



Queensland

Workers' Compensation and Rehabilitation Amendment Regulation (No. 1) 2011

Subordinate Legislation 2011 No. 129

made under the

Workers' Compensation and Rehabilitation Act 2003

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1 Short title

This regulation may be cited as the *Workers' Compensation and Rehabilitation Amendment Regulation (No. 1) 2011*.

2 Commencement

This regulation commences on 1 July 2011.

3 Regulation amended

This regulation amends the *Workers' Compensation and Rehabilitation Regulation 2003*.

4 Amendment of s 112C (Prescribed amount of damages for loss of consortium or loss of servitium—Act, s 306M)

Section 112C, from 'for an injury'—

omit, insert—

'is—

(a) for an injury sustained on or after 1 July 2010 to and including 30 June 2011—\$35340; or

(b) for an injury sustained on or after 1 July 2011—\$36350.'

5 Amendment of s 112E (General damages calculation provisions—Act, s 306P)

(1) Section 112E(1), after 'applies'—

insert—

'for'.

(2) Section 112E(2)—

omit, insert—

'(2) Schedule 12, section 1 is prescribed as the general damages calculation provisions for an injury sustained on or after 1 July 2010 to and including 30 June 2011.

- ‘(3) Schedule 12, section 2 is prescribed as the general damages calculation provisions for an injury sustained on or after 1 July 2011.’.

6 Amendment of s 112F (Prescribed amount of award for future loss—Act, s 306R)

Section 112F, from ‘for an injury’—

omit, insert—

‘is—

- (a) for an injury sustained on or after 1 July 2010 to and including 30 June 2011—\$117800; or
- (b) for an injury sustained on or after 1 July 2011—\$121160.’.

7 Amendment of sch 9 (Ranges of injury scale values)

- (1) Schedule 9, part 3, division 2, item 21, second occurring—
renumber as schedule 9, part 3, division 2, item 22.
- (2) Schedule 9, part 5, division 4, before item 49—
insert—

'48	Impotence and sterility	Additional examples of factors affecting ISV assessment • Age • Whether the injured worker has children • Whether the injured worker intended to have children or more children Comment about appropriate level of ISV	5 to 37
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[s 8]

	• An ISV at or near the bottom of the range will be appropriate if the sterility has little impact. • An ISV in the lower half of the range will be appropriate if an injured worker with children may have intended to have more children and has uncomplicated sterility, without impotence or any aggravating features. • An ISV in the upper half of the range will be appropriate if a young injured worker without children has uncomplicated sterility, without impotence or any aggravating features. • An ISV at or near the middle of the range will be appropriate if a middle-aged injured worker with children has sterility and permanent impotence. • An ISV at or near the top of the range will be appropriate if a young injured worker has total impotence and loss of sexual function and sterility.’.
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(3) Schedule 9, part 6, division 14, before item 146—
insert—

‘Subdivision 2 Other foot injuries’.
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- 8 Amendment of sch 12 (General damages calculation provisions)**
- (1) Schedule 12, entry headed ‘General damages calculation provision—1 July 2010’—

number as schedule 12, section 1.

- (2) Schedule 12, after 'provision—1 July 2010'—

insert—

'to 30 June 2011'.

- (3) Schedule 12, before 'as follows'—

insert—

'to and including 30 June 2011'.

- (4) Schedule 12—

insert—

'2 General damages calculation provision—1 July 2011

'The general damages must be calculated for an injury sustained on or after 1 July 2011 as follows—

- (a) if the injury scale value of the injury is assessed as 5 or less—by multiplying the injury scale value by \$1210;
- (b) if the injury scale value of the injury is assessed as 10 or less but more than 5—by adding to \$6050 an amount calculated by multiplying the number by which the injury scale value exceeds 5 by \$1450;
- (c) if the injury scale value of the injury is assessed as 15 or less but more than 10—by adding to \$13300 an amount calculated by multiplying the number by which the injury scale value exceeds 10 by \$1700;
- (d) if the injury scale value of the injury is assessed as 20 or less but more than 15—by adding to \$21800 an amount calculated by multiplying the number by which the injury scale value exceeds 15 by \$1930;
- (e) if the injury scale value of the injury is assessed as 25 or less but more than 20—by adding to \$31450 an amount calculated by multiplying the number by which the injury scale value exceeds 20 by \$2180;
- (f) if the injury scale value of the injury is assessed as 30 or less but more than 25—by adding to \$42350 an amount

[s 8]

calculated by multiplying the number by which the injury scale value exceeds 25 by \$2430;

- (g) if the injury scale value of the injury is assessed as 35 or less but more than 30—by adding to \$54500 an amount calculated by multiplying the number by which the injury scale value exceeds 30 by \$2660;
- (h) if the injury scale value of the injury is assessed as 40 or less but more than 35—by adding to \$67800 an amount calculated by multiplying the number by which the injury scale value exceeds 35 by \$2910;
- (i) if the injury scale value of the injury is assessed as 50 or less but more than 40—by adding to \$82350 an amount calculated by multiplying the number by which the injury scale value exceeds 40 by \$3130;
- (j) if the injury scale value of the injury is assessed as 60 or less but more than 50—by adding to \$113650 an amount calculated by multiplying the number by which the injury scale value exceeds 50 by \$3340;
- (k) if the injury scale value of the injury is assessed as 70 or less but more than 60—by adding to \$147050 an amount calculated by multiplying the number by which the injury scale value exceeds 60 by \$3560;
- (l) if the injury scale value of the injury is assessed as 80 or less but more than 70—by adding to \$182650 an amount calculated by multiplying the number by which the injury scale value exceeds 70 by \$3780;
- (m) if the injury scale value of the injury is assessed as 90 or less but more than 80—by adding to \$220450 an amount calculated by multiplying the number by which the injury scale value exceeds 80 by \$4000;
- (n) if the injury scale value of the injury is assessed as 100 or less but more than 90—by adding to \$260450 an amount calculated by multiplying the number by which the injury scale value exceeds 90 by \$4240.

ENDNOTES

- 1 Made by the Governor in Council on 30 June 2011.
- 2 Notified in the gazette on 1 July 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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