



CORRIGENDUM

Date issued: 28 November 2017

Change to: Volume 39 Number 3 September 2017 issue since the original version was published.

Article: Prue Vines, Matthew Butt and Genevieve Grant, ‘When Lump Sum Compensation Runs Out: Personal Responsibility or Legal System Failure?’ (2017) 39(3) *Sydney Law Review* 365.

Page 378: The paragraph beginning ‘In NSW...’ should read:

In NSW, the legislation in force is the *Workers Compensation Act 1987* (NSW).⁵⁵ This abolished an employee’s entitlement to damages for an injury in respect of which the employer was liable to pay workers compensation.⁵⁶ Common law rights were partially restored by the *Workers Compensation (Benefits) Amendment Act 1989* (NSW). Since then, common law rights have had varying thresholds and entitlements. A 15% threshold for permanent impairment was introduced by the *Workers Compensation Legislation Further Amendment Act 2001* (NSW) and continues to apply.⁵⁷ Compensation for non-economic loss in the context of common law claims was abolished.⁵⁸ Where the claim is not a common law claim, statutory compensation for permanent impairment may be awarded if the physical injury exceeds a threshold of 10% whole person impairment;⁵⁹ for psychological/psychiatric injury, the threshold is 15% whole person impairment.⁶⁰

⁵⁵ The latest amendment is the *Regulatory and Other Legislation (Amendments and Repeals) Act 2016* (NSW).

⁵⁶ *Workers Compensation Act 1987* (NSW) ss 149–150 (as originally enacted).

⁵⁷ *Ibid* s 151H.

⁵⁸ *Ibid* s 151G.

⁵⁹ *Ibid* s 66.

⁶⁰ *Ibid* s 65A.