



ACT Workers' Compensation Act 1951

Workplace Summary

Early Notification of Injury

Notice of the injury should be given to the employer as soon as possible after the injury happened and before the worker has voluntarily left the employment in which the worker was at the time of the injury.

The notice may be given to the employer, or any person designated for the purpose by the employer or any person under whose supervision the worker is employed. Recording of details of the injury in the employers Register of Injuries is taken to be Notice of Injury.

If there is more than one employer, the notice must be given to the employer responsible for the workplace where the injury happened.

Employer to Notify Insurer

The employer of an injured worker must notify the insurer within 48 hours after becoming aware that the worker has received a workplace injury.

The injury Notice must state:

- a) The name and address of the injured worker; and
- b) The cause of the injury (in ordinary language); and
- c) The date and time the injury happened; and
- d) The name and address of the employer; and
- e) The name and address of the nominated treating doctor or, if there is no treating doctor, a doctor who has treated the worker for the injury.

Notice may be given verbally, or in writing or in electronic form. However, if notice given verbally, the employer must give the notice in writing or in electronic form within 3 days after giving notice verbally.

The employer is liable for weekly payments from the date of injury until the employer notifies the insurer of the injury.

Claim for Compensation

If compensation is claimed for an injury:

1. The claim must be made within 3 years after the injury happened or after worker became aware of the injury;
2. A claim for weekly compensation must be accompanied by a medical certificate from a doctor in the approved form;
3. Failure to make a claim under this Act does not prevent the recovery of compensation if it is found that the failure was caused by ignorance, mistake or other reasonable cause.

Claim forms for compensation are available from the employer on request and free of charge.

The injured worker must make a formal claim for compensation with Allianz within seven (7) days after the date of injury (unless prevented by the injury from doing so) to avoid a wage penalty.

Worker's Right to Information

If a Territory worker, who is or has been employed by an employer, asks the employer for the name and address of the employer's approved insurer on a stated date, the employer must tell the worker the name and address of the approved insurer, or each approved insurer, who issued a compulsory insurance policy to the employer that was current on that date.

Commencement of Weekly Payments

Weekly payments of compensation must begin when the worker gives notice of the injury to the employer, and the worker is entitled to weekly compensation from the date of injury for all periods covered by a compliant medical certificate.

The employer cannot use the injured workers personal or annual leave in place of workers compensation payments.

Compliance by Workers

A worker is not entitled to compensation for a period when the worker unreasonably;

- a) Does not comply with a requirement under a Personal Injury Plan; or
- b) Fails to take part in a vocational rehabilitation or return to work plan; or
- c) Fails to attend an assessment of employment prospects; or
- d) Fails to undertake suitable alternative duties.

Employer to take Claims Action

An employer is guilty of an offence under the ACT Workers Compensation Act if the employer;

- Fails to keep a Register of Injuries;
- Fails to establish a Return to Work Program;
- Fails to comply with Insurer's Injury Management program;
- Fails to take part of co-operate in the establishment of an injured workers Personal Injury Plan'
- Fails to provide an injured worker or injured contract worker with suitable duties;
- Fails to forward any claim for compensation or other documentation to the insurer within 7 days of receipt;
- Fails within 7 day, to furnish an insurer with information requested of the employer and in the employer's possession or is reasonable obtainable;

Fails to pay immediately an amount of compensation received from the insurer to the person entitled.

Return to Work Coordinator

All self-insurers and employers with an annual premium of \$200,000 or more, must appoint a suitably qualified or experienced Return to Work Coordinator.

Our Workers Compensation Insurer is:

Allianz Australia Insurance Limited

AFS Licence No. 2344708

ABN 15 000 122 850

Report ALL injuries to Allianz on 1300 130 664

Forward all ACT claims to: PO Box 262 Canberra ACT 2601;
or

<mailto:actwc.newclaims@allianz.com.au>

(new claim documentation)

<mailto:actwc.claims@allianz.com.au> (all other documentation)