

EXPLANATORY STATEMENT

Select Legislative Instrument 2006 No. 297

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

Safety, Rehabilitation and Compensation Act 1988

Safety, Rehabilitation and Compensation Amendment Regulations 2006 (No. 1)

Section 122 of the *Safety, Rehabilitation and Compensation Act 1988* (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.

Part III of the Act contains provisions dealing with the rehabilitation of injured employees and the approval process for rehabilitation providers who provide services for those employees. Sections 34C and 34K require applications for approval as a rehabilitation provider to be accompanied by the prescribed fee.

The *Safety, Rehabilitation and Compensation Regulations 2002* (the Principal Regulations) currently prescribe the fees for an initial approval application and a renewal application. The fee for processing an initial application is \$400. The fee for a renewal application is \$300. The current fees came into effect on 1 April 2002.

The Regulations amend the Principal Regulations to increase the fee for an initial application to \$480 and a renewal application to \$360. The increases reflect increases in the Australian Bureau of Statistics Wage Cost Index over the past four years, with the increase for 2006, the fifth year, being an estimate.

Comcare, as the approval body, consulted with all currently approved rehabilitation providers and the Australian Rehabilitation Providers Association, over the fee increases.

The Office of Regulation Review advised that a regulation impact statement (RIS) was not required because the amendments are of a minor or machinery nature and do not substantially alter existing arrangements.

Details of the Regulations are set out in the Attachment.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations commence on 1 December 2006.

ATTACHMENT

Details of the proposed *Safety, Rehabilitation and Compensation Amendment Regulations 2006 (No. 1)*

Regulation 1: Name of Regulations

This identifies the Regulations as the *Safety, Rehabilitation and Compensation Amendment Regulations 2006 (No. 1)*.

Regulation 2: Commencement

The proposed Regulations commence on 1 December 2006.

Regulation 3: Amendment of *Safety, Rehabilitation and Compensation Regulations 2002*

This provides that the *Safety, Rehabilitation and Compensation Regulations 2002* (the Principal Regulations) are amended as set out in Schedule 1.

Schedule 1: Amendments

Item [1]: Paragraph 8 (b)

This amendment omits the current amount of \$400 and inserts the higher amount of \$480.

Item [2] Regulation 9

This amendment omits the current amount of \$300 and inserts the higher amount of \$360.