



# Changes to Tasmania's workers compensation laws: 1 January 2018

## Information for workers

### Introduction

Tasmania's *Workers Rehabilitation and Compensation Act 1988* was recently reviewed and amended to remove excessive 'red tape' associated with the state's workers rehabilitation and compensation scheme.

The Workers Rehabilitation and Compensation Amendment Bill received Royal Assent on 16 October 2017 and changes will come into effect on 1 January 2018.

The websites of WorkSafe Tasmania and the WorkCover Tasmania Board will be updated to reflect these amendments and any consequent processes or procedures that are affected.

### Summary of changes

If you're a worker, you may find the following summary of the amendments useful.

You can find a summary of the full list of amendments in WorkSafe's fact sheet 'Changes to Tasmania's Workers Compensation Laws: 1 January 2018 – Summary of all amendments' at [www.workcover.tas.gov.au](http://www.workcover.tas.gov.au) and [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au).

You can find a copy of the amended Act at [www.legislation.tas.gov.au](http://www.legislation.tas.gov.au).

### Medical Certificates

- Workers compensation medical certificates must not be provided for more than 28 days (previously 14 days) of total incapacity, unless the medical practitioner states a reason on the certificate and sets a date for reviewing the certification.
- Medical practitioners are no longer required to be accredited by the Board to issue workers compensation medical certificates.

### Return to work and injury management

- Employers are required to appoint a return to work co-ordinator if they employ more than 100 workers (the previous requirement was for 50 workers).
- Employers no longer need to develop and implement return to work and injury management plans within time frames specified in legislation. Time frames for plans must be specified in injury management programs. An injury management program is a program approved by the Board which outlines the method an insurer will apply to manage claims.

## General

- The current list of diseases for which there is presumptive cause has been removed. The Board will approve a new list of deemed diseases for which there is a presumption of cause.
- Current age restrictions have been removed and replaced with a link to the *Social Securities Act 1991*. This will ensure there is no gap between when a person's entitlement to weekly compensation payments stops on account of age and when any entitlement to the Age Pension may begin. This amendment will apply to workers whether their injury occurred before or after the start of the amendments.
- Employers are no longer required to serve workers with a written notice of their right to make a claim. However, the worker must still be informed, within 14 days after being notified of an injury, of their right to make a claim. This notice must be in the prescribed form as previously required. To find this form, go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'GF172'.
- Notice to a worker of their right to make a claim is not required if the worker serves a workers compensation claim on the employer within 14 days.
- Employers are no longer prevented from insuring against the first \$200 of benefits payable under the Act or the first weekly payment.
- Employers are no longer required to display in their workplace a summary of the Act or details of their workers compensation insurer.

If you have any queries or want to know more about how an amendment will affect you, please call our Helpline on 1300 366 322.