



Australian Government

Comcare

PUTTING YOU *FIRST*

WHAT DO I DO IF I DISAGREE WITH A DETERMINATION OR A REVIEWABLE DECISION MADE BY COMCARE?

If you disagree with a determination issued by Comcare under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) you can request that it be reconsidered by Comcare.

The Claims Services Officer (CSO) who reconsiders the determination will have had no involvement in the initial determination.

To request a reconsideration, you may:

- > put your request to Comcare in writing
- > refer to the date of the determination you would like reconsidered
- > provide reasons for the request and explain why you disagree with the determination
- > provide any new information that supports your request, such as medical reports or x-rays that have not previously been considered by Comcare
- > make your request within 30 days of receiving Comcare's initial determination.

If you are unable to make your request to Comcare within 30 days you can apply for an extension.

If a solicitor has helped you with this process, any legal costs will be your responsibility regardless of the outcome of the reconsideration.

When Comcare receives your reconsideration request it will:

- > assess any new evidence you provide, along with the evidence provided to make the initial determination, in line with the SRC Act
- > issue you with a decision in writing. This decision is known as a "reviewable decision."

WILL MY EMPLOYER BE INVOLVED IN THE RECONSIDERATION PROCESS?

Your employer will receive a copy of your request for reconsideration and may provide comments. Your employer has the same rights as you to request that a determination issued by Comcare be reconsidered.

Comcare will notify you if your employer requests that a determination issued by Comcare on your claim be reconsidered.

WHAT DO I DO IF I DISAGREE WITH A REVIEWABLE DECISION ISSUED BY COMCARE?

If you disagree with a reviewable decision issued by Comcare, you can apply for it to be reviewed by the Administrative Appeals Tribunal (AAT).

There are specific rules you must follow when applying to the AAT. These will be explained in Comcare's written reviewable decision.

You cannot apply to the AAT for review until Comcare has issued its written reviewable decision.

WHAT IF I WANT COPIES OF DOCUMENTS HELD ON MY FILE?

You have the right, under section 59 of the SRC Act, to access any document held by Comcare that relates to your claim. If you would like copies of documents held on your file, please write to Comcare requesting the documents you require.

DO I HAVE ANY OTHER RIGHTS OR RESPONSIBILITIES?

Comcare has a range of publications, a Claimant Charter and privacy policy that:

- > inform you what you should expect from Comcare
- > outline your rights and responsibilities
- > outline how Comcare protects your privacy.

If you would like a copy of any publication visit www.comcare.gov.au or call 1300 366 979.