

Legislative Council

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WORKERS REHABILITATION AND COMPENSATION

The Hon. A. BRESSINGTON (20:18):

I rise briefly to reaffirm my support for the motion to disallow the regulations under the Workers Rehabilitation and Compensation Act 1986 concerning discontinuance fees. For those seeking my rationale I refer to my speech made on 18 November last year. As was outlined by the Hon. Rob Lucas (who has taken the reins on this issue from the Hon. Rob Lawson), self-insurers, regardless of the measure used, achieve far better results for both employers and injured workers.

Given this, I am of the opinion that this parliament should not intentionally impede a company's ability to move to self-insurer status. However, their departure from the WorkCover scheme must be equitable to those who remain. Thanks to a briefing provided this morning by the minister and the Chief Executive of the corporation, I have a greater understanding of how the arrangements prior to these regulations, to which we will revert, fall short in achieving this. That said, I remain of the opinion that the proposed discontinuance fees still go too far.

I am hopeful that, if these regulations are again disallowed, the government will not simply re-introduce them without amendment but instead will encourage WorkCover Corporation to engage in meaningful negotiations with Self Insurers of South Australia, as I believe a middle ground can surely be found. It has always been my understanding that the intent of disallowing this regulation was to try to force the corporation and the government to move forward to a more cooperative approach and away from an adversarial one.

I would just like to make the point that there is no objection from self-insurers, or anyone else, to the existence of disallowance or exit fees. Self-insurers are not saying that they do not want to pay any fees. They are just saying that with the formula devised now it will be prohibitive for any business to move to self-insured status. I believe that middle ground can be reached if we can get WorkCover Corporation and SISA to sit down and try to reach agreement on what is equitable for everyone.