

Amendments to Journey Provisions

Subsection 6(1) of the *Safety Rehabilitation & Compensation Act 1988* has been amended and now states that an employee's journey to or from their workplace is completed at the boundary of the land on which the employee's residence is situated.

Therefore:

- if an employee is travelling to or from his or her residence on the way to or from work, an injury sustained within the boundary of the residence will not be compensable;
- where an employee owns or occupies a unit of a strata title, the 'boundary' will normally encompass any common property; {ss 6(1A)}
- if an employee owns or occupies a parcel of land adjoining the land on which the residence is situated, the 'boundary' is the external boundary of the continuous parcels of land is treated as a single parcel [ss6(1B1)]

While the new amendment effectively means that injuries sustained by an employee within the employee's residential boundaries while travelling for

employment-related purposes are not compensable, there are some circumstances where compensation may still be payable.

If the employee is performing actions directly related to his or her duties (such as maintaining a work vehicle as required, homebased work or being 'on call') within residence boundaries, claims for compensation may generally be accepted.

The effective date of the amendment is 15 January 1996.



Comcare Contact Numbers

For more information please contact the National Business Manager, State Account Manager, or Claims Manager on:

1300 366 979

(local call cost)

National Rehabilitation

Policy Unit

(03) 9601 4119

Claimant Helpline

1800 150 555

OH&S Hotline

1800 642 770

A copy of this Customer Circular has been distributed nationally to each Human Resource Manager and Case Manager.

Previous Customer Circulars issued include:

CC1 - Revised claim for rehabilitation & compensation.

CC2 - Workers' compensation issues arising from agency restructures.

CC3 - Return to work - agency responsibilities.

CC4 - Cheque reimbursements for incapacity payments.