



Workers Compensation Act

RECONSIDERATION OF PRESCRIBED
COMPENSATION CLAIMS REGULATION

B.C. Reg. 177/2013

Deposited April 26, 2013 and effective August 1, 2013

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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 177/2013 (Workers' Compensation Board), deposited April 26, 2013 and effective August 1, 2013, is made under the *Workers Compensation Act*, R.S.B.C. 2019, c. 1, s. 203.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Definition

- 1** In this regulation, “**Act**” means the *Workers Compensation Act*.

Reconsidering benefits

- 2** Section 203 [*reconsideration of prescribed compensation claims*] of the Act applies to the following claims:
- (a) the worker continues to have a compensable disability sustained more than 10 years before the worker’s application under section 203 (2) of the Act or section 24 of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, as applicable, and permanent disability compensation was determined by the Board based on a percentage of total disability of 12% or greater for that compensable disability;
 - (b) the worker continues to have a compensable disability sustained more than 10 years before the worker’s application under section 203 (2) of the Act or section 24 of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, as applicable, and permanent disability compensation was determined by the Board for an injury involving the spinal column;
 - (c) the worker continues to have a compensable disability sustained more than 10 years before the worker’s application under section 203 (2) of the Act or section 24 of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, as applicable, and permanent disability compensation was determined by the Board on or after October 1, 1977 for an injury to a part of the body other than the spinal column;
 - (d) the worker
 - (i) continues to have one compensable disability with a percentage of total disability of 5% or greater sustained more than 10 years before the worker’s application under section 203 (2) of the Act, or section 24 of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, and
 - (ii) also continues to have one or more compensable disabilities sustained at any time before the worker’s application under section 203 (2) of the Act or section 24 of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, as applicable, which, when combined with the compensable disability referred to in subparagraph (i), brings the worker’s total permanent disability compensation determined by the Board to a percentage of total disability of 12% or greater for the combined compensable disabilities.

[en. B.C. Reg. 279/2019, App. F, s. 2.]

Compensable disabilities

- 3** For the purposes of section 2 (d) (ii), the compensable disabilities may be the result of one or more injuries that were the subject of one or more claims under the Act, the *Workers Compensation Act*, R.S.B.C. 1996, c. 492, or both.

[am. B.C. Reg. 279/2019, App. F, s. 3.]