in the course of or for the purposes of a trade or business carried on by the principal is excluded from the application of this Act if—

(a) the motor vehicle is a commercial motor vehicle;

(b) the motor vehicle is owned, leased or hired by the driver;

(c) the motor vehicle is not owned by, leased from or hired out by, or otherwise supplied by (directly or indirectly)—

(i) the principal;

or

(ii) a third person who is related to the principal;

and

(d) the goods or materials are not owned (and have not been previously owned) by the driver or by the principal.

(7) For the purposes of subregulation (6), a principal and another person will be taken to be related if—

(a) they are employer and employee;

or

(b) the other person is accustomed or under an obligation (whether formal or informal) to control the use of the relevant motor vehicle in accordance with the directions or determinations of the principal.

(8) Pursuant to section 3(7) of the Act, a person to whom the *Seafarers Rehabilitation and Compensation Act 1992* of the Commonwealth applies is excluded from the application of the Act.

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### *Evidentiary provision*

4a. Pursuant to section 31(2) of the Act, the operation of section 31(1) of the Act is extended to the following disability and type of work:

Description of Disability	Type of work
Mesothelioma . . . . .	Any work involving exposure to inhalation of asbestos fibres

### *Claims for Compensation*

5. (1) For the purposes of section 52(1)(c) of the Act, the form of a certificate by a recognized medical expert that must support a claim for compensation is the form set out in the first schedule completed in accordance with the instructions contained in that schedule.

(2) For the purposes of section 52(5)(b) of the Act, the statement required to be forwarded to the Corporation with a copy of a claim for compensation must be in the form set out in the second schedule—

(a) completed in accordance with the instructions contained in that schedule;

and

(b) containing the information required by that schedule.

### *Registration of Employers*

6. (1) Where—

(a) a person (the employer) employs one or more persons (the workers) under a contract of service or contracts of service;

(b) the workers are not employed for the purposes of a trade or business carried on by the employer;

and

(c) the total remuneration payable by the employer to the workers does not exceed—

(i) in 1991—\$6 600;

(ii) in a subsequent year—an amount (calculated to the nearest multiple of \$100) that bears to \$6 600 the same proportion as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1990,

the employer is not, in respect of those workers, required to be registered under section 59 of the Act (and the remuneration paid to those workers need not be included in any return furnished to the Corporation under section 69 of the Act).

(2) The employers who are not required to be registered under section 59 of the Act by virtue of subregulation (1) are, in respect of the workers referred to in subregulation (1), a prescribed class of employers exempt from the operation of section 46(3) of the Act.

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*Exempt Employers*

7. For the purposes of section 60(2) of the Act, the prescribed number of workers to be employed by an individual employer or a group of employers making an application for registration as an exempt employer or group of exempt employers is 200.

*Agencies of the Crown*

7a. (1) Pursuant to section 61(4) of the Act, the bodies listed in the sixth schedule are prescribed for the purposes of the definition of "agency or instrumentality of the Crown" under section 61 of the Act.

(2) Forwood Products Pty Ltd is prescribed for the purposes of the definition of "agency or instrumentality of the Crown" under section 61 of the Act.

(3) Subregulation (2) will cease to have effect on 31 March 1995.

(4) Bank of South Australia Limited is prescribed for the purposes of the definition of "agency or instrumentality of the Crown" under section 61 of the Act.

(5) Subregulation (4) will cease to have effect on 30 June 1996.

*Registration*

8. For the purposes of section 62 of the Act—

(a) an application for registration as an employer, exempt employer or group of exempt employers;

(b) an application to amend any registration details;

or

(c) an application to provide additional location details to the Corporation,

must be in a form set out in the third schedule—

(d) completed in accordance with the instructions contained in that schedule;

and

(e) containing, or accompanied by, the information required by that schedule.

*Terms and Conditions Applicable to Exempt Employers*

9. The registration of an employer as an exempt employer (or as one of a group of exempt employers) is subject to the terms and conditions prescribed in the fourth schedule.

*Returns by employers*

10. (1) For the purposes of section 69(1) of the Act, where a return is the first return furnished to the Corporation after the end of a financial year, the employer must, in relation to each class of industry in which the employer employs workers, include the following information—

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- (a) the aggregate remuneration paid to the employer's workers in that industry during that financial year;
- (b) an estimate of the aggregate remuneration that the employer expects to pay to the employer's workers in that industry during the ensuing financial year.

\* \* \* \* \*

(2) For the purposes of section 69(3) of the Act, if the Corporation requires that a person with accounting qualifications verify the information contained in a return, that person must be—

- (a) a registered company auditor;
  - (b) a member of The Institute of Chartered Accountants in Australia;
- or
- (c) a member of the Australian Society of Accountants.

*Penalty for Late Payment of Levy*

11. For the purposes of section 71(1) of the Act, the rate of penalty interest on an amount in arrears is 20% per annum.

*Insurance for Employers Against Liabilities apart from the Act*

12. For the purposes of section 105 of the Act, the terms and conditions to the insurance provided under that section to employers by the Corporation are set out in the fifth schedule.

*Interest payable under transitional provisions*

13. (1) For the purposes of clause 2(4) of the first schedule to the Act, the rate of interest will be the prime bank rate for the financial year in which the employer receives notification of a payment under that clause.

(2) For the purposes of clause 2(11) of the first schedule to the Act, the rate of interest will be the prime bank rate for the financial year in which the amount in respect of which interest is payable is paid to the Corporation.

*Remission of levy*

13a. Pursuant to subsection (12) of section 66 of the Act, the following are prescribed as circumstances where the Corporation may remit the levy payable by an employer under that section:

- (a) if the employer, with the approval of the Corporation, makes a payment of levy in advance on the basis of estimates of the annual levy that would be payable by the employer under the Act; or
- (b) if the Corporation considers that administrative savings are being made (or will be made) on account of the employer managing claims made by workers who suffer compensable disabilities in the employment of the employer.

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*Volunteers*

14. (1) In this regulation—

"volunteer fire-fighter" means—

- (a) a member of the C.F.S.;
  - (b) a fire control officer under the *Country Fires Act, 1989*;
- or
- (c) a person who, at the request or with the approval of a person who is apparently in command pursuant to the *Country Fires Act, 1989*, at the scene of a fire or other emergency, assist in fire-fighting or dealing with the emergency,

who receives no remuneration in respect of his or her service in that capacity.

(2) For the purposes of section 103a of the Act—

- (a) volunteer fire-fighters are prescribed as a class of persons under that section;
- and
- (b) the following activities are prescribed as a class of work:
    - (i) any activity directed towards—
      - preventing, controlling or extinguishing a fire;
      - dealing with any other emergency that requires the C.F.S. to act to protect life or property;
    - (ii) attending in response to a call for assistance by the C.F.S.;
    - (iii) attending a C.F.S. meeting, competition, training exercise or other organized activity;
    - (iv) carrying out any other function or duty under the *Country Fires Act, 1989*.

*Minimum levy*

15. Pursuant to section 66(13) of the Act, the prescribed minimum levy is \$50.

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*Expiation of certain offences*

16. (1) Pursuant to section 122a of the Act, the following amounts are fixed as expiation fees in respect of offences against the following sections:

SECTION	EXPIATION FEE
Section 59—Failing to register as an employer within the time allowed under that section	(a) \$300 indexed;
	or
	(b) 5% of the aggregate remuneration paid to the employer's workers during the period for which the employer is in breach of the section,
	whichever is the greater.
Section 69(5) in respect of the offence of failing to furnish an Annual Declaration within the time required under section 69	\$100 indexed

(2) For the purposes of this regulation, a fee under subregulation (1) that is expressed to be indexed will be adjusted on an annual basis so that the fee payable in respect of an offence committed on or after 1 January 1992 will be an amount (calculated to the nearest multiple of \$10) that bears to the relevant fee prescribed by subregulation (1) the same proportion as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1990.

(3) In this regulation—

"Annual Declaration" means a return containing the information required by regulation 10 that must be furnished by an employer to the Corporation after the end of each financial year;

"remuneration" has the same meaning as under Division IV of Part V of the Act (but does not include remuneration paid to any worker in respect of whom an employer is not required to be registered under section 59 of the Act).



SECOND SCHEDULE



WORKERS REHABILITATION & COMPENSATION CORPORATION OF S.A.

EMPLOYER REPORT FORM

POSTAL ADDRESS: G.P.O. BOX 2668, ADELAIDE 5001

15 FRANKLIN STREET, ADELAIDE

TELEPHONE: (08) 233 2222

Country Enquiries Toll Free (008) 18 8000

TELEX: AA82416 • FAX: 212 3978

EMPLOYER DETAILS

Name of Employer (name as per Registration)

Empty text box for Employer Name

Name at Location where worker employed (as per registration)

Empty text box for Location Name

Employer Reg. No.

Empty text box for Employer Reg. No.

Relevant Location No.

Empty text box for Relevant Location No.

Employer Ref. No. (if app.)

Empty text box for Employer Ref. No.

Telephone No.

Empty text box for Telephone No.

Relevant Location address

Empty text box for Location Address

Post Code

Empty text box for Post Code

Postal Address (if different from above)

Empty text box for Postal Address

Post Code

Empty text box for Postal Post Code

Person to contact regarding this claim

Empty text box for Contact Name

Position of contact person

Empty text box for Contact Position

WORKER'S EMPLOYMENT PARTICULARS

Full name of injured worker

Empty text box for Worker Name

Sex

Empty text box for Sex

Date of Birth

Empty text box for Date of Birth

Full or part-time

Empty text box for Full/Part-time

Permanent or casual

Empty text box for Permanent/Casual

Occupation (eg. cook, builder's labourer)

Empty text box for Occupation

Main tasks (refer to notes on front page)

Empty text box for Main Tasks

Normal hours per week

Empty text box for Normal Hours

Days worked per week

Empty text box for Days Worked

Rostered days off

Empty text box for Rostered Days

Date started with you

Empty text box for Date Started

If worker is not an employee, explain relationship

Empty text box for Relationship

INJURY DETAILS

When did the injury occur?—

Vehicle accident while working?  While working?

During a break?  Travelling to or from place of employment?

Place where injury occurred (refer notes on front page)

Empty text box for Injury Location

Date of Injury

Empty text box for Injury Date

Time

Empty text box for Injury Time

Date notice given

Empty text box for Notice Date

Time

Empty text box for Notice Time

Names of witnesses (if any)

Empty text box for Witnesses

How did the injury occur and what was the worker doing at the time? (e.g. slipped while walking down stairs.)

Empty text box for Injury Description

Describe the worker's injury or condition (e.g. laceration, dermatitis.)

Empty text box for Injury Condition

Which parts of the body were affected? (e.g. upper arm, ankle.)

Empty text box for Affected Body Parts

Date worker ceased work

Empty text box for Ceased Work Date

Time

Empty text box for Ceased Work Time

Has Worker resumed work?

Yes  No

If Yes

Date resumed work

Empty text box for Resumed Work Date

Time resumed work

Empty text box for Resumed Work Time

am/pm

OTHER DETAILS

GIVE DETAILS OF OTHER CIRCUMSTANCES WHICH WOULD ASSIST WORKCOVER TO ASSESS THE CLAIM (e.g. Do you query the validity of the claim? If so, why?)

Empty text box for Other Details

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COMPENSATION PAYMENT CALCULATION

(Refer to notes on front page)

Average weekly earnings \$.....

LESS Prescribed allowances (if any) .....

= Notional weekly earnings \$ .....

State/Federal Award  Apprentice

It is expected that employers will make weekly compensation payments to the worker in accordance with advice from WorkCover and will then be reimbursed by WorkCover. In special circumstances WorkCover will make weekly compensation payments direct to the worker. If you request that alternative, state reason:


If making payments direct to the worker DO NOT complete taxation detail.

TAXATION DETAIL

Has the worker completed a Taxation "Dependents Declaration"? Yes/No

If yes, what is the total concessional rebate claimed?

Does the worker receive a Zone Allowance?

Yes/No  If yes which Zone? A or B

Has the worker claimed a Medicare rate variation? Yes/No

"FIRST WEEK" PAYMENTS

Have you previously made any weekly compensation payments to the worker concerned during the current calendar year? Yes/No

If yes, please give details of the amount and date/s


EMPLOYER DECLARATION

I,

the undersigned, declare that the details above are true and correct in every particular.

Date  Signature of Employer (or authorised person)

PLEASE NOTE:

- (1) The Top Copy of the completed form should be forwarded to the WorkCover Claims Agency within 5 business days after the receipt of a compensation claim from the WORKER, together with the pink copy of the claim form. The penalty for failure to comply with this requirement is a fine of \$1000. Please ensure the employer declaration section has been completed.
- (2) The Second Copy of the completed form may be retained by the employer for record purposes.
- (3) Any Compensation Claim presented by a worker must be supported by a WorkCover Medical Certificate issued by a recognised medical expert, (generally a legally qualified medical practitioner). The Medical Certificate must be forwarded with the Employer Report and Worker Compensation Claim Forms.
- (4) For any assistance or additional information please contact the Claims Enquiries Officer on (08) 233 2222. Country calls (toll-free) (008) 18 8000.

THIRD SCHEDULE

PART I

EMPLOYER REGISTRATION



Use this form to register as a new employer with both WorkCover and the Occupational Health, Safety and Welfare Commission.

If there is more than one location where people are employed, you will also have to fill out an 'Additional Location Details' form for each extra location.

If you have an existing registration and you want to register a new location where you employ people, you should use the form 'Additional Location Details'.

To change the members of a partnership, change other details of an existing registration, or cancel your registration or a location, you should use the form 'Employer Registration Amendment'.

All the above forms are available at any Post Office in South Australia.

Send the completed form to WorkCover Corporation. The address is shown at the end of this form.

Please answer in BLOCK LETTERS, using a pen.

It is important to give all the details asked for, otherwise we may have to contact you later. This could delay your registration.

If you need more space to answer questions, attach a sheet giving the required details.

If you need help to fill in this form, ring (08) 233 2222; country callers ring 008 188 000.

1. Full name(s) of the employer

The employer is usually a sole-trader, a partnership, an associateship, a company, a trustee, or an association. For a partnership or associateship, list the full names of all the partners or associates. The employer's name is not necessarily the same as the trading name. For example, in the case of John Peter Smith trading as ABC Retail, ABC Retail is the trading name, but John Peter Smith is the employer.

Form with 5 horizontal lines for entering the full name(s) of the employer.

2. If the employer is a company:

- List the full names of the directors. If more space is required, attach a separate list. Give the Australian Company Number

Form with 3 horizontal lines for listing directors' names.

Form with 1 horizontal line for the Australian Company Number.

3. Trading name

This is also known as an operating or business name.

Form with 2 horizontal lines for the trading name.

4. S.A. Corporate Affairs Business Number for this trading name

Form with 1 horizontal line for the S.A. Corporate Affairs Business Number.

5. Mailing details

Give the name and address to which you want your WorkCover correspondence sent.

Form with 3 horizontal lines for mailing details, including a field for Postcode.

6. Contact person

Give details of the person we should talk to if we have any questions about your REGISTRATION or your LEVY PAYMENTS.

Name, Position / title, Telephone, Fax number

Form with fields for Name, Position / title, Telephone (STD and Extension), and Fax number (STD).

7. Address where the employer's business records can be examined

This must be a street address, an accountant's name and address, or a farm location (not a post office box number).

Telephone, Fax number

Form with 3 horizontal lines for address, and fields for Telephone (STD and Extension) and Fax number (STD).

Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 17

8. Is the employer appointed as a Trustee to operate the business?

No

Yes  Name of trust

9. Tick one box to show the type of employer:

Sole-trader (one person)  01

Partnership or associateship (more than one person or organisation)  02

Public company  03

Private company (e.g. Pty Ltd, Proprietary)  04

Is the company owned by a holding company?

No  Go to 10

Yes  Give details

Office use

• Name of holding company

• Australian Company Number

• Contact person

• Position

• Telephone

(STD )

• Extension

• Fax number

(STD )

Association, charitable or other organisation

Type of organisation

Co-operative  05

Incorporated association  06

Unincorporated association  07

Other  Describe

Office use

10. Are any of the people, companies or trustees mentioned in Questions 1 and 2 PRESENTLY registered as an employer with WorkCover?

No

Yes  Give details

Employer name

WorkCover Employer Number

Employer name	WorkCover Employer Number

11. Have any of the people, companies or trustees mentioned in Questions 1 and 2 PREVIOUSLY been registered as an employer with WorkCover?

No

Yes  Give details

Employer name

WorkCover Employer Number

Employer name	WorkCover Employer Number

12. At how many locations are workers employed?

Each centre where an employer controls or directs workers is a location. Temporary sites away from a base are not regarded as locations.

Now go to the next page and give details of the MAIN LOCATION from where the business is operated. You must also give details for each ADDITIONAL LOCATION, using 'Additional Location Details' forms (available from any Post Office in South Australia).



Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 19

10. Give details of the NUMBER of workers who will be or are employed in each occupation at this location  
Include working directors. Do not include people listed as the employer (i.e. partners or sole-traders)

Occupation	Full-time (35 hrs or more a week) Includes permanent, casual and seasonal		Part-time (less than 35 hrs a week) Includes permanent, casual and seasonal	
	Male	Female	Male	Female
Totals				

11. Do you employ any workers who mainly (or will mainly) work outside of South Australia?

No

Yes

→ Please note: Workers who mainly work outside South Australia may not be covered by WorkCover (SA). You should consider providing workers compensation cover for them with the relevant organisation where they work.

12. When did/will you start employing at this location?

/  /

13. Estimate the total gross wages, benefits and other payments which will be paid to workers at this location:

This includes employer's superannuation contributions, leave payments, and other allowances and benefits.

To June this financial year \$

For a full 12 months \$

14. Declaration

Before signing this declaration, please make sure that you have answered all the relevant questions.

Please note that it is an offence to provide false or misleading information.

Please remember to attach any 'Additional Location Details' forms.

If there are any attached sheets, please make sure they are signed and dated.

If you are not sure that you have answered any particular question properly, please ring for advice (08) 233 2222; country employers ring 008 188 000.

*I declare that the information I have given on this form and any attached sheets is complete and correct.*

Signature of employer,  
public officer or authorised person

Date

/  /

Full name of the person who signed this declaration

Position / title

15. Mail your registration form to:

WORKCOVER  
GPO BOX 2668  
ADELAIDE SA 5001

Office use only	Employer Number	Date form received	SAWIC code
	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/>

EPL 004 9102



OFFICE USE	Group	<input type="text"/>
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## EMPLOYER REGISTRATION AMENDMENT

- Change of details, or
- Moving business from a currently registered location to a new location, or
- Cancellation of location(s), or
- Cancellation of entire registration

Use this form to tell WorkCover Corporation about any of the above.

If you have purchased or established an additional location which you have not previously registered, you should use the form 'Additional Location Details'.

Amendments will only be accepted if the declaration at the end of this form is signed by the employer, a public officer or an authorised person.

Send the completed form to WorkCover Corporation. The address is shown at the end of this form.

Please answer in BLOCK LETTERS.

If you need more space to answer questions, attach a sheet giving the required details.

If you need help to fill in this form, ring (08) 233 2222; country callers ring 008 188 000

1. Registered employer name  
(as shown on your WorkCover Certificate)

--------------

2. Employer number

------

3. If you wish to CHANGE DETAILS of your registration, such as:
- Type of business
  - Employer name and/or type of employer
  - Business/trading name
  - Mailing details
  - Contact person
  - Holding company
  - Business records address
  - Moving business from a currently registered location to a new location
  - Number of workers
  - Revised estimate of total gross wages
  - Directors
  - Business or company number



Complete Parts A and C

If you wish to CANCEL location(s) or cancel your entire registration



Complete Parts B and C



9. **New contact person**

Name	M.....	
Position / title		
Telephone	(STD )	Extension
Fax number	(STD )	

• Is this the new contact person for any questions we may have about your registration / levy payments? No  Yes

• Is this the new contact person for any questions we may have about a location? No  Yes  Location No.

10. **New holding company**

Name		
Australian Company Number	<input type="text"/>	Office use <input type="text"/>

11. **New business records address**

This must be a street address, an accountant's name and address, or a farm location (not a post office box number).

Postcode	
Telephone	(STD ) Extension
Fax number	(STD )

12. **Moving business from a currently registered location to a new location**

Location number	<input type="text"/>
New location address	<input type="text"/>
	<input type="text"/>
	Postcode

13. **Change to number of workers**

Location number	<input type="text"/>			
Total number of workers presently employed	Full-time		Part-time	
	Male	Female	Male	Female
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

14. **Revised estimate of total gross wages**

Revised estimate of total gross wages, benefits and other payments which will be paid to your workers for the current financial year. This includes employer's superannuation contributions, leave payments and other allowances and benefits.

\$

15. If you wish to cancel a location go to Part B. Otherwise go straight to Part C.

### Part B – Cancellation of location(s) or registration

16. Do you wish to: **Cancel your entire registration**  On what date did the business cease employing workers?

**Maintain your existing registration but cancel one or more locations**  Location numbers of those locations you wish to cancel Date employment ceased at this location

	/ /
	/ /
	/ /

17. Why do you wish to cancel your registration/location(s)?

- Employer bankrupt or liquidated
- Employer deceased
- Location duplicated
- Business sold

• Who was it sold to?

Name

Address

Postcode

Telephone (STD ) Extension

• Do you still conduct any business in which you employ workers? No  Yes

Other  Please give details

18. What is your future forwarding address?

Postcode

Telephone (STD ) Extension

Fax number (STD )

### Part C – Declaration

19. I declare that the information I have given in this form is complete and correct.

Signature of employer, public officer or authorised person

Date

Full name of the person who signed this declaration

Position / title

20. Please mail your completed form to:

WORKCOVER  
GPO BOX 2668  
ADELAIDE SA 5001



### ADDITIONAL LOCATION DETAILS

This form is for an employer to add a location to an existing registration where the location has just been purchased or established.

If you have moved business from a currently registered location to a new location, or closed a business or location, use the form 'Employer Registration Amendment' instead.

1. Workcover Employer Number

2. Address of new location

Please give the full address (not a post office box).  
For farms, include the road name, or if no road name, the Sections and Hundreds.  
For workers working on various sites or locations, only a base location is required.

  
  
  
 Postcode

3. Trading name used by the employer at this location

  

4. S.A. Corporate Affairs Business Number for this trading name

5. Contact person

Give details of the person we should talk to if we have any questions about THIS LOCATION.

Name	M .....
Position / title	
Telephone	(STD ) Extension
Fax number	(STD )

6. Why are you registering this location/business? (Please tick one box only)

Purchased existing location/business  LTF  
Takeover  LTO  
Merger  LMG  
Set up your own new business/location   
Other  LOT Give details

**From whom was it purchased or taken-over?**

- Business/employer name
- Their WorkCover Employer Number(s)
- Location Number(s)

7. Has this location been granted exemption from payment of the Occupational Health Safety and Welfare Registration Fee by the SA Department of Labour?

No  Yes  → • Date exemption granted  /  /   
• Please attach a copy of the written confirmation of exemption

8. What is the business or industry carried out at this location?

  

9. Describe the different types of work carried out at this location

If you need more space, attach a sheet.

  
  

10. What is the ONE MAIN TYPE of goods produced or service provided by your business at this location?

Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 25

11. Give details of the NUMBER of workers who will be or are employed in each occupation at this location  
Include working directors. Do not include people listed as the employer (i.e. partners or sole-traders)

Occupation	Full-time (35 hrs or more a week) Includes permanent, casual and seasonal		Part-time (less than 35 hrs a week) Includes permanent, casual and seasonal	
	Male	Female	Male	Female
<b>Totals</b>				

12. Do you employ any workers who mainly (or will mainly) work outside of South Australia?

No

Yes

► Please note: Workers who mainly work outside South Australia may not be covered by WorkCover (SA). You should consider providing workers compensation cover for them with the relevant organisation where they work.

13. When did/will you start employing at this location?

14. Estimate the total gross wages, benefits and other payments which will be paid to workers at this location:

This includes employer's superannuation contributions, leave payments, and other allowances and benefits.

To June this financial year \$

For a full 12 months \$

15. Declaration

Before signing this declaration, please make sure that you have answered all the relevant questions.

Please note that it is an offence to provide false or misleading information.

Please remember to attach any 'Additional Location Details' forms.

If there are any attached sheets, please make sure they are signed and dated.

If you are not sure that you have answered any particular question properly, please ring for advice (08) 233 2222; country employers ring 008 188 000.

*I declare that the information I have given on this form and any attached sheets is complete and correct.*

Signature of employer,  
public officer or authorised person

Date

Full name of the person who signed this declaration

Position / title

16. Mail your registration form to:

WORKCOVER  
GPO BOX 2668  
ADELAIDE SA 5001

<b>Office use only</b>	Employer Number	Date form received	SAWIC code
	<input type="text"/>	<input type="text" value=" / /"/>	<input type="text"/>

PART II

ADDITIONAL INFORMATION THAT MUST ACCOMPANY AN APPLICATION  
FOR REGISTRATION AS AN EXEMPT EMPLOYER OR GROUP OF  
EXEMPT EMPLOYERS

*Financial information*

1. The applicant must provide—

- (a) a copy of the audited financial statements of the applicant for the last five financial years immediately preceding the application;
- (b) a statement, prepared by an actuary, of the liabilities that an employer would be undertaking over the first 12 months if the applicant were registered as an exempt employer;
- (c) details of the bank guarantee and the contract of insurance that the applicant would obtain for the purposes of the fourth schedule if the applicant were registered as an exempt employer.

*Claims administration*

2. The applicant must provide a detailed plan of the arrangements that the applicant would implement to administer claims under the Act, which must include details of—

- (a) the job specifications of the officers who would be responsible for administering the claims;
  - (b) the lines of accountability and control that would apply to those officers;
  - (c) the policies that would be adopted for the rehabilitation of disabled workers;
- and
- (d) the arrangements that would be implemented for the making of claims under the Act,

and a copy of any form that the applicant would require a claimant to complete must accompany the plan.

*Claims record*

3. The applicant must, in relation to the period of five financial years immediately preceding the application, provide details of—

- (a) the disabilities arising from employment that the applicant's workers have suffered over that period, identifying those disabilities according to—
    - (i) nature and severity;and
    - (ii) cause;
  - (b) the rehabilitation programmes that the applicant has provided over that period for disabled workers;
- and
- (c) the success that the applicant has achieved over that period in returning workers who have suffered disabilities to work.

**Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 27**

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*Safety policies*

4. The applicant must provide—

- (a) a copy of any safety policy that has been adopted by the applicant;
- (b) details of any programmes that the applicant has implemented, or proposes to implement, to train workers in safe working procedures;
- (c) details of the facilities and arrangements that the applicant has for providing first aid to workers;
- (d) details of any safety committees that have been established by the applicant, and a copy of any minutes kept from meetings held by those committees over the period of six months immediately preceding the application.

*Details of registered associations*

5. The applicant must provide the name of any registered association of which any worker employed by the applicant is a member.

#### FOURTH SCHEDULE

##### EXEMPT EMPLOYERS TERMS AND CONDITIONS OF REGISTRATION

1. The employer must ensure that forms for making a claim under the Act, in a form approved by the Corporation, are reasonably available to the employer's workers.

2. The employer must ensure that all claims under the Act are promptly and efficiently investigated and determined.

3. The employer must ensure that any benefit to which a worker is entitled under the Act is—

(a) provided promptly;

and

(b) periodically reviewed in accordance with the Act.

4. (1) The employer must ensure that a prompt assessment is made of whether a rehabilitation programme would be of assistance to a worker who has suffered a compensable disability and, if required, ensure that an appropriate rehabilitation programme is provided for the worker.

(2) If the Corporation considers that an appropriate rehabilitation programme is not being provided to a worker who has suffered a compensable disability, the employer must—

(a) allow the Corporation to establish a rehabilitation programme for the worker;

and

(b) reasonably co-operate with any rehabilitation adviser in the implementation of that programme.

5. The employer must ensure, so far as is reasonably practicable, that up to date programmes that are designed to prevent or reduce the incidence of compensable disabilities are established and maintained at places where the employer's workers work.

6. The employer must, as soon as practicable after the receipt of a claim under the Act—

(a) estimate the employer's expected liability on the claim;

and

(b) make an assessment of any possible right of recovery against another person in respect of the claim.

7. Where the employer receives a claim for compensation arising from the death of a worker or a compensable disability that has resulted in an incapacity for work of five or more working days, the employer must, within ten business days after receipt of the claim, furnish the Corporation with a statement in a form approved by the Corporation containing the following information—

(a) the file number assigned to the claim;

(b) the name of the worker and, if the worker has died, the name of the claimant;

(c) the date of birth of the worker;

(d) the date that the disability was suffered (or is claimed to have been suffered);

(e) the nature of the disability;

**Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 29**

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- (f) the apparent cause of the disability;
  - (g) details of any work undertaken by the worker since suffering the disability;
  - (h) details of any rehabilitation provided to the worker;
- and
- (i) insofar as may be reasonable, the employer's initial estimate of the employer's liability on the claim.

8. The employer must, within seven days after the end of each month, furnish the Corporation with a statement in a form approved by the Corporation containing the following information—

- (a) the number of claims received during the month, and the number of claims reopened during the month, for compensation arising from any compensable disability that has resulted in an incapacity for work of less than five working days;
- (b) in relation to claims finalized during the month for compensation arising from any compensable disability that resulted in an incapacity for work of less than five working days—
  - (i) the total amount of compensation for income maintenance paid on those claims;
  - (ii) the total amount of compensation for medical services paid on those claims;
  - (iii) the total amount of compensation for property damage paid on those claims;
  - (iv) the total amount spent on rehabilitation;
  - (v) the total amount of any lump sums for non-economic loss paid on those claims;
  - (vi) details of any payment made under a liability at common law;
  - (vii) the total of any legal or investigative costs incurred;and
  - (viii) the total of any amounts recovered from other persons;
- (c) in relation to each claim finalized during the month for compensation arising from the death of a worker or a compensable disability that resulted in an incapacity for work of five or more working days (identifying each claim by file number, name, the date of birth of the worker, the date that the disability was suffered and the nature of the disability)—
  - (i) the total amount of compensation for income maintenance paid by the employer;
  - (ii) the total amount of compensation for medical services paid by the employer;
  - (iii) the total amount of compensation for property damage paid by the employer;
  - (iv) the total amount spent on rehabilitation by the employer;
  - (v) the amount of any lump sum for non-economic loss paid by the employer;
  - (vi) details of any amount paid by the employer under Division VI of Part IV of the Act (compensation payable on death);
  - (vii) details of any payment made under a liability at common law in respect of the disability;
  - (viii) details of any legal or investigative costs;

(ix) details of any other payments (other than wages, salary or prescribed allowances) made to the worker;

(x) details of any amount recovered from another person in respect of the claim;

(xi) the total time lost from work in respect of the disability;

and

(xii) details of any work being undertaken by the worker;

and

(d) in relation to each claim reopened during the month for compensation arising from the death of the worker or a compensable disability that has resulted in an incapacity for work of five or more working days (identify each claim by file number, name, the date of birth of the worker, the date that the disability was suffered and the nature of the disability)—

(i) details of the circumstances surrounding the reopening of the claim;

and

(ii) insofar as may be reasonable, the employer's estimate of the employer's additional liability on the claim.

9. (1) The employer must, within one month after the end of each six monthly period, furnish the Corporation with a statement in a form approved by the Corporation containing, in relation to each claim that is current at the end of that period and that arises from the death of a worker or a compensable disability that has resulted in an incapacity for work of five or more working days (identifying each claim by file number, name, the date of birth of the worker, the date that the disability was suffered and the nature of the disability), the following information (as at the end of that period)—

(a) the total amount of compensation for income maintenance paid by the employer;

(b) the total amount of compensation for medical services paid by the employer;

(c) the total amount of compensation for property damage paid by the employer;

(d) the total amount spent on rehabilitation by the employer;

(e) the amount of any lump sum for non-economic loss paid by the employer;

(f) details of any amount paid by the employer under Division VI of Part IV of the Act (compensation payable on death);

(g) details of any payment made under a liability at common law in respect of the disability;

(h) the amount of any legal or investigative costs incurred on the claim;

(i) details of any other payments (other than wages, salary or prescribed allowances) made by the employer to the worker;

(j) details of any amount recovered from another person in respect of the claim;

(k) details of any work being undertaken by the worker;

and

(l) insofar as may be reasonable, the employer's estimate of the employer's remaining liability on the claim (making due allowance for inflation).

**Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 31**

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(2) A statement furnished to the Corporation under subclause (1) must be accompanied by an estimate of the employer's liability for claims that the employer has not received but are likely to be made in respect of compensable disabilities that have arisen from the employer's employment.

(3) For the purposes of this clause, a six monthly period is—

(a) a period of six months commencing on the first day of January and ending on the thirtieth day of June;

and

(b) a period of six months commencing on the first day of July and ending on the thirty-first day of December.

10. (1) The employer must, within three months after the end of each financial year of the employer, deliver to the Corporation—

(a) an audited copy of the employer's financial statements for that financial year;

and

(b) an actuarial report on the outstanding liabilities of the employer under the Act, as at the end of that financial year.

(2) For the purposes of this clause, the financial years of an employer are successive periods, not exceeding 12 months, determined by the employer to be the employer's financial years or, in the absence of such a determination, each period of 12 months ending on the thirtieth day of June.

11. (1) The employer must at all reasonable times allow an authorized officer to examine—

(a) the accounting and other records of the employer;

and

(b) any system or facility used by the employer in connection with acting as an exempt employer under the Act.

(2) The employer must provide such assistance as may be reasonably required to facilitate an examination referred to in subclause (1).

(3) The employer must, at the request of a person carrying out an examination referred to in subclause (1), provide any explanations, information or assistance that the person may reasonably require for the purposes of the examination.

(4) The employer must comply with any written notice served on the employer by an authorized officer requiring the employer to exercise or perform a power or function of the employer under the Act in accordance with the Act.

12. (1) The employer must ensure that there is in force at all times a guarantee given by a financial institution to or in favour of the Corporation which—

(a) guarantees the payment of an amount to the Corporation in the event that the employer becomes insolvent or ceases to be an exempt employer;

and

(b) complies with subclause (3).

(2) The amount guaranteed by a guarantee entered into for the purposes of subclause (1)—

(a) must be an amount, determined by the Corporation on an actuarial basis, that represents up to the sum of—

(i) the value of the current and contingent liabilities of the employer under the Act at the time of the determination (whether or not claims have been made with respect to those disabilities);

and

(ii) the value of the contingent liabilities of the employer as an exempt employer under the Act in respect of compensable disabilities attributable to traumas that are expected to arise from employment by the employer over the ensuring period of 12 months;

and

(b) must be reviewed annually.

(3) A guarantee complies with this subclause if—

(a) the guarantee is given by a financial institution which has a credit rating at least equal to a standard set by the Corporation for the purposes of this provision and which is specifically approved by the Corporation as a financial institution which can give guarantees under this clause;

and

(b) the guarantee is in a form, and for a term, approved by the Corporation.

(4) A financial institution cannot give a guarantee under subclause (1) if the financial institution and the employer are related corporations.

(5) In this clause—

"financial institution" means—

(a) a bank within the meaning of the *Banking Act 1959* of the Commonwealth or a bank constituted under a law of the State or of the Commonwealth;

or

(b) a person whose sole or principal business is the provision of financial services;

"related corporations" has the same meaning as in section 60(9) of the Act.

13. The employer must ensure that there is in force at all times a contract of insurance, in a form approved by the Corporation, for an amount approved by the Corporation, in excess of an amount approved by the Corporation, against any liability of the employer that may arise under the Act as a result of the occurrence of one event or series of events during the period of the contract.

14. In relation to an employer that is a company incorporated under the *Companies (South Australia) Code*—

(a) the employer must immediately give the Corporation written notice of the commencement of any procedure to liquidate or wind up the employer;

and

**Workers Rehabilitation and Compensation (Claims and Registration) Regulations, 1987 33**

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- (b) the employer must, within five business days, give the Corporation written notice of—
- (i) the commencement of steps to merge or take over the employer or the undertaking of the employer;
  - (ii) a change in the board of directors of the employer that substantially changes the management of the employer;
  - (iii) a relocation of the undertaking of the employer;
  - (iv) the purchase or sale of any asset that materially changes the financial position of the employer, the composition of its workforce or the nature of the work undertaken by its workers;
- or
- (v) any other action that significantly affects the employer's ability to meet its liabilities under the Act.

15. The employer must ensure that all documentation that relates to a claim against the employer under the Act is retained for at least six years after the claim is finalized.

15a. The employer must seek to ensure that in the provision of rehabilitation and compensation under the Act, racial, ethnic and linguistic diversity in the employer's workforce is taken into account and that those of the employer's workers who may have grounds for seeking rehabilitation or compensation under the Act are not disadvantaged by their racial, ethnic or linguistic origins or backgrounds.

16. This schedule applies to—

(a) exempt employers who are registered under section 60 of the Act;

and

(b) exempt employers who are deemed to be registered under the Act by virtue of the first schedule to the Act.

FIFTH SCHEDULE

SECTION 105—INSURANCE OF EMPLOYERS  
TERMS AND CONDITIONS

1. In this schedule—

"a claim" means a claim against an employer in respect of which the employer is insured by virtue of section 105 of the Act.

2. If the employer becomes aware of the occurrence of a compensable disability that is likely to give rise to a claim against the employer, the employer must, within five business days, forward to the Corporation written notice of the disability.

3. If a claim is made against the employer, the employer must immediately forward the claim to the Corporation.

4. The employer must provide any assistance that the Corporation reasonably requires to assist the Corporation—

- (a) in investigating, determining, defending or settling a claim;
- (b) in preparing, conducting, defending or settling any proceedings in respect of a claim.

5. The employer must sign any authority or other document required by the Corporation for the purpose of—

- (a) investigating, determining, defending or settling a claim;
- (b) preparing, conducting, defending or settling any proceedings in respect of a claim, (and if the employer fails to sign the authority or other document, the Corporation may do so on the employer's behalf).

6. The employer must not incur any expense, enter into any litigation, make any settlement or admit any liability in respect of a claim without the written authority of the Corporation.

7. The Corporation may, for any purpose related to any liability or potential liability pursuant to section 105 of the Act—

- (a) take over and control any proceedings in respect of a claim on behalf of the employer;
- (b) conduct and defend any proceedings, and, if appropriate, admit liability, in the name of, and on behalf of, the employer;
- (c) settle any claim or proceedings against the employer;
- (d) issue and conduct proceedings in the name of the employer against any other person who may also be liable in respect of the compensable disability.

8. To the extent that the Corporation acts on behalf of the employer in any proceedings, the employer is indemnified by the Corporation against all costs and expenses of or incidental to the proceedings.

9. If at the time of the occurrence of the compensable disability other insurance also covers the liability in respect of which the Corporation provides insurance pursuant to section 105 of the Act, the Corporation is only liable to pay a pro rata share of any amount recoverable from the employer in respect of the disability (and may, if it is appropriate, exercise a right of contribution against any other insurer).

SIXTH SCHEDULE

SECTION 61—AGENCIES AND INSTRUMENTALITIES OF THE CROWN

Aboriginal Health Council of S.A.  
Adelaide Convention Centre.  
Adelaide Medical Centre for Women and Children.  
Adelaide Rape Crisis Centre.  
Adelaide Women's Community Health Centre.  
Alfreda Rehabilitation.  
Andamooka Outpost Hospital.  
Angaston District Hospital Inc.  
Barmera District Hospital Inc.  
Bishop Kirkby Memorial Hospital.  
Blyth District Hospital Inc.  
Bookmakers Licensing Board.  
Booleroo Centre District Hospital Inc.  
Bordertown Memorial Hospital Inc.  
Burra Burra Hospital Inc.  
Ceduna-Koonibba Aboriginal Health Service.  
Central Eyre Peninsula Hospital.  
Child & Adolescent Mental Health Services (Northern and Southern Regions).  
Child, Adolescent & Family Health Service.  
Clare District Hospital Inc.  
Cleve District Hospital Inc.  
Clovelly Park Community Health Centre.  
Cooper Pedy Hospital Inc.  
Cowell District Hospital Inc.  
Crystal Brook District Hospital Inc.  
Cummins and District Memorial Hospital Inc.  
Dale Street Women's Community Health Centre.  
Drug & Alcohol Services Council.  
Eastern Community Health Centre.  
Elizabeth Women's Community Health Centre.  
Elliston Hospital Inc.  
Eudunda Hospital Inc.  
Flinders Medical Centre.  
Forensic Psychiatry.  
Gladstone and District Community Health and Welfare Centre.  
Great Northern War Memorial Hospital Inc.  
Gumeracha District Soldiers' Memorial Hospital Inc.  
Health Development Foundation.  
Hutchinson Hospital.  
Independent Living Centre.  
Intellectual Disability Services Council.  
Julia Farr Centre.  
Kangaroo Island General Hospital Inc.  
Kapunda Hospital Inc.  
Karoonda & District Soldiers' Memorial Hospital Inc.  
Keith Community Health and Welfare Centre.  
Kimba District Hospital Inc.  
Kingston Soldiers' Memorial Hospital Inc.  
Lameroo District Hospital Inc.  
Laura & District Hospital Inc.  
Leigh Creek Hospital Inc.  
Lock Community Health & Welfare Centre.  
Lower Murray District Hospital Inc.  
Loxton Hospital Complex Inc.  
Lyell McEwin Health Service.  
Maitland Hospital Inc.

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Management Assessment Panel.  
Mannum District Hospital.  
Manufacturing Advisory Council.  
Marree Hospital.  
Meningie & Districts Memorial Hospital Inc.  
Mental Health Review Tribunal.  
Millicent & District Hospital Inc.  
Minda Inc.  
Minlaton District Hospital.  
Modbury Hospital.  
Mount Gambier Hospital Inc.  
Mount Pleasant District Hospital Inc.  
Mt Barker District Soldiers' Memorial Hospital Inc.  
Mt Gambier Community Health Service.  
Murat Bay District Hospital Inc.  
Naracoorte Hospital & Health Service Inc.  
Noarlunga Health Services Incorporated.  
Northcote Centre.  
Northern Yorke Peninsula Regional Health Service Inc.  
Orroroo and District Hospital Inc.  
Parks Community Health Service.  
Penola War Memorial Hospital Inc.  
Peterborough Soldiers' Memorial Hospital Inc.  
Pika Wiya Health Service.  
Pinnaroo Soldiers' Memorial Hospital Inc.  
Police Complaints Authority.  
Port Lincoln Health and Hospital Services Incorporated.  
Port Augusta Hospital.  
Port Pirie Regional Health Service Inc.  
Port Adelaide Community Health Service.  
Port Broughton District Hospital.  
Pregnancy Advisory Centre.  
Public Health Service Division.  
Quorn & District Memorial Hospital Inc.  
Renmark & Paringa District Hospital Inc.  
Riverland Regional Health Service.  
Riverton District Soldiers' Memorial Hospital Inc.  
Royal Society for the Blind.  
Royal District Nursing Society of SA Inc.  
Royal Adelaide Hospital.  
S.A. Mental Health Service.  
S.A. Dental Service.  
Salisbury Community Health Service.  
Sexual Offenders Treatment & Assessment Program.  
Snowtown Memorial Hospital Inc.  
South Australian Community Health Research Unit.  
South Coast District Hospital Inc.  
Southern Yorke Peninsula Hospital Inc.  
Southern Women's Health & Community Centre  
Southern Domiciliary Care & Rehabilitation Service.  
Southern Districts War Memorial Hospital Inc.  
St John Council of S.A.  
St Margaret's Hospital Inc.  
Strathalbyn & District Soldiers' Memorial Hospital and Health Services.  
Streaky Bay Hospital Inc.  
Tanunda War Memorial Hospital.  
Tarcoola District Hospital.  
Tea Tree Gully Community Health Service.  
The Balaklava Soldiers' Memorial District Hospital Inc.  
The Guardianship Board.  
The Jamestown Hospital Inc.

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The Murray Bridge Soldiers' Memorial Hospital Inc.

The North West Nurse Education Centre.

The Queen Elizabeth Hospital.

The Second Story.

The Whyalla Hospital & Health Service Inc.

Tumby Bay Hospital Inc.

Waikerie Hospital and Health Services Inc.

Western Domiciliary Care & Rehabilitation Service.

## APPENDIX

### LEGISLATIVE HISTORY

#### Transitional Provisions

*(Transitional provision from Workers Rehabilitation and Compensation  
(Claims and Registration) Regulations 1987, reg. 5*

5. Notwithstanding regulation 4, a certificate in the form prescribed by the first schedule to the principal regulations before the commencement of regulation 4 may continue to be used for the purposes of the *Workers Rehabilitation and Compensation Act, 1986*, after the commencement of regulation 4.

*Transitional provision from Workers Rehabilitation and Compensation  
(Claims and Registration) Regulations 1992, reg. 4*

4. Notwithstanding regulation 3, a certificate in the form prescribed by the first schedule to the principal regulations before the commencement of these regulations may continue to be used for the purposes of the *Workers Rehabilitation and Compensation Act 1986* after the commencement of these regulations.

#### Legislative History

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

Regulation 3:	definition of "award" inserted by 68, 1990, reg. 3(a) definition of "building work" substituted by 2, 1991, reg. 2 definition of "cleaning work" inserted by 216, 1988, reg. 3 definition of "commercial motor vehicle" inserted by 32, 1992, reg. 3 definition of "industrial agreement" inserted by 68, 1990, reg. 3(b) definition of "outworker" inserted by 68, 1990, reg. 3(b) definition of "prime bank rate" inserted by 216, 1988, reg. 3 definition of "wall or floor tiling" inserted by 126, 1992, reg. 3
Regulation 4(1):	varied by 271, 1987, reg. 3(a); 216, 1988, reg. 4(a)-(c); 2, 1991, reg. 3(a); 46, 1991, reg. 2(a); 32, 1992, reg. 4(a)-(c); 126, 1992, reg. 4
Regulation 4(1aa):	inserted by 2, 1991, reg. 3(b); varied by 46, 1991, reg. 2(b)
Regulation 4(1a):	inserted by 271, 1987, reg. 3(b)
Regulation 4(1b):	inserted by 216, 1988, reg. 4(d); varied by 263, 1990, reg. 2(a)
Regulation 4(1ba):	inserted by 263, 1990, reg. 2(b); substituted by 125, 1992, reg. 3
Regulation 4(1c):	inserted by 68, 1990, reg. 4
Regulation 4(1d):	inserted by 146, 1993, reg. 3
Regulation 4(2a):	inserted by 230, 1990, reg. 2
Regulation 4(4) and (5):	inserted by 158, 1991, reg. 2
Regulation 4(6) and (7):	inserted by 32, 1992, reg. 4(d)
Regulation 4(8):	inserted by 31, 1994, reg. 3
Regulation 4a:	inserted by 232, 1991, reg. 2
Regulation 6(1):	varied by 2, 1991, reg. 4
Regulation 6(2):	inserted by 216, 1988, reg. 5
Regulation 7a:	inserted by 162, 1992, reg. 2; redesignated as reg. 7a(1) by 177, 1993, reg. 3
Regulation 7a(2):	inserted by 177, 1993, reg. 3
Regulation 7a(3):	inserted by 177, 1993, reg. 3; varied by 112, 1994, reg. 3
Regulation 7a(4) and (5):	inserted by 106, 1994, reg. 3
Regulation 8:	substituted by 85, 1991, reg. 2
Regulation 10(1)(c) and (d):	revoked by 116, 1994, reg. 3
Regulation 13:	inserted by 216, 1988, reg. 6
Regulation 13a:	inserted by 25, 1995, reg. 3

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Regulation 14:	inserted by 168, 1989, reg. 3
Regulation 15 and 16:	inserted by 159, 1991, reg. 2
First schedule:	substituted by 271, 1987, reg. 4; 193, 1992, reg. 3
Third schedule	
Part I:	substituted by 85, 1991, reg. 3
Fourth schedule	
Clause 12(1):	substituted by 253, 1993, reg. 3(a)
Clause 12(3) - (5):	inserted by 253, 1993, reg. 3(b)
Clause 13:	varied by 25, 1995, reg. 4
Clause 15a:	inserted by 68, 1990, reg. 5
Sixth schedule:	inserted by 162, 1992, reg. 3