EXPLANATORY STATEMENT

Safety, Rehabilitation and Compensation Act 1988

Section 34S

Notice of a Disallowable Instrument

Approval of Form of Application for Renewal of Approval as a Workplace Rehabilitation Provider (Rehabilitation Program Provider)

The purpose of the Instrument to which this Explanatory Statement relates is to approve a new form for an Application for Renewal of Approval as a Workplace Rehabilitation Provider (Rehabilitation Program Provider), 'Approved Application Form' to apply on and from 1 January 2013. The purpose of the form is to collect information needed to assess whether the applicant is suitable to have their approval renewed.

Section 37 of the *Safety, Rehabilitation and Compensation Act 1988* (the SRC Act) provides that a rehabilitation authority (employer) can provide a rehabilitation program to an employee itself or arrange for it to be provided by a Workplace Rehabilitation Provider that has been approved by Comcare. Section 34S of the SRC Act authorises Comcare to approve the form of an Application for Renewal of Approval as a Workplace Rehabilitation Provider (Rehabilitation Program Provider).

The Approved Application Form, together with the Approval Criteria determined under section 34D of the SRC Act, and Operational Standards determined under section 34E of the SRC Act, were developed in consultation with:

employers to whom the SRC Act applies;

employee representatives;

Workplace Rehabilitation Providers;

the Safety, Rehabilitation and Compensation Commission;

the Military Rehabilitation and Compensation Commission; and

the Heads of Workers Compensation Authorities (HWCA)

and has allowed Comcare to implement the nationally consistent provider approval framework developed by HWCA.

The new renewal application form reflects the content of the HWCA national renewal form and has been modified to remove duplicated content from the previous Comcare version.

Applications to Comcare for Renewal of Approval must be made on the new Approved Application Form and will be assessed against the Approval Criteria and Operational Standards.

The Office of Best Practice Regulation (OBPR) has advised that the approval of this form does not require a Regulation Impact Statement (RIS).

This Legislative Instrument does not engage any of the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.