

# Payment of interest on retroactive premium refunds—Appeals Commission decisions

Workers' Compensation Regulation authorizes the Workers' Compensation Board – Alberta (WCB) Board of Directors to specify a class or classes of cases in which interest may be payable in respect to amounts owing by the organization [Regulation 18 \(1\) and \(2\)](#).

## Retroactive premium refunds authorized by the Appeals Commission

The Board of Directors has specified that interest will be paid by WCB to employers following a decision by the Appeals Commission that awards retroactive premium refunds on premiums paid.

## Effective date

This change is effective immediately and applies to all Appeals Commission decisions made on or after Aug. 18, 2011 and that grant retroactive premium refunds on premiums paid.

## Calculation of interest payable

Interest will be calculated as simple interest and will commence:

- As of a date two years before the date of the filing of the Request for Review or
- As of the first date on which the retroactive amount is payable, whichever is later and continuing until the total of the retroactive amount and all accrued interest are paid.

*\* This two-year period includes the one-year time limitation to submit a Request for Review to the DRDRB as well as a one-year period to allow for any system delays.*

Interest will be paid according to the rates prescribed under the *Judgement Interest Act*. This is the standard used in the courts and provides a reliable benchmark on which to base interest payments.

## The *Judgement Interest Act*

The *Judgement Interest Act* is available through the Queen's Printer.

## Timing of payment

Once all retroactive premium refunds arising from the Appeals Commission decision are issued, the applicable interest will be calculated and a separate payment will be produced by WCB.

## Previously implemented Appeals Commission decisions

Previously implemented Appeals Commission decisions that grant retroactive premium refunds made on or after Aug. 18, 2011, and that now qualify for payment of interest, will be processed by WCB automatically by Dec. 31, 2013. There is no application required to receive this payment.

**Need more information?** Please call our Contact Centre. For more information on payment of interest related to rate based benefits, please see the [Payment of Interest Worker fact sheet](#).

## Additional links:

[Interest Payment Board Order](#)

[Workers' Compensation Act](#)

