



IMPORTANT INFORMATION

With the implementation of the *WA Workers Compensation and Injury Management Act 2023* (WA) (Act) and the *Workers Compensation and Injury Management Regulations 2024* (Regulations), there is important information you should be aware of regarding your workers compensation policy.

An FAQ document for employers and brokers is available on our website cgu.com.au/business/workers-compensation/wa

An Employer Information Pack is also available from our website in the 'Forms and downloads' section. This section also contains other important information such as:

- workers compensation general information;
- any recent changes to workers compensation laws;
- sample policy documents and related forms.

Should you wish to obtain a paper-based copy of the Employer Pack or other documents, please contact 1300 307 952.

Declaration of Remuneration

Under the Act you are required to provide an accurate statement of remuneration in the WorkCover WA approved declaration forms. This section will assist you in completing the **Declaration of Estimated Remuneration** and **Declaration of Actual Remuneration**.

The **WorkCover WA** website workcover.wa.gov.au provides important information on the meaning of 'worker' that will help you understand the types of workers and working arrangements for the statement of remuneration. This includes fact sheets on the meaning of 'worker' and a contractor guide.

1. Defining remuneration

The **WorkCover WA Remuneration Guidelines** ([click to download](#)) provide for a clear definition of 'remuneration' to assist employers to provide a remuneration declaration.

When completing section 3 of the declaration form, you are required to specify the total amount of remuneration paid or payable to your workers over the policy period.

2. General workers/employees (section 3.1)

In this section you are required to declare remuneration for general workers or employees covered under a contract of service, including full-time, part-time, casual, seasonal workers, and apprentices, among others. Some contractors and subcontractors may also be classified as workers under a contract of service.

For a more comprehensive definition of a 'worker', please refer to the **WorkCover WA** information sheet definition of 'worker'.

3. Premium rating codes (PRC) for employer's business activities (section 3.1)

The premium rating code (PRC) and premium rating class description allocated to your policy are based on your business activities.

The **WorkCover WA Industry Classification Order** ([click to download](#)) can guide you in identifying the correct PRC and class description.

Premium rating codes (PRC) for labour hire

For labour hire employers, the **WorkCover WA Industry Classification Order** clarifies the correct PRC and class description for the following labour hire arrangements:

- labour hire employers supplying predominantly non-clerical staff to host employers
- labour hire employers supplying predominantly clerical staff to host employers
- workers engaged by a labour hire company to provide administrative services that support the operation of the labour hire company but are not supplied to a host employer, and
- companies whose predominant activity is recruitment and job placement services.

If a labour hire employer is supplying staff to a host employer, the **host employer's PRC** and class description must be identified in section 3.1. We may request you to complete a questionnaire to assist with identifying the correct PRC for host employers.

For more comprehensive information regarding labour hire employers, please refer to the guidelines for labour hire employers on the **WorkCover WA** website.

4. Working directors (section 3.2)

Companies have the option of covering their company directors under section 16 of the Act. In relation to such companies, a 'working director' means a company director (whether or not the director would be a worker if section 16 did not apply):

- a) who does work for or on behalf of the company; and
- b) whose remuneration, by whatever means as a company director of the company is in substance for personal manual labour or services.

This section requires you to provide details of each working director covered under the policy and their remuneration.

It is important to note a working director is not covered under the policy if they are not named in this section along with the statement of remuneration for each working director.

From 1 July 2024 public company directors are no longer excluded. If they require cover under the policy, they must be named on the policy along with the remuneration declaration for the public company director.

The **WorkCover WA Remuneration Guidelines** set out what constitutes 'remuneration' to assist employers to provide a remuneration declaration with respect to working directors and the significance of the declaration on the amount of income compensation payable if there is a compensation claim.

5. Contractors/subcontractors (section 3.3)

This section requires you to declare the remuneration for contractors/subcontractors that are, or are deemed to be, your workers.

The information below includes important information on the circumstances in which you will be taken to be an employer of contractors or subcontractors and therefore required to make a remuneration declaration in section 3.3 of the declaration form.

Remuneration declaration for individual contractor

You are required to declare remuneration for an individual contractor if you engage an individual to do work for your business, and the work performed by the individual is not in the course of or incidental to a trade or business regularly carried out by the individual in their own name or under a business or firm name; and the individual does not sublet contract; and if the individual employs a worker, the individual performs part of the work personally.

Remuneration declaration for contractor's workers

If you're a principal employer with a contractual arrangement with a contractor for work that is directly a part of your trade or business, then both you and the contractor are considered the employers of any workers the contractor may employ.

You are required to declare remuneration for a contractor's workers if:

1. You are a principal contractor with a contract for work that is directly a part of your trade or business, and
2. You cannot provide records the contractor who employs the worker holds a workers compensation policy that indemnifies you.

For more comprehensive information regarding contractors, please refer to the technical note on contractors on the **WorkCover WA** website.

The premium we charge for contractors/subcontractors will be calculated based on the information you declare in section 3.3.

If you know and can declare the total remuneration amount paid to contractors/subcontractors, your premium will be calculated on 100% of the amounts you declare.

If you do not know the total remuneration amount and declare the total contract value instead, your premium will be calculated based on the labour only component of the total contract value. The labour only component will be calculated on the following basis

Type of contract	% of Total contract value for labour only component
Labour only	Multiply by: 90%
Labour & tools	Multiply by: 90%
Labour & plant	Multiply by: 50%
Labour & materials	Multiply by: 40%
Labour, plant & materials	Multiply by: 30%

Records

Employers must keep records for not less than 7 years after the record was made, including supporting information to declarations of remuneration for each period of insurance.

Offences for non-compliance

It is important the information you provide in the remuneration declaration is accurate and does not contain any false, misleading, or incomplete information.

An employer who fails to provide the remuneration declaration or provides information in the declaration that the employer knows to be false or misleading in a material particular commits an offence. A fine of up to \$10,000 in respect of each of the employer's workers to whom the offence relates may apply.

Also be aware it is an offence to contract out of an employer's liabilities under the Act or to engage in workers compensation avoidance arrangements (also known as sham contracting). For further information, please refer to the technical note on contractors on the **WorkCover WA** website.

General Information

Policy Wording

Policy Wording WOR0059A REV7 06/24 applies to your policy.

A copy of the Policy Wording is available on our website in the 'Forms and downloads' section:

cgu.com.au/business/workers-compensation/wa

Certificate of Currency

Employers are legally required to keep a current policy of insurance and must ensure that the current certificate of currency issued by the insurance company is available for inspection by WorkCover WA.

Contractual Obligations

Please inform us if you have entered or intend to enter any contractual arrangements whereby you agree to indemnify or hold harmless any principal or other person.

How CGU protects your privacy

We use information provided by our customers to allow us to offer our products and services. This means we may need to collect your personal information, and sometimes sensitive information about you as well (for example, health information for travel insurance). We will collect this information directly from you where possible, but there may be occasions when we collect this information from someone else.

CGU will only use your information for the purposes for which it was collected, other related purposes and as permitted or required by law. You may choose not to give us your information, but this may affect our ability to provide you with insurance cover.

We may share this information with companies within our group, government and law enforcement bodies if required by law and others who provide services to us or on our behalf, some of which may be located outside of Australia.

For more details on how we collect, store, use and disclose your information, please read our Privacy Policy located at cgu.com.au/privacy. Alternatively, contact us at privacy@cgu.com.au or 13 15 32 and we will send you a copy. We recommend that you obtain a copy of the Policy and read it carefully.

By applying for, using or renewing any of our products or services, or providing us with your information, you agree to this information being collected, held, used and disclosed as set out in the Policy.

Our Privacy Policy also contains information about how you can access and seek correction of your information, complain about a breach of the privacy law, and how we will deal with your complaint.

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