



Default Insurance Fund

OBLIGATIONS FOR UNINSURED EMPLOYERS

The Default Insurance Fund (DI Fund) exists as a “safety net” for injured workers whose employers do not hold a compulsory workers compensation policy in the ACT. It cannot be relied upon as a reason not to obtain a policy, as there are penalties applied by ACT WorkCover for not doing so. Furthermore, the DI Fund will seek to recover from an employer a sum equal to three times the amount of any payments made to an injured worker on behalf of that employer, in addition to three times the amount of premium that would have been payable.

If, as an employer, you find yourself in a situation where your employee has sustained an injury, and you do not have appropriate cover, you must still comply with the obligations imposed by the *ACT Workers Compensation Act 1951*, as set out below. Penalties apply for a failure to comply with your obligations.

- An uninsured employer (the uninsured) must, within 48 hours of becoming aware of a workplace injury, provide notice of injury to the DI Fund. This notice should include written advice that the employer does not have a compulsory insurance policy applicable to the injured worker and the date of injury.
- If the uninsured receives a claim form or other document in relation to a claim, that document must be forwarded to the DI Fund within 7 days of receipt.
- Where the injured worker is incapacitated, the uninsured must commence payments of weekly compensation upon becoming aware of the injury.
- The uninsured must co-operate and take part in the establishment of a Personal Injury Plan (PIP) for the injured worker.
- The uninsured must comply with any obligations imposed on the uninsured by the PIP.
- Where the injured is certified fit to return to work, with or without restriction, the uninsured must provide suitable employment for the injured worker.
- Where the DI Fund requests information from the uninsured regarding a claim, the uninsured must provide that information to the DI Fund, or alternatively provide written advice as to why they are unable to provide that information, within 7 days of receiving the request.
- The uninsured must advise the DI Fund if they are unable to meet the cost of a claim.
- The uninsured must not admit liability without first consulting the DI Fund.

For more information:

- Contact the DI Fund: GPO Box 158
Canberra ACT 2601
Phone: (02) 6207 0723
Fax: (02) 6207 0301
- View the DI Fund website at : www.treasury.act.gov.au/actia/difund