



Victoria Government Gazette

No. S 50 Tuesday 19 March 2002
By Authority. Victorian Government Printer

SPECIAL

Accident Compensation Act 1985

WORKCOVER SUBDIVISION 2 SETTLEMENTS ORDER

The Governor in Council, on the recommendation of the Minister for WorkCover, makes the following Order under section 116C of the **Accident Compensation Act 1985**:

Dated 19 March 2002

Responsible Minister:
BOB CAMERON MP
Minister for WorkCover

HELEN DOYE
Clerk of the Executive Council

1. Citation

This Order may be cited as the WorkCover Subdivision 2 Settlements Order.

2. Authorising provision

This Order is made under section 116C of the **Accident Compensation Act 1985**.

3. Definitions

“*Act*” means the **Accident Compensation Act 1985**;

“*notification date*” means the date on which the Authority or self-insurer receives an expression of interest from the worker under section 119 of the Act.

4. Determination of settlement amounts for Subdivision 2

This Order specifies how settlement amounts are to be determined for the purposes of Subdivision 2 of Division 3A of Part 4 of the Act.

5. Calculation of settlement amount

The amount of the settlement is the amount resulting from applying the following formula—

$$A \times B$$

where—

A is—

- (a) if a declaration under section 115B(2) is not in effect, the amount of the weekly payment to which the worker is, or, but for the operation of section 96(2) of the Act, would be, entitled as at the notification date less the amount that must be withheld from that payment for the purposes of the Pay as you go system under Schedule 1 to the **Taxation Administration Act 1953** of the Commonwealth; or
- (b) if a declaration under section 115B(2) of the Act is in effect, the amount of the weekly payment to which the worker is, or, but for the operation of section 96(2) of the Act, would be, entitled as at the notification date; and

B is the number in Column 2 of Schedule 1 opposite the number in Column 1 of that Schedule corresponding to the worker's age in years on his or her birthday next following—

- (a) if the worker is not receiving payments as a result of the operation of section 96(2) of the Act, the day after the specified period defined in section 96(3) of the Act expires; or
- (b) in any other case, the notification date.

SCHEDULE 1**TABLE TO BE USED TO DETERMINE SETTLEMENT AMOUNTS UNDER SECTION 116C**

Column 1 Age of worker at next birthday	Column 2 Settlement rate
28	278
29	278
30	276
31	275
32	273
33	272
34	271
35	269
36	268
37	266
38	265
39	264
40	262
41	261
42	259
43	258
44	254
45	250
46	246
47	242
48	238
49	234
50	230
51	226
52	222
53	218
54	204
55	189

Column 1 Age of worker at next birthday	Column 2 Settlement rate
56	173
57	158
58	142
59	126
60	109
61	92
62	75
63	57
64	39
65	0

Accident Compensation Act 1985**CERTIFICATE UNDER SECTION 116C(2) OF THE ACCIDENT COMPENSATION ACT 1985**

I certify that, in my opinion, the making of the WorkCover Subdivision 2 Settlements Order –

- (a) is consistent with ensuring that the accident compensation scheme is managed as effectively, efficiently and economically as is possible; and
- (b) is not likely to adversely affect the competitiveness of the scheme; and
- (c) is not likely to interfere with the scheme being fully funded.

Dated 5 March 2002

BOB CAMERON MP
Minister for WorkCover

Accident Compensation Act 1985**NOTICE UNDER SECTION 119(4) OF THE ACCIDENT COMPENSATION ACT 1985**

The date specified for the purposes of section 119(4) of the **Accident Compensation Act 1985** is 8 April 2002.

Dated 5 March 2002

BOB CAMERON MP
Minister for WorkCover

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The *Victoria Government Gazette* (VGG) is published by The Craftsman Press Pty. Ltd. for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private Notices are also published.

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Subscriptions

The *Victoria Government Gazette* is available by three subscription services:

General and Special — \$187.00 each year

General, Special and Periodical — \$249.70 each year

Periodical — \$124.30 each year.

All prices include GST.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to

The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax (03) 9926 1292

The *Victoria Government Gazette* is published by The Craftsman Press Pty. Ltd. with the authority of the Government Printer for the State of Victoria

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ISSN 0819-5471

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Address all inquiries to the Government Printer for the State of Victoria

Government Information and Communications Branch

Department of Premier and Cabinet

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Melbourne 3000

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The Craftsman Press Pty. Ltd.

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Victoria, Australia 3125

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Facsimile (03) 9926 1292

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Information Victoria Bookshop

356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A