



Accident Insurance (Occupational Hearing Assessment Procedures) Amendment Regulations 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 22nd day of November 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 324 of the Accident Compensation Act 2001, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, given on the recommendation of the Minister, makes the following regulations.

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Schedule
Table substituted in Schedule 2

3

Regulations

1 Title

These regulations are the Accident Insurance (Occupational Hearing Assessment Procedures) Amendment Regulations 2010.

2 Commencement

- (1) Regulations 4(2), (3), and (6) and 6(3) come into force on 1 January 2012.
- (2) The rest of these regulations come into force on 1 January 2011.

3 Principal regulations amended

These regulations amend the Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999.

4 Interpretation

- (1) This regulation amends regulation 2.
- (2) The following definition is inserted in its appropriate alphabetical order:
“**AS ISO 8253.1** means the Australian Standard: International Organisation for Standardization on Acoustics - Audiometric Test Methods, Part 1: Basic Pure Tone Air and Bone Conduction Threshold on Audiometry: AS ISO 8253.1-2009”.
- (3) The definition of **audiometer** is amended by omitting “ISO 6189” wherever it appears and substituting “AS ISO 8253.1” in each case.
- (4) The definition of **base-line hearing test** is revoked.
- (5) The definition of **gradual process hearing test** is amended by omitting “section 69 of the Act” and substituting “section 61 of the Accident Compensation Act 2001”.
- (6) The definition of **ISO 6189** is revoked.

- 5 New regulation 3 substituted**
 Regulation 3 is revoked and the following regulation substituted:
- “3 Application**
 These regulations apply to a claimant who is required to undergo a gradual process hearing test.”
- 6 Procedures to be followed in assessment**
- (1) Regulation 4(1) is amended by omitting “insured” and substituting “claimant”.
 - (2) Regulation 4(2) is amended by omitting “insured” in each place where it appears and substituting “claimant” in each case.
 - (3) Regulation 4(7) is amended by omitting “ISO 6189” and substituting “AS ISO 8253.1”.
- 7 Adjustment for hearing loss due to presbycusis**
 Regulation 5 is amended by omitting “either a base-line hearing test or”.
- 8 Schedule 2 amended**
 The table in Schedule 2 is revoked and the table in the Schedule of these regulations substituted.

Schedule
Table substituted in Schedule 2

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Male		Female	
Age	Percentage adjustment	Age	Percentage adjustment
<55	0		
56	0.1		
57	0.2		
58	0.4		
59	0.6		
60	0.8		

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Explanatory note

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Male		Female	
Age	Percentage adjustment	Age	Percentage adjustment
61	1.0		
62	1.3		
63	1.7		
64	2.0		
65	2.4		
66	2.9		
67	3.3		
68	3.8	<68	0
69	4.4	69	0.2
70	4.9	70	0.4
71	5.5	71	0.6
72	6.2	72	0.8
73	6.8	73	1.1
74	7.5	74	1.4
75	8.3	75	1.7
76	9.0	76	2.1
77	9.8	77	2.5
78	10.7	78	2.9
79	11.5	79	3.4
80	12.5	80	3.9

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations remove out-of-date references to base-line hearing tests, replace a reference to a standard for audiometric test methods with a reference to a new standard, and substitute the current table for age-related hearing loss with a more recent one that comes from

the National Acoustic Laboratories (NAL) Report No 118, January 1988, Appendix 5.

The provisions relating to the new standard come into force on 1 January 2012 and the rest of the regulations come into force on 1 January 2011.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 25 November 2010.
These regulations are administered by the Department of Labour.
