



Australian Government

Comcare

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**Jurisdictional Policy Advice 2009/4**  
***Safety, Rehabilitation and Compensation Act 1988***  
**Indexation of Normal Weekly Earnings under subsection 8(9F)**  
**- effective 1 July 2009**

**Purpose**

1. This advice alerts determining authorities that the amount of increase in the normal weekly earnings (NWE) under subsection 8(9F) of the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) to apply from 1 July 2009 is **4.20%**.

**Background**

2. Section 8 of the SRC Act establishes the value of an employee's NWE and prescribes how this is to be calculated. NWE is used as the basis for establishing an employee's weekly incapacity benefit under the SRC Act.
3. Subsection 8(9E) of the SRC Act requires an increase in NWE, of an amount specified in subsection 8(9F), to current employees who have not had an increase or reduction in those earnings in the 12 months preceding 1 July.
4. Subsection 8(9F) states where NWE of an employee before an injury is to be increased by virtue of subsection 8(9E), subsection 8(9F) specifies that increase shall be based on the percentage of increase (if any) in a prescribed index measured over the 12 month year ending on 31 December, immediately prior to 1 July.
5. Regulation 6A of the *Safety, Rehabilitation and Compensation Regulations 2002* prescribes, for the purposes of subsection 8(9F), the Wage Price Index (WPI) [total hourly rates of pay – Australia/all industries/all occupations – excluding bonuses] as published by the Australian Bureau of Statistics (ABS).
6. The percentage increase in the WPI for the 12 month period ending December 2008 is **4.20%**.

**Policy Advice**

7. Determining authorities must increase the NWE for current employees covered by 8(9F) by **4.20%** with effect from 1 July 2009.
8. Determining authorities should have suitable processes and procedures in place to ensure that all calculations of entitlements under subsection 8(9F) are increased by this specified percentage.
9. Any issues relevant to this policy advice may be discussed with SRC Policy on 1300 366 979 or email [SRC.Policy@comcare.gov.au](mailto:SRC.Policy@comcare.gov.au) .

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