

LEGISLATIVE COUNCIL STANDING COMMITTEE ON LAW AND JUSTICE

**FIRST REVIEW OF THE EXERCISE OF THE FUNCTIONS OF
THE WORKCOVER AUTHORITY**

RESPONSES TO FURTHER SUPPLEMENTARY QUESTIONS ON NOTICE

1. Can WorkCover advise what strategies or policies it or the insurers have to manage serial 'Phoenix Offenders' applying for WorkCover insurance in NSW?

WorkCover does not have power to prevent a company from incorporating and employing workers. The *Workers Compensation Act 1987* requires employers to hold a workers compensation insurance policy. WorkCover's obligation as a regulator is to ensure employers hold a workers compensation insurance policy.

2. Do WorkCover or the insurers liaise with ASIC to identify these individuals?

See answer to Question 1.

3. Has any company, director, partner or public officer been refused compulsory WorkCover insurance due to a history of 'Phoenix' trading?

See answer to Question 1.

WorkCover's obligation as a regulator is to ensure employers hold a workers compensation insurance Policy. If a company employs workers, it is required to hold a workers compensation insurance policy.