

Workers Compensation (Ambulance Services Fees) Order 2023
under the
Workers Compensation Act 1987

I, Adam Dent, Chief Executive of the State Insurance Regulatory Authority, pursuant to section 63 of the *Workers Compensation Act 1987*, make the following Order.

Dated this 1st day of August 2023



Adam Dent
Chief Executive
State Insurance Regulatory
Authority

EXPLANATORY NOTE

Provision of Ambulance Services in New South Wales is restricted to the Ambulance Service of NSW and the entities listed under section 67E (3) of the *Health Services Act 1997*. This Order sets the maximum amount for which an employer is liable for Ambulance Services provided to a NSW worker to be the fees fixed under section 67L of the *Health Services Act 1997* as of 7 August 2023.

1. Name of Order

This Order is the *Workers Compensation (Ambulance Services Fees) Order 2023*.

2. Commencement

This Order commences on 7 August 2023.

3. Application of Order

This Order applies to Ambulance Services provided on or after the date of commencement, whether it relates to an injury received before, on or after that date.

4. Fees for Ambulance Services

The maximum amounts for which an employer is liable for Ambulance Services provided to a NSW worker under the Act are listed in Schedule A. These are the fees prescribed under section 67L of the *Health Services Act 1997* as of 7 August 2023.

5. Scope of Order (Additional Information)

(a) The fees in Schedule A are payable only to:

- The Ambulance Service of New South Wales;
- The St John Ambulance Australia (NSW);
- The Royal Flying Doctor Service of Australia (NSW Section);
- The mines rescue company within the meaning of the *Coal Industry Act 2001* in the exercise of mines rescue functions;
- A member of the New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*; or,
- Any person (or class of persons) prescribed by regulations made under the *Health Services Act 1997*.

6. Goods and Services Tax

No GST is payable on the fees in Schedule A.

7. Definitions

In this order:

Ambulance Services means the conveyance of an injured worker to or from a medical practitioner or hospital. This does not include conveyance of an injured worker from one public hospital to another.

Ambulance Service Provider is the Ambulance Service of NSW or the other entities listed in clause 5 above.

The State Insurance Regulatory Authority means the body corporate and NSW Government agency constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

Emergency service means the provision of Ambulance Services by road ambulance, fixed wing aircraft or helicopter or a combination of these, from the scene of an accident, illness or injury to a public hospital or other destination.

GST means the goods and services tax payable under the GST Law.

GST Law has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)*.

Non-emergency service means an ambulance road service that is booked no later than 6pm on the day prior to service delivery with the service to commence and be completed between the hours of 8am and 6pm on the nominated service delivery date. An emergency service fee will be charged for any other service.

The Act means the *Workers Compensation Act 1987*.

8. Parts of the Order

- (1) Schedule A to this Order forms part of the Order.
- (2) The Explanatory Note does not form part of the Order.

Schedule A

Ambulance Service Fees

Rates	2023			
	Road		Fixed Wing	Helicopter
	Emergency Service	Non-Emergency Service	Emergency Service	Emergency Service
Call-Out	\$840	\$338	\$840	\$840
Variable Rate (per km)	\$7.58	\$2.09	\$7.58	\$7.58

Notes:

- All fees are to be paid against payment classification code **TRA001**
- Fees in Schedule A for Ambulance Services are only payable to Ambulance Service Providers.