



Safety, Rehabilitation and Compensation Amendment Regulations 2008 (No. 2)¹

Select Legislative Instrument 2008 No. 126

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Safety, Rehabilitation and Compensation Act 1988*.

Dated 24 June 2008

P. M. JEFFERY
Governor-General

By His Excellency's Command

JULIA GILLARD
Minister for Employment and Workplace Relations

1 Name of Regulations

These Regulations are the *Safety, Rehabilitation and Compensation Amendment Regulations 2008 (No. 2)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Safety, Rehabilitation and Compensation Regulations 2002*

Schedule 1 amends the *Safety, Rehabilitation and Compensation Regulations 2002*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 5, heading

substitute

5 Index — annual increase in normal weekly earnings after cessation of employment

[2] Regulation 5

omit

Wage Cost Index

insert

Wage Price Index

[3] Regulation 6, heading

substitute

6 Manner of calculating annual increase — indexation after cessation of employment

[4] After regulation 6

insert

6A Index — annual increase in normal weekly earnings in certain other cases

For subsection 8 (9F) of the Act, the Wage Price Index, Australia (Total hourly rates of pay — excluding bonuses/all Australia/all industries/all occupations) published by the Australian Bureau of Statistics is prescribed.

6B Manner of calculating annual increase — indexation in certain other cases

For subsection 8 (9G) of the Act, the further increase in normal weekly earnings mentioned in subsection 8 (9F) is the amount (if any) calculated, to 3 decimal places and rounded up to 2 decimal places, in accordance with the formula:

$$(F \times PE) - PE$$

where:

F is the greater of the following:

- (a) the number calculated, to 4 decimal places and rounded up to 3 decimal places, by dividing the index number by the previous index number;
- (b) 1.000.

index number is the index number of the index mentioned in regulation 6A for the quarter that ended on 31 December in the year immediately before the indexation date.

PE is the normal weekly earnings that applied immediately before the indexation date.

previous index number is the index number of the index mentioned in regulation 6A for the quarter that ended on 31 December in the previous year.

Note Under the formula above, there will be a further increase in normal weekly earnings only if **F** is greater than 1.000.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.