

Workers' Compensation and Rehabilitation (QOTE) Notice 2019

Explanatory notes for SL 2019 No. 111

made under the

Workers' Compensation and Rehabilitation Act 2003

General Outline

Short title

Workers' Compensation and Rehabilitation (QOTE) Notice 2019

Authorising law

Sections 107 and 205 of the *Workers' Compensation and Rehabilitation Act 2003*.

Policy objectives and the reasons for them

Compensation entitlements of injured workers and dependants of deceased workers under the *Workers' Compensation and Rehabilitation Act 2003* (the Act) are subject to indexation in accordance with increases in Queensland Ordinary Time Earnings (QOTE) to ensure the relative value of those amounts over time.

Under section 107 of the Act, QOTE for a financial year is the amount of Queensland full-time adult persons ordinary time average weekly earnings declared by the Australian Statistician in the original series of the publication 6302.0 – *Average Weekly Earnings, Australia* most recently published before the start of the financial year.

QOTE for 2018-19 is \$1,527.80. According to the latest Australian Statistician's report released on 21 February 2019, QOTE will increase to \$1,574.00 for 2019-20, an increase of 3.02%.

Achievement of policy objectives

Under section 107 of the Act, the Workers' Compensation Regulator must, before the start of a financial year, notify QOTE for the financial year and the percentage difference in QOTE for the financial year compared to QOTE for the previous financial year. The Regulator's notice is subordinate legislation.

Under section 205 of the Act, if QOTE varies, each payment or amount under chapter 3, part 3, division 4 or 5 or part 6, 10 or 11 of the Act that is not expressed as a percentage of QOTE must be varied proportionately, rounded up to the nearest five dollars. The Workers' Compensation Regulator must notify a variation under this section. The Regulator's notice is subordinate legislation.

Consistency with policy objectives of authorising law

The notification is consistent with the main objects of the Act to maintain a balance between providing fair and appropriate benefits for injured workers or dependants and ensuring reasonable cost levels for employers.

Inconsistency with policy objectives of other legislation

The notification is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The notification is beneficial for injured workers and their dependants as the effect of the indexation of compensation entitlements is to maintain the relative value of those amounts over time in line with wages growth.

Consistency with fundamental legislative principles

The notification is consistent with fundamental legislative principles.

Consultation

WorkCover Queensland and licensed self-insurers have been advised of the notification.