



# Victoria Government Gazette

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## Workplace Injury Rehabilitation and Compensation Act 2013

### NOTIFICATION OF CLAIM FOR MENTAL INJURY

I, Colin Radford, Chief Executive Officer of the Victorian WorkCover Authority, pursuant to section 74(2) of the **Workplace Injury Rehabilitation and Compensation Act 2013**, hereby issue the following guidelines with respect to the early notification of mental injury claims by employers to the Victorian WorkCover Authority under section 73A of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

#### 1. Purpose

The purpose of these guidelines is to set out the methods by which an employer must notify the Victorian WorkCover Authority of a mental injury claim as per section 73A of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

#### 2. Authority

These guidelines are issued pursuant to sections 74(2) and 612 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

#### 3. Commencement and Application

These guidelines come into operation on the day after it is published in the Government Gazette and apply to all claims for compensation, claims for compensation in the form of weekly payments and claims for compensation in the form of medical and like services for mental injury made on or after this date.

#### 4. Definitions

Unless the context otherwise requires, or the contrary intention appears, terms defined in the Act have the same meaning.

In these guidelines:

‘**the Act**’ means the **Workplace Injury Rehabilitation and Compensation Act 2013**;

‘**the Authority**’ means the Victorian WorkCover Authority;

‘**claim**’ for the purposes of these Ministerial Guidelines means a claim for compensation; or a claim for compensation in the form of weekly payments; or a claim for compensation in the form of medical and like services under section 20;

‘**early notification**’ in relation to a mental injury claim means the responsibility of the employer under section 73A of the Act to notify the Authority by providing Part A of the Worker’s Injury Claim Form within three days of receiving a claim for mental injury;

‘**Worker’s Injury Claim Form**’ means the claim form approved by the Authority in accordance with section 20 of the Act, as amended from time to time.

#### 5. Early notification of a mental injury claim by an employer

An employer must comply with their responsibility to provide early notification of a mental injury claim pursuant to section 73A of the Act, by providing a completed copy of Part A of the Worker’s Injury Claim form to the Authority within three business days of receiving the mental injury claim from the worker.

#### 6. Early notification does not constitute claim lodgment

The provision of Part A of the Worker’s Injury Claim Form does not constitute the lodgment of a claim under section 20 of the Act.

COLIN RADFORD  
Chief Executive Officer  
Victorian WorkCover Authority

**SPECIAL**

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