

Subject: Defined weekly Benefit Level and application

References: Determination 5: Employee pay rate and contractor pay rate
Act Section 19: Registered employee's entitlement to long service benefit
Act Section 20: Registered contractor's entitlement to long service benefit
Act Section 21: Long service benefit on deregistration
Act Section 22: Long service benefit on ceasing to carry out construction work

Policy: For the purpose of Sections 19 and 20 of the Act, the Board considers the same standard rate of pay should be used to calculate benefit entitlements for both employees and contractors.

As required by Determination 5, the Board sets the pay rate for both employees and contractors at \$927 per week. This rate is effective from 1 July 2008.

The weekly benefit level payable in respect of a claim is determined:

- (i) in accordance with sections 19(3) & (4) and 20(5) & (6) – the approved rate in effect at the date the employee or contractor (or their recognised personal representative) lodge their application;
- or
- (ii) in accordance with sections 21(5) and 22(5) – the approved rate in effect at the date the employee or contractor was last credited with qualifying service.

The weekly benefit level will be reviewed at least annually.

Date Authorised: 10 June 2008