

## **EXPLANATORY STATEMENT**

Issued by the authority of the  
Minister for Employment and Workplace Relations

*Safety, Rehabilitation and Compensation Act 1988*

### **Rate per kilometre payable under subsection 16(6)**

The *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) provides for compensation and rehabilitation for employees who are injured arising out of or in the course of their employment.

Subsection 16(6) of the SRC Act provides that Comcare is liable to compensate employees who use their own motor vehicle when travelling more than 50 kilometres to obtain medical treatment for their compensable injuries.

Paragraph 16(6)(c) of the SRC Act enables the Minister to specify, by notice, the rate per kilometre payable to these employees.

The rate payable from 1 July 2003 is 47 cents per kilometre. This rate will be reviewed to take into account the increased cost of running a motor vehicle, using variations in relevant Consumer Price Index (CPI) components namely 'automotive fuel'; 'motor vehicle repair and servicing'; and 'motor vehicle parts and accessories', based on a weighted average of 8 capital cities.

The purpose of the notice is to set the current rate per kilometre payable for the purposes of subsection 16(6), and to provide a list of rates applicable in previous periods. The notice consolidates a number of existing notices made under section 16(6) of the SRC Act. This means that any claims for journeys made prior to 1 July 2003 will be reimbursed at the rate that corresponds with the date of the journey. Additionally, the purpose of the notice is in response to compliance with the *Legislative Instruments Act 2003*.

Consultation was not undertaken in relation to setting this rate because it does not change the existing or previous rates set. An exemption from the preparation of a Regulation Impact Statement was also granted by the Office of Regulation Review on this basis.

This Notice will take effect upon registration on the Federal Register of Legislative Instruments (FRLI).

This Notice is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.