

BULLETINS

Eligibility for Workers Compensation

For a person to be eligible for workers' compensation under the [Workers Rehabilitation and Compensation Act](#), they must fit within the 'definition of a worker'. Different requirements exist for company directors and family members.

General eligibility

A worker is a person who provides work or service for another person and **does not** provide that person with an [Australian Business Number \(ABN\)](#) in writing.

Essentially, anyone that fits within this definition is potentially eligible for workers' compensation.

In addition, the following groups of people are specifically included in the Act and are therefore eligible for workers' compensation:

- St John Ambulance volunteers;
- people serving on juries;
- jockeys and stable hands; and
- volunteer fire-fighters and emergency services personnel.

Company Directors

Workers' compensation coverage for **company directors** is optional.

Those company directors who wish to be covered must meet both of the following requirements:

- 1) The company director must provide work or service to the company **without** providing that company with an **Australian Business Number (ABN)** in writing; and
- 2) They must be named to the insurer for naming in the workers' compensation insurance policy and declare the nature of their employment and estimated remuneration to the insurer.

Family Members

Workers' compensation for **family members** is optional.

Those family members who wish to be covered must meet both of the following requirements:

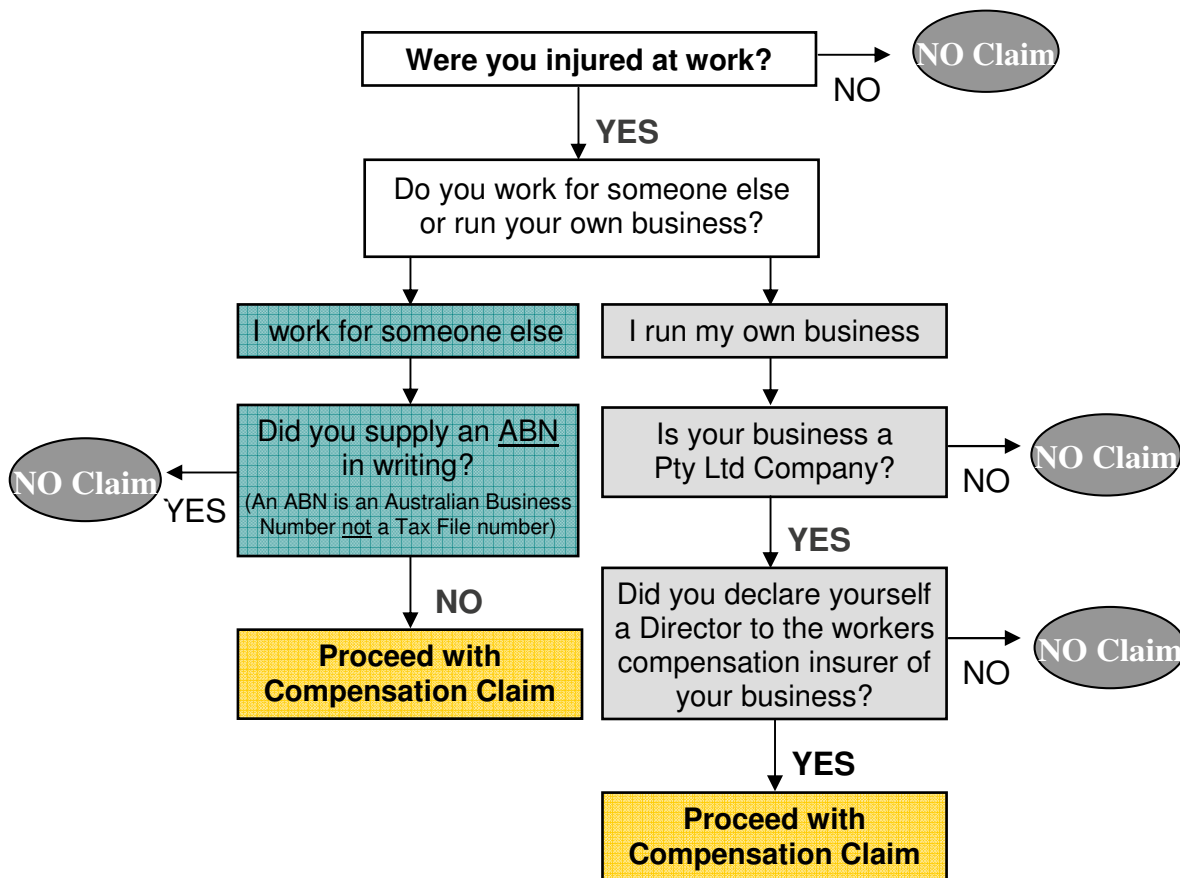
- 1) The family member must provide work or service to the business **without** providing that business with an **Australian Business Number (ABN)** in writing; and
- 2) They must be named to the insurer for naming in the workers' compensation insurance policy and declare the nature of their employment and estimated wages to the insurer.

Under the Workers Rehabilitation and Compensation Act a **family member** is a:

- husband or wife (including defacto);
- parent (including a step parent);
- grandparent;

- child (including step child);
- grandchild; or
- brother or sister (including a step brother or sister).

Who is eligible for Workers Compensation under the Northern Territory Workers Rehabilitation and Compensation Act?



Who is not eligible?

- Workers who have submitted their ABN in writing to their employer
- Commonwealth employees (covered under Comcare)
- Any person or class of person excluded by Regulation e.g. share fishermen, direct selling agents, foster parents, home based day care
- Family members, except where specifically declared to the insurer
- Company Directors, except where specifically declared to the insurer
- Volunteers (other than those prescribed) and most sports persons

Notes

- Workers wishing to make a claim should:
 - report it to their employer as soon as practicable.
 - obtain a Workers Compensation First Medical Certificate from the Doctor if time will be lost from work. Submit this certificate to their employer.
 - obtain a Workers Compensation Claim Form from their employer, or NT WorkSafe. Complete this form and return it to their employer.
- Workers should always keep copies of all documents.
- Most motor vehicle accidents connected with a journey to and from work are not workers' compensation claims but are covered by the Motor Accidents Compensation scheme, which is administered by the [Territory Insurance Office](#) (TIO).

This is a guide only and does not take into account individual circumstances and complexities. Every person who considers they have an entitlement, or is uncertain of their entitlement, should make a claim on their employer for proper consideration.

For further information please contact NT Worksafe on 1800 250 713 or visit www.worksafe.nt.gov.au