

# IMPORTANT NOTICES

## GIO WORKERS COMPENSATION WESTERN AUSTRALIA

The information provided in this guide should not be regarded as a substitute for obtaining professional advice on your workers compensation or other insurance requirements. It is important to note that workers compensation legislation is frequently amended.

### 1. General information

Workers compensation insurance is compulsory throughout Australia where you have Workers. GIO offers business and domestic workers compensation cover in Western Australia, Australian Capital Territory, Tasmania and Northern Territory.

### 2. Business numbers

#### **Australian Company Number (ACN)**

An ACN is issued to any company registered with the Australian Securities and Investments Commission.

#### **Australian Registered Business Number (ARBN)**

An ARBN is issued to any business other than companies registered with the Australian Securities and Investment Commission.

#### **WorkCover Number (WCN)**

In Western Australia every Employer must register with WorkCover for a unique WorkCover number.

#### **Australian Business Number (ABN)**

An ABN is issued by the Australian Taxation Office. You must have an ABN to register for GST purposes; however, the issue of an ABN does not automatically mean you are registered to claim GST Input Tax Credits.

#### **GST**

If you are a registered business or non-profit organisation you must inform GIO of the extent to which you are entitled to Input Tax Credits on your insurance premium. This advice is required prior to the commencement of each period of insurance or when you have a claim. However, if you do not provide this information it will be assumed that you are registered and that you are entitled to claim 100% of the GST paid on your premium as an Input Tax Credit.

### 3. Definition of wages

Your premium will be calculated using your estimate of the Wages you will pay during the period of insurance.

**Wages** means the aggregate amount of Wages, salary, or other remuneration to be paid to your Workers.

Wages includes every payment made to or for the Worker for the Worker's services without deduction of income tax, including:

- All wages, salaries, remuneration, commissions, bonuses, overtime, allowances and the like, directors' fees, superannuation contributions (except those made by force of law), fringe benefits, and all other benefits paid (whether paid in cash or non cash benefits such as vehicles, equipment, mortgage payments, travel, school fees etc.) to or in relation to a Worker (including working directors declared as such to us) or to contractors, before deduction of income tax.

Wages do not include termination payments, retirement pay, retrenchment pay in lieu of notice, compulsory superannuation payments, pensions, "golden handshakes" and weekly payments of workers' compensation under the Act.

Your estimate of Wages must be given to the best of your knowledge, information and belief.

Following the period of insurance, the premium will be recalculated using a statement by you of the total amount of Wages actually paid during the period of insurance and the recalculation may result in an additional premium amount or a refund to you.

### 4. Who is a worker?

**Worker** means:

- An employee or apprentice;
- A person to whose service any industrial award or industrial agreement applies;
- A contractor engaged to work for the purpose of your trade or business whose remuneration is in substance for his personal manual labour or services;
- Worker employed by your contractor (in certain cases - see over).



## 5. Who is not a worker?

**Worker** does not include:

- A person whose employment is of a casual nature and is not for the purpose of your trade or business;
- A working director (unless you furnish to us in writing the name of the director and the aggregate amount of wages, salary or other remuneration to be paid to the director during the period of insurance), or at the time the person is appointed;
- A person who is remunerated only for participating as a contestant in a sporting or athletic activity or is engaged in training or preparation, promotional activities or a journey in connection with the activity, while the person is doing those things;
- Crew of a fishing vessel who contributes to the cost of working the vessel and is remunerated by a share in the profits or gross earnings of working the vessel.

## 6. Contractors

**Worker** includes:

- A contractor to whose service an industrial award or agreement applies;
- A contractor engaged to work for the purpose of your trade or business whose remuneration is in substance for his personal manual labour or services.

**Note:** The remuneration is for the contractor's personal manual labour or services, the contractor does not employ his own employees or contractors and substantial materials or equipment (not being tools of the trade) are not provided;

- Worker employed by a contractor who is engaged to execute any work at premises under your control or management, where the Worker's work is directly a part or process in your trade or business.

Contractors includes subcontractors.

You must include as Wages the full value of the contracts with your contractors. In the case of contractors who employ Workers or provide substantial materials or equipment, we will make an adjustment to estimate the Wages component of the contract value for premium calculation purposes.

The contractor might be an individual, a partnership, or a company. The contractors might trade using a business name or it might be a trading trustee. Wages for all of your contractors must be declared.

## 7. Claims excess

No excess.

## 8. Extra cover

- If your employee or apprentice is injured during the period of insurance and if you are entitled to indemnity for workers compensation liability for the injury we provide extra cover for liability for damages for the injury under the Fatal Accidents Act 1959 (WA), or the Law Reform (Miscellaneous Provisions) Act 1947 (WA), or at common law, and liability for contribution under the Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947 (WA);
- Limited to \$50,000,000 and can be increased for extra premium.

## 9. Other cover

Other cover may be included for extra premium.

## 10. Terms and conditions

Any cover under the policy, including other cover, is subject to the terms, conditions and exclusions of the policy and the provisions of applicable State, Territory and Commonwealth law.

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