

EXPLANATORY STATEMENT

Select Legislative Instrument 2005 No. 233

Issued by the authority of the Minister for Employment and Workplace Relations

Safety, Rehabilitation and Compensation Act 1988

Safety, Rehabilitation and Compensation Amendment Regulations 2005 (No. 1)

The *Safety, Rehabilitation and Compensation Act 1988* (the Act) establishes the Commonwealth workers' compensation and rehabilitation scheme.

Section 122 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed for carrying out or giving effect to the Act.

Subsection 28(1) of the Act provides that Comcare may prepare a written document called the "Guide to the Assessment of the Degree of Permanent Impairment" (the Guide), setting out criteria by which the degree of the permanent impairment and non-economic loss suffered by an employee as a result of an injury is to be determined.

Subsection 28(8) of the SRC Act provides that, upon payment of a prescribed fee, Comcare must make the Guide available to persons requesting it. Regulation 18 of the *Safety, Rehabilitation and Compensation Regulations 2002* (the Principal Regulations) currently prescribes a \$10 fee for the purchase of the Guide.

The Regulations increase the prescribed fee for the purchase of the Guide to \$30.

The amended charge reflects current production costs, which have increased in the 17 years since the fee was last prescribed. The new fee coincides with the release of a new version of the Guide by Comcare and reflects the greater size and coverage of the revised Guide.

Details of the Regulations are set out in the Attachment.

The Regulations commence on the day after they are registered. The Regulations are a legislative instrument for the purpose of the *Legislative Instruments Act 2003*.

ATTACHMENT

Details of the Safety, Rehabilitation and Compensation Amendment Regulations 2005 (No. 1)

Regulation 1 – Name of Regulations

Regulation 1 provides that the name of the Regulations is the *Safety, Rehabilitation and Compensation Amendment Regulations 2005 (No. 1)*.

Regulation 2 - Commencement

This regulation provides that the Regulations commence on the day after they are registered.

Regulation 3 - Amendment of Safety, Rehabilitation and Compensation Regulations 2002

Regulation 3 provides that the *Safety, Rehabilitation and Compensation Regulations 2002* are to be amended as set out in Schedule 1.

Schedule 1 – Amendment

Item 1 – Regulation 18

This item amends the prescribed fee for the purchase of the “Guide to the Assessment of the Degree of Permanent Impairment” prepared by Comcare by omitting the figure of \$10 and inserting a figure of \$30 .