



# SISA Update August 2016

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# Proposed changes to Code

- RTWSA to press ahead with regulation to lift minimum guarantee to \$1.1 million effective 1/1/18 & reduce scaling factor to 150%
- SISA has obtained detailed actuarial advice that says no justification for even having a minimum, let alone raising it
- Minister's office has requested and been provided with actuarial advice
- May serve to stop regulation being drafted

# Bills currently on the table

- *Return to Work (Weekly Payments Under Transitional Provisions) Amendment Bill 2016*
- Tabled by Hon John Darley but drafted by the Greens
- Intended to undo *Pennington* but goes much further
- If passed, likely to allow many workers with closed period claims under WRCA to claim a further 2 years of weekly benefits

# Bills currently on the table

- *Return to Work (Weekly Payments Under Transitional Provisions) Amendment Bill 2016*
- Opposition has been advised to oppose the Bill
- Advice from Minister's office suggests that the Govt is opposed to any amendments to RTWA prior to the mandated review in 2018

# Bills currently on the table

- *Statutes Amendment (South Australian Employment Tribunal) Bill 2016*
- Tabled and read a second time on 4/8/16
- Bill as tabled varies from consultation version:
  - President and Deputy Presidents to be District Court judges;
  - dust diseases jurisdiction will not be exclusive;
  - includes jurisdiction of the Equal Opportunity Tribunal;

# Amendments to the SAET Bill (cont)

- clarification of costs provisions (including retention of costs from incoming jurisdictions);
- refinement of the internal appeals structure within SAET and of referrals of questions of law for determination within SAET;
- clarification of the representation provisions;
- retention of current penalties for contempt of SAET; and
- retention of the outworkers provisions of the *Fair Work Act 1994*

# Bills currently on the table

- *Work Health & Safety (Industrial Manslaughter) Amendment Bill 2015*
- No information as to when the Parliamentary Standing Committee will report
- Government & Opposition likely to oppose the Bill
- Unlikely to progress beyond 2<sup>nd</sup> reading
- *Public Sector (Data Sharing) Bill 2016*

# ATO policy on redemption

- Rulings Panel delayed release of draft until 10/8/16
- According to the ATO, any final ruling will not be retrospective but when finalised will take effect on date of draft release (!)
- It seems inevitable that income redemption will be held to be assessable
- SISA maintaining contact with the ATO



# Review of certain aspects of the RTWA

- Review sent to the Standing Committee
- Government supported motion even while saying it is a pointless exercise!
- SISA was told it would not commence until September
- TOR published 3/8/16 with closing date for submissions of 30/9/16 – note bias language!
- Our submission drafted and under review – will be released to members when signed off

# Estimates Committee 2016

- Questions asked about:
  - Scheme funding, redemption program
  - Management of Crown claims
  - New CEO of RTWSA when G. McCarthy retires
  - Possible privatisation of RTWSA insurance functions
  - Failed proposals to change SI criteria
  - Increases in agent fees
  - Public hospital fees
  - Claim rejection rates

# Other news

- SISA Awards – record number of nominations
- Bookings open
- Closing the Loop 28/7/16 – broke attendance and sponsorship records
- CTL presentations available on SISA website

# Questions?



# Content

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