

# Workers' Compensation and Rehabilitation (QOTE) Notice 2023

Explanatory notes for SL 2023 No. 54

made under the

*Workers' Compensation and Rehabilitation Act 2003*

## General Outline

### Short title

*Workers' Compensation and Rehabilitation (QOTE) Notice 2023*

### Authorising law

Sections 10A and 205 of the *Workers' Compensation and Rehabilitation Act 2003*

### Policy objectives and the reasons for them

Each year workers' compensation entitlements are indexed in accordance with Queensland Ordinary Time Earnings (QOTE) to ensure the relative value of entitlements over time.

Under section 10A of the Act, QOTE for a financial year is the amount of Queensland full-time adult persons ordinary earnings declared by the Australian Statistician in the original series of the publication *Average Weekly Earnings, Australia* most recently published before the start of the financial year.

QOTE for the 2022-23 financial year was \$1,671.40. According to the latest Australian Statistician's report released on 23 February 2023, QOTE will increase by 5.34% to \$1,760.70.

### Achievement of policy objectives

Under section 10A of the Act, the Workers' Compensation Regulator must, before the start of the financial year, notify QOTE for the financial year and the percentage difference in QOTE for the financial year compared to QOTE for the previous year. The notice is subordinate legislation.

## **Consistency with policy objectives of authorising law**

The *Workers' Compensation and Rehabilitation (QOTE) Notice 2023* (the Notice) is consistent with the main objects of the Act to maintain a balance between providing fair and appropriate benefits for injured workers and their dependants, and ensuring reasonable cost levels for employers.

## **Inconsistency with policy objectives of other legislation**

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

## **Benefits and costs of implementation**

The Notice is beneficial for injured workers and their dependants as the effect of indexation is to maintain the relative value of compensation entitlements over time in line with wages growth. The cost of applying the indexation to compensation entitlements is borne by workers' compensation scheme insurers.

## **Consistency with fundamental legislative principles**

The Notice is consistent with fundamental legislative principles.

## **Consultation**

WorkCover Queensland, self-insurers and legal stakeholders have been advised about the pending increase to QOTE and the Notice.

In accordance with the Queensland Government Guide to Better Regulation, the department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (h) – regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor).