



**Australian Government**  
**Department of Employment**

Your Ref  
Our Ref

A/g Deputy Secretary  
Debbie Mitchell

Ms Tanja Cvijanovic  
Executive Director  
Office of Best Practice Regulation  
Regulatory Reform Division  
Department of the Prime Minister and Cabinet

Dear Ms Cvijanovic

**SAFETY, REHABILITATION AND COMPENSATION (SPECIFIED DISEASES) NOTICE 2007  
F2007LO1983**

I am writing to the Office of Best Practice Regulation (OBPR) regarding the Safety, Rehabilitation and Compensation (Specified Diseases) Notice 2007 F2007LO1983.

The *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) provides workers' compensation coverage under the Commonwealth workers' compensation scheme (Comcare Scheme). The Comcare Scheme covers employees of Commonwealth government agencies and statutory authorities (excluding members of the Australian Defence Forces for post-July 2004 injuries); the Australian Capital Territory Government and its agencies; and corporations which have been granted a licence to self-insure (licensees), provided the injury occurred while the licence was in force. The SRC Act provides rehabilitation and workers' compensation arrangements for all employees covered by the Comcare Scheme. Self-insurance arrangements provide a choice to eligible corporations to manage and bear the costs and risks of workers' compensation claims submitted by their own employees. Currently there are 33 licensed corporations in the Comcare Scheme, and these cover approximately 44 per cent of all employees under the Scheme.

The Safety, Rehabilitation and Compensation (Specified Diseases) Notice 2007 F2007LO1983, is scheduled to sunset on 1 October 2017 as per the *Legislative Instruments Act 2003*. This legislative instrument is important for the operation of the SRC Act. The SRC Act deems that employment of a kind specified by the list in this legislative instrument (Deemed Diseases list) will be taken to have contributed, to a significant degree, to the contraction of the disease, unless the contrary is established.

Through consultation with a range of stakeholders across the Comcare scheme, it has been proposed that the instrument is to be remade without significant amendment.

The Department of Employment certifies that the Safety, Rehabilitation and Compensation (Specified Diseases) Notice 2007 F2007LO1983 is to be remade with minor amendments to improve the effectiveness and efficiency of the instrument to ensure it remains fit-for-purpose. The objective of updating the Deemed Disease List is to streamline the claims process for injured employees and improve the efficiency of the claims management process for employers, by making the list simpler and more user-friendly. A simplified list is also likely to contribute to an increase in employer and employee awareness of those diseases on the list, and in turn, may lead to an increase in prevention strategies for identified diseases.

OBPR has provided advice on a Regulatory Impact Statement Preliminary Assessment (RIS) that the Department submitted for the instrument in November 2016. OBPR advised that the proposed amendments to the instrument will not result in significant change and hence this certification letter may be used instead of a RIS. The OBPR ID for this proposal advice is 21535.

The assessment that the instrument is to be remade with minor amendments has been informed by a consultation process including the establishment of a Working Group in early 2016. The Working Group includes members from the Department of Employment, the Department of Veterans' Affairs, Comcare, Telstra and John Holland (with the latter two members being self-insuring licensees in the Comcare Scheme). In addition, face to face consultations with licensees were conducted on 16 September 2014, 10 March 2016 and 8 November 2016. Relevant premium payers in the Scheme have also been consulted on the proposal in December 2016.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Monica Sapra, Director, Workers' Compensation Policy on (02) 6240 1998, or [monica.sapra@employment.gov.au](mailto:monica.sapra@employment.gov.au).

Yours sincerely



Debbie Mitchell

// January 2017