

Workers Compensation (Requirements for Operation of DI fund—Horse Racing Training and Attendance Activity) Determination 2025 (No 1)

Disallowable instrument DI2025–274

made under the

***Workers Compensation Act 1951*, section 166J (Determination about DI fund objects, prescribed employers and workers)**

1 Name of instrument

This instrument is the *Workers Compensation (Requirements for Operation of DI fund—Horse Racing Training and Attendance Activity) Determination 2025 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Prescribed classes—employers and workers—Act, s 166J (1)(a) and (b)

The following are determined:

- (a) a class of employer may apply to be a prescribed employer if the employer:
 - (i) employs prescribed workers; and
 - (iii) would, if not for this determination, be required to purchase a compulsory insurance policy under the Act, section 147 for carrying out work within the Australian and New Zealand Standard Industrial Classification (*ANZSIC*) class 9129 (Other Horse and Dog Racing Activities);
- (b) an individual is a prescribed worker if the individual carries out work as a horse attendant or trainer in connection with activities carried out for the purposes of the industry of ANZSIC class 9129 (Other Horse and Dog Racing Activities).

4 Disapplication of Legislation Act, s 47 (5)

The Legislation Act, section 47 (5) does not apply to the ANZSIC class 9129 (Other Horse and Dog Racing Activities).

Note: The ANZSIC does not need to be notified under the Legislation Act because s 47 (5) does not apply (see Legislation Act, s 47 (7)). The ANZSIC is available free of charge at www.abs.gov.au.

5 Prescribed employers—how to apply, Act, s 166J (1)(c)

To apply to be a prescribed employer, an employer must:

- (a) apply to the Minister under the Act, section 166L in writing;
- (b) demonstrate they are part of the determined class under section 3;
- (c) include in the application the employer's estimate;
- (d) provide any additional information reasonably requested by the Minister;
- (e) pay the prescribed application fee in accordance with a determination made under the Act, section 166K.

6 Conditions on prescribed employers—Act, s 166J (1)(d)

A prescribed employer must:

- (a) comply with reasonable requests for information from the Minister or DI fund manager, such as claims information and work health and safety information
- (b) comply with other reasonable requests made by the DI fund manager
- (c) keep a copy for 5 years of their approval as a prescribed employer issued under section 166M of the Act (*prescribed employer approval certificate*)
- (d) if a person who is an authorised person under the Act, section 161(4) asks to see a copy of the employer's approval as a prescribed employer—provide the authorised person with a copy of their prescribed employer approval certificate.
- (e) comply with their obligations under the Act.

7 Maximum period—Act, s 166J (1)(d)

- (a) The maximum period an employer can be approved as a prescribed employer is 1 year (*initial period*) beginning on the day the employer is approved, or taken to be approved, as a prescribed employer.
- (b) After 1 year, if an employer continues to be able to apply to be a prescribed they may apply for a further period (*renewal period*) as a prescribed employer in accordance with the Act, section 166L and this instrument.

8 References to Minister

A reference to the Minister in this instrument includes a reference to a delegate of the Minister for the Act, section 166L.

9 Expiry

This instrument expires 3 years after its notification unless repealed or amended earlier.

Michael Pettersson, MLA
Minister for Skills, Training and
Industrial Relations
17/10/2025

Andrew Barr, MLA
Chief Minister
17/10/2025