



## RETROSPECTIVE AMENDMENT OF CLASSIFICATIONS

This operational instruction advises the Scheme Agent of the Nominal Insurer's policy regarding the retrospective amendment of the WorkCover Industry Classifications (WIC).

Where an Employer does not agree with the Scheme Agent's determination of the WIC(s), they are able to dispute the decision under section 170 of the 1987 Act by lodging an application within the specified timeframes.

Where a Scheme Agent receives further information or submissions from an Employer and is satisfied it has incorrectly classified the Employer, the Scheme Agent may amend the classification in respect of the current period of insurance (and any subsequent period). Classifications must not be amended for prior periods of insurance, except where there has been a clear breach of obligations under the contract of insurance. This may occur where:

- (a) the Employer has apparently misled the Scheme Agent in relation to the nature of its business and it has been incorrectly classified, or
- (b) the Scheme Agent has apparently made an error in applying a classification.

If a Scheme Agent believes it has made an error, it may apply to the Nominal Insurer for a retrospective adjustment. It must obtain agreement from the Nominal Insurer, in writing, prior to notifying the Employer or processing any amendment.

A Scheme Agent must forward its supporting arguments with the request and submit it in writing to:

The Manager

Appeals Branch

Locked bag 2906

LISAROW 2252

Fax: 02 4325 4760

### References

*Workers Compensation Act 1987*, section 170

Insurance Premiums Order

Deed, Schedule 1, clause 5.5.1; Schedule 2, clause 2.1.2

Document name: Operational Instruction 2.4	Prepared by: Premiums Group
Version: 2.0	Issue date: October 2005
Revision: 0	Review date: February 2008
Page 1 of 1	TRIM file: 2005/047720 File no: D05/050432