



## Quiz

### Judicial Review of Decisions under the NSW Workers Compensation Scheme

1. What is "Whole Person Impairment" under the *Workplace Injury Management and Workers Compensation Act 1998* (NSW)?
  - a. The extent to which a person had a pre-existing condition
  - b. An assessment of the degree of a person's permanent impairment, expressed as a percentage
  - c. A chart that enables an assessor to calculate the combined effect of different injuries
  - d. None of the above
2. What level of Whole Person Impairment allows an injured person to claim common law damages, provided the employer is at fault?
  - a. 8 percent
  - b. 10 percent
  - c. 13 percent
  - d. 15 percent

3. What is meant by the masking effect of beneficial treatment in determining Whole Person Impairment?
  - a. A medical condition may not be able to be detected by a competent doctor properly treating the injury
  - b. The fact that the severity of a medical condition may not be known until some date in the future
  - c. An allowance that is made for the fact that a person's condition may have improved due to the treatment they are receiving
  - d. All of the above
4. What was the argument in the Supreme Court regarding the Combined Values Chart?
  - a. The Appeal Panel had incorrectly referred to the Combined Values Chart in assessing the masking effect of beneficial treatment
  - b. The Appeal Panel should have referred to the Combined Values Chart but failed to do so
  - c. The Combined Values Chart was invalid at law
  - d. The Combined Values Chart was based on incorrect data and should not be used
5. In what circumstance will a deduction of 10 percent be applied to the Whole Person Impairment level under s 323 of the *Workplace Injury Management and Workers Compensation Act 1998* (NSW)?
  - a. Where the Combined Values Chart dictates that it is appropriate because of how combined injuries should be assessed
  - b. Where an injured party has failed to demonstrate significant ongoing medical expenses
  - c. Where it is too costly or difficult to calculate the effect of a previous injury or pre-existing condition on the workplace injury
  - d. Where current treatment is improving the injured party's prospects of rehabilitation

**Answers:**

**1. b 2. d 3. c 4. a 5. c**