



Australian Government
**Seafarers Safety, Rehabilitation
and Compensation Authority**

**NOTICE TO MARITIME INDUSTRY ORGANISATIONS
AND OTHER INTERESTED PARTIES**

NOTICE NO 05a/2009

REVISED INDEXATION OF COMPENSATION BENEFITS
(effective 1 July 2009)

1. This notice revokes and replaces Notices No 01/2009 and 05/2009.
2. Notice No 01/2009 advised of changes to benefits under section 23 of the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act) from 1 July 2009. This Notice was replaced by Notice No 05/2009 because:
 - A rounding error in the calculation formula resulted in an underestimation of the benefits payable.
 - The proclamation of the *Employment and Workplace Relations Amendment Act 2009* (EWRA Act) amended the value of benefits under section 29 'Compensation for injuries resulting in death' of the Seafarers Act, with effect from 4 June 2009.
 - The EWRA Act amended the Seafarers Act by inserting section 23A, which requires the benefits under subsection 29(3), (4) or (5) to be subject to movement in the Wage Price Index (WPI) over the 12 month period ending 31 December immediately before the relevant 1 July, rather than the Consumer Price Index (CPI), from 1 July 2009.
3. The amended WPI indexation factor provided in Notice 05/2009 was incorrect. The indexation percentage that should have been applied to subsection 29(3) – 29(5) benefits should have been 4.30 per cent. When converted to a factor and rounded to three decimal places, as required by section 23A, this equals 1.043. For the remaining subsections [30(2), 31(9) – 31(11), 39(9), 41(2), 43(2), 43(3) and 44(1)] the factor of 1.037 is correct and based on movements in the CPI.
4. For the period 1 July 2009 – 30 June 2010, the following indexation factors should be applied under sections 23 and 23A of the Seafarers Act:

- 1.043 [subsections 29(3) – 29(5)]; and
- 1.037 [subsections 30(2), 31(9) – 31(11), 39(9), 41(2), 43(2), 43(3) and 44(1)].

5. The table below contains the correct indexation factors and statutory amounts for each affected subsection for the period from 1 July 2009 to 30 June 2010:

Subsection	Nature of Compensation Benefit	Amount (\$)	Indexation Factor Applied
29(3)	Death – dependant/s wholly dependent	429,716.00	WPI – 1.043
29(4)	Death – dependant/s partly dependent – maximum	429,716.00	WPI – 1.043
29(5)	Death – dependent prescribed child – amount per week	118.17	WPI – 1.043
30(2)	Funeral expenses – maximum	5,400.26	CPI – 1.037
31(9)	Incapacity – minimum per week	393.79	CPI – 1.037
31(10)	Incapacity – dependant prescribed person/s – additional amount	97.51	CPI – 1.037
31(11)	Incapacity – dependant prescribed child/children – additional amount	48.73	CPI – 1.037
39(9)	Permanent impairment – maximum	155,960.87	CPI – 1.037
41(2)	Non-economic loss – formula amount for: degree of permanent impairment degree of non-economic loss	29,242.68 29,242.68	CPI – 1.037
43(2)	Household services – maximum per week	389.89	CPI – 1.037
43(4)	Attendant care services – maximum per week	389.89	CPI – 1.037
44(1)	Redemption of compensation ceiling – maximum per week	97.51	CPI – 1.037

6. Any enquiries relating to this notice may be directed to the Secretariat & Seacare Management Section.

Secretariat and Seacare Management Section
Comcare

4 June 2010