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Update Summary

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UPDATE 146

JANUARY 2025

WORKERS COMPENSATION LAW MANUAL QUEENSLAND

Currently updated by
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Material Code 43289362

Print Post Approved PP255003/03081

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Rohan Armstrong has provided the following commentary.

Workers Compensation and Rehabilitation Act 2003 – (Annotated)

Costs orders and orders relating to contribution were made in *Bilson v Vatsonic Communications Pty Ltd (No 2)* [2024] QCA 220. See [2.220], [2.3425] and [2.5000].

In *Rusbridge v Lake Fox Ltd* [2024] QSC 279, the plaintiff brought proceedings for personal injury against his employer (Lake Fox) and Orica. See [2.220] and [2.3425].

Practical Guidance

The WCRA, MAIA and personal injury proceedings are considered at [PG.1.100].

The question of when WCRA is excluded is considered at [PG.1.150].

The question of when the WCRA and the MAIA will both respond to the claim against the employer is discussed at [PG.1.200]-[PG.1.220].

Exclusion from the CLA is discussed at [PG.1.260].

Bringing a claim for common law damages in regard to multiple respondents is discussed at [PG.3.330].

Joining a contributor and the practical effect of that are considered at [PG.6.100] and [PG.6.500].

Conduct at a compulsory conference is discussed at [PG.7.600].

Lisa Blumke has provided the following commentary.

Workers Compensation and Rehabilitation Act 2003 – (Annotated)

In *Cagney v D&J Building Contractors Pty Ltd* [2024] QDC 162, a labourer sustained injuries whilst working for the defendant on a building site and claimed he was a “worker” because he worked under a contract. See [2.225].

Common law

Application pursuant to s 31(2) of the Limitation of Actions Act 1974

In *Vivian v Gameover Pty Ltd* [2024] QSC 263, the applicant made a claim in relation to physical injuries but was subsequently diagnosed with a secondary psychological injury. See [5.420].

Duty of care

In *Peacock v Queensland* [2024] QDC 179, a custodial corrections officer injured herself when she participated in her firearms assessment. See [5.550].

Failure to warn

In *Gilmour v Blue Care* [2024] QDC 189, a personal carer working at a hostel was sexually assaulted by a resident, which led to the carer being diagnosed with chronic PTSD. See [5.640].

