



Victoria Government Gazette

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Subordinate Legislation Act 1994

PROPOSED WORKPLACE INJURY REHABILITATION AND COMPENSATION REGULATIONS 2024

Notice of Preparation of Regulatory Impact Statement

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Workplace Injury Rehabilitation and Compensation Regulations 2024 (proposed Regulations).

Copies of the proposed Regulations and RIS will be available for public review and comment from Monday 15 January 2024. The closing date for submissions is close of business, Tuesday 13 February 2024.

The proposed Regulations will replace the Workplace Injury Rehabilitation and Compensation Regulations 2014 (current Regulations), which sunset on 27 May 2024.

The primary objective of the current Regulations and the proposed Regulations is to set out a number of administrative matters that are necessary for the operation of the workers compensation scheme in Victoria.

The proposed Regulations will be made under the **Workplace Injury Rehabilitation and Compensation Act 2013** and prescribe compensation arrangements in relation to, but not limited to:

- directions and definitions;
- requirements to support compensation payments to injured workers living overseas;
- percentage deductions for different classes of contractors used to determine premiums and compensation payments;
- the formula for calculating contributions payable by self-insurers.

The RIS, which has been prepared by Deloitte Access Economics, assesses the impact of the proposed Regulations.

The options presented in this RIS are based on analysis of the WorkCover scheme, along with the regulatory framework that governs it and consultation with key stakeholders. In addition to non-material language updates, a small number of potential modifications to the current Regulations are considered within this RIS, these are:

- updating percentages deemed not remuneration for contractors (regulation 11);
- aligning information and identity requirements for workers resident overseas with local requirements (regulation 12);
- removing the discount applied to the formula for self-insurer contributions (regulation 14).

Consultation with stakeholders regarding proposed changes to regulations 11 and 12 has revealed that a material burden on industry or workers is not anticipated and therefore alternatives are not explored. However, the RIS does analyse possible alternatives for the current self-insurer contribution formula. It concludes that removing the discount on common costs in the self-insurer contributions formula is the most efficient and equitable option for recovering costs self-insurers generate for WorkSafe. Accordingly, regulation 15 of the proposed Regulations reflects this option, and is proposed to take effect from 1 January 2025.

Public comment is invited on the proposed Regulations and RIS.

Please note, all submissions will be treated as public documents and will appear online unless clearly identified as being confidential.

SPECIAL

Comments should be received by WorkSafe by no later than the close of business on Tuesday 13 February 2024.

Submissions may be lodged electronically using an online form, by email or via post.

Electronic copies of the proposed Regulations and RIS can be obtained from the Victorian Government's Engage website, <https://engage.vic.gov.au/Proposed-WIRC-Regulations-2024>; from the WorkSafe Advisory Service on 1800 136 089 (toll-free) or via email, legislation@worksafe.vic.gov.au

DANNY PEARSON MP
Minister for WorkSafe and the TAC

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