



New South Wales

Workers Compensation (Indexation) Order 2019

under the

Workers Compensation Act 1987

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

Dated, this 26 day of February 2019.

CARMEL DONNELLY
Chief executive of State Insurance Regulatory Authority

Explanatory note

The object of this Order is to notify increases in index numbers and indexed amounts for the purposes of calculating various entitlements to compensation 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*.

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1 Name of Order

This Order is the *Workers Compensation (Indexation) Order 2019*.

2 Commencement

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

3 Notes

Notes included in this Order do not form part of this Order.

Note. The *Workers Compensation Act 1987*, the *Workplace Injury Management and Workers Compensation Act 1998* and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

4 Meaning of “latest index number”

For the purposes of paragraph (b) of the definition of *latest index number* in section 79 of the 1987 Act, the number specified in the Table to this clause in respect of an adjustment date is declared to be the latest index number in respect of that date.

Table

Column 1	Column 2
Adjustment date	Latest index number
1 April 2019	284.8

Note. See clause 41 of Schedule 8 to the *Workers Compensation Regulation 2016* for the latest index number in respect of adjustment dates occurring from 1 April 1988 to 1 October 2018.

5 Adjustable amounts—Workers Compensation Acts

For the purposes of section 82 (1) of the 1987 Act, the adjusted amount specified in Column 3 of the Table to this clause in respect of an adjustable amount is declared to be the amount at which the adjustable amount is to be construed on and from the adjustment date specified opposite in Column 2 until immediately before the next following adjustment date.

Note. See Parts 19H and 19I of Schedule 6 to the *Workers Compensation Act 1987* for provisions relating to the continued application of Divisions 1 and 2 of Part 3 of that Act as in force before the commencement of amendments made by the *Workers Compensation Legislation Amendment Act 2012* and the *Workers Compensation Amendment Act 2015*.

Table

Column 1	Column 2	Column 3
Adjustable amount	Adjustment date	Adjusted amount
\$750,000 (section 25 (1) (a) of the 1987 Act)	1 April 2019	\$810,050
\$66.60 (section 25 (1) (b) of the 1987 Act)	1 April 2019	\$145
\$425,000 (section 25 (1) (a) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Amendment Act 2015</i>)	1 April 2019	\$570,700
\$1,838.70 (section 34 (1) of the 1987 Act)	1 April 2019	\$2,177.40
\$1,000 (section 35 (1) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$2,177.40
\$235.20 (section 37 (1) (a) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$512.10
\$187.10 (section 37 (1) (a) (ii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$407.40
\$170 (section 37 (1) (a) (iii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$370.20
\$153 (section 37 (1) (a) (iii) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$333.10
\$62 (section 37 (1) (b) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$135
\$44.30 (section 37 (1) (c) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$96.50
\$99.10 (section 37 (1) (c) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$215.80
\$164.16 (section 37 (1) (c) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$357.40
\$230.90 (section 37 (1) (c) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$502.80

Table

Column 1	Column 2	Column 3
Adjustable amount	Adjustment date	Adjusted amount
\$66.60 (section 37 (1) (c) (i) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$145
\$1,000 (section 40 (2A) (a) and (b) of the 1987 Act, as in force before its amendment by the <i>Workers Compensation Legislation Amendment Act 2012</i>)	1 April 2019	\$2,177.40
\$76,700 (clause 2 (2) of Part 3 of Schedule 6 to the 1987 Act)	1 April 2019	\$167,050
\$38.30 (clause 2 (3) (b) of Part 3 of Schedule 6 to the 1987 Act)	1 April 2019	\$83.40
\$44.80 (clause 4 (1) (b) (i) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$97.50
\$22.50 (clause 4 (1) (b) (ii) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$49
\$196 (clause 4A (2) (a) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$426.80
\$155.90 (clause 4A (2) (b) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$339.50
\$141.60 (clause 4A (2) (c) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$308.30
\$127.50 (clause 4A (2) (c) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$277.60
\$341.30 (clause 7 (2) (a) of Part 4 of Schedule 6 to the 1987 Act)	1 April 2019	\$743.10
\$906.25 (clause 2 of Part 19H of Schedule 6 to the 1987 Act)	1 April 2019	\$1,073.20
\$7,500 (section 297 (2) of the 1998 Act)	1 April 2019	\$9,389

6 Adjustable amounts—Workers' Compensation (Dust Diseases) Act 1942

For the purposes of section 82 (1) of the 1987 Act (as applied by section 8 (3) (d) of the *Workers' Compensation (Dust Diseases) Act 1942*), the adjusted amount specified in Column 3 of the Table to this clause in respect of an adjustable amount is declared to be the amount at which the adjustable amount is to be construed on and from the adjustment date specified opposite in Column 2 until immediately before the next following adjustment date.

Table

Column 1	Column 2	Column 3
Adjustable amount	Adjustment date	Adjusted amount
\$311,050 (section 8 (2B) (b) (i) (C) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	1 April 2019	\$362,500

Table

Column 1	Column 2	Column 3
Adjustable amount	Adjustment date	Adjusted amount
\$137.30 (section 8 (2B) (b) (ii) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	1 April 2019	\$299
\$69.40 (section 8 (2B) (b) (iii) of the <i>Workers' Compensation (Dust Diseases) Act 1942</i>)	1 April 2019	\$151.10

7 Variation of weekly payments

For the purposes of section 82A (4) of the 1987 Act, the number specified in the Table to this clause in respect of a review date is declared to be the number that equates to the factor $\frac{B}{C}$ for the purposes of the variation of a weekly payment required for that review date.

Table

Column 1	Column 2
Review date	Number equating to factor $\frac{B}{C}$
1 April 2019	1.0105

Note 1. The number equating to the factor $\frac{B}{C}$ has been rounded to 4 decimal places.

Note 2. See clause 4 of the *Workers Compensation (Indexation of Amounts) Order 2013* for notification under section 82A (4) of the 1987 Act in respect of review dates occurring from 1 April 2013 to 1 October 2018.

8 Indexation—compensation amount for workers with highest needs: section 82BA

For the purposes of section 82BA of the 1987 Act, the amount specified in the Table to this clause in respect of a review date is declared to be the amount that is to apply as the amount specified in section 38A of the 1987 Act as varied on that review date.

Table

Column 1	Column 2
Review date	Amount
1 April 2019	\$840

Note. See clause 6 of the *Workers Compensation (Indexation of Amounts) Order 2013* for varied amounts in respect of review dates occurring from 1 April 2016 to 1 October 2018.