



## Workers compensation market practice and premiums guidelines: Annexure B

### Recovery of excess from employer as per s160 of 1987 Act

For the purposes of the definition of prescribed excess amount in section 160 (1) of the Act, the following excess amount is specified:

- a) if the employer concerned notified the relevant insurance scheme agent of the injury that led to the weekly compensation claim of the worker within 5 days of the employer becoming aware of it—\$0.
- b) in all other cases—the lesser of the following:
  - i) the amount that is the weekly payment of compensation to which the worker is entitled as determined by section 36 of the 1987 Act
  - ii) \$2,101.70.

#### Note:

Under section 160 (2) of the 1987 Act, an employer is required to repay the prescribed excess amount to the insurer under a policy of insurance in respect of each weekly compensation claim that the insurer has paid under the policy. However, if the amount that the insurer has paid in respect of any such claim is less than the prescribed excess amount, the amount the employer must repay is that lesser paid amount.