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# NSW WORKERS COMPENSATION

## CROSS BORDER ARRANGEMENTS

**If one of your workers carries out employment in more than one state or territory, then they are considered to be a cross border worker.**

The cross border arrangements make it easier to do business by removing the need for the majority of employers to obtain multiple workers' compensation policies for workers who are working temporarily interstate.

There are a series of tests to determine which jurisdiction or 'state of connection' you need to obtain insurance cover from.

If test A (below) identifies a single state, then there is no need to consider the remaining tests.

Follow these tests until a single state of connection can be identified:

### Test A

The state/territory in which the worker usually works (in a regular or habitual manner).

### Test B

The state/territory in which the worker is usually based for the purposes of that employment. Is there a single location where the worker routinely operates from, reports to or receives instructions in relation to their work?

### Test C

The state/territory where the employer's principal place of business in Australia is located (typically the address registered in connection with the employer's ABN).

## **Test D**

In the case of a worker working on a ship, a worker's employment (while working on a ship) is connected with the state/territory in which the ship is registered or (if the ship is registered in more than one jurisdiction) the state/territory in which the ship most recently became registered.

## **Test E**

A worker's employment is connected with a state/territory if the worker is in that state/territory when an injury happens to that worker and there is no place outside Australia under the legislation of which the worker may be entitled to compensation for the same matter.

If a worker temporarily works outside their 'state of connection' for up to six months for the same employer and under the same term or contract of employment, then the existing workers compensation cover will apply.