



New South Wales

Workers Compensation (Indexation) Amendment Order (No 3) 2020

under the

Workers Compensation Act 1987

I, the chief executive of the State Insurance Regulatory Authority, make the following Order under sections 79, 82, 82A and 82BA of the *Workers Compensation Act 1987*.

Dated 23 September 2020.

CARMEL DONNELLY

Chief executive of the State Insurance Regulatory Authority

Explanatory note

The object of this Order is to declare, in relation to the adjustment date of 1 October 2020, index numbers and adjusted amounts for the purposes of calculating entitlements under the *Workers Compensation Act 1987*, the *Workplace Injury Management and Workers Compensation Act 1998* and the *Workers' Compensation (Dust Diseases) Act 1942*.

This Order is made under sections 79 (definition of *latest index number*), 82(1), 82A(4) and 82BA(3) of the *Workers Compensation Act 1987*.

Workers Compensation (Indexation) Amendment Order (No 3) 2020

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1 Name of Order

This Order is the *Workers Compensation (Indexation) Amendment Order (No 3) 2020*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Workers Compensation (Indexation) Order 2019

[1] Clause 4 Meaning of “latest index number”

Insert at the end of the Table—

1 October 2020	293.3
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[2] Clause 5 Adjustable amounts—Workers Compensation Acts

Insert in appropriate order, in Columns 2 and 3 of the Table, respectively, in the matter relating to each adjustable amount—

1 October 2020	\$834,200
1 October 2020	\$149.30
1 October 2020	\$587,750
1 October 2020	\$2,242.40
1 October 2020	\$2,242.40
1 October 2020	\$527.40
1 October 2020	\$419.50
1 October 2020	\$381.20
1 October 2020	\$343.10
1 October 2020	\$139
1 October 2020	\$99.30
1 October 2020	\$222.20
1 October 2020	\$368.10
1 October 2020	\$517.80
1 October 2020	\$149.30
1 October 2020	\$2,242.40
1 October 2020	\$172,000
1 October 2020	\$85.90
1 October 2020	\$100.50
1 October 2020	\$50.50
1 October 2020	\$439.50
1 October 2020	\$349.60
1 October 2020	\$317.50
1 October 2020	\$285.90
1 October 2020	\$765.30
1 October 2020	\$1,105.20
1 October 2020	\$9,669.20

[3] Clause 6 Adjustable amounts—Workers' Compensation (Dust Diseases) Act 1942

Insert in appropriate order, in Columns 2 and 3 of the Table, respectively, in the matter relating to each adjustable amount—

1 October 2020	\$373,300
1 October 2020	\$307.90
1 October 2020	\$155.60

[4] Clause 7 Variation of weekly payments

Insert at the end of the Table—

1 October 2020	0.9795
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[5] Clause 7, note 3

Insert after note 2 in clause 7—

Note 3. The number that equates to the factor $\frac{B}{C}$ in respect of 1 October 2020 is 0.9795. Applying this number to vary the amount of a weekly payment to a worker, in accordance with section 82A of the *Workers Compensation Act 1987*, has the effect of reducing the amount. Accordingly, under section 82C(a) of the Act, the variation is deemed not to have taken effect and the amount varied by applying the number specified in respect of 1 April 2020 continues to apply. Section 82C(b) provides for the variation of the amount in respect of the next or a subsequent financial year.

[6] Clause 8 Indexation—compensation amount for workers with highest needs: section 82BA

Insert at the end of the Table—

1 October 2020	\$854
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[7] Clause 8, note

Insert “1” after “Note”.

[8] Clause 8, note 2

Insert after note 1—

Note 2. The amount specified in section 38A of the *Workers Compensation Act 1987*, as varied in accordance with section 82BA of the Act on 1 October 2020, is \$836. This variation has the effect of reducing the amount. Accordingly, under section 82C(a) of the Act, the variation is deemed not to have taken effect and the amount \$854, as specified in respect of 1 April 2020, continues to apply. Section 82C(b) provides for the variation of the amount in respect of the next or a subsequent financial year.