



Workers' Compensation  
Arbitration Service  
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## WORKERS' COMPENSATION ARBITRATION SERVICE

### Standard Orders

#### Programming orders

1. The (party)\_\_\_\_\_ have leave to file and serve (document)\_\_\_\_\_ by no later than 5.00pm on (date)\_\_\_\_\_.
2. The hearing listed for (date)\_\_\_\_\_ commencing at (time)\_\_\_\_\_ is vacated.
3. The matter is adjourned to a directions hearing [by telephone] on a date to be fixed, not before (date)\_\_\_\_\_.
4. The time for compliance with order (number)\_\_\_\_\_ of the orders dated (date)\_\_\_\_\_ is extended to (date)\_\_\_\_\_.
5. The time for \_\_\_\_\_ be extended until (date)\_\_\_\_\_.

#### Particulars of incapacity

6. By no later than (date)\_\_\_\_\_ the (party)\_\_\_\_\_ file and serve particulars of the nature of the incapacity alleged to arise from the injury, in particular:
  - a. the dates of any period of total incapacity; and
  - b. the dates of any period of partial incapacity.

#### Particulars of injury

7. By no later than (date)\_\_\_\_\_ the (party)\_\_\_\_\_ file and serve particulars of :
  - a. which paragraph(s) of the definition of injury in s 5 of the Act is relied upon;
  - b. where the injury is alleged to involve the contraction of a disease,
    - i. the nature of the disease;
    - ii. the time or period during which the disease was contracted;
    - iii. in summary form, what events, acts or circumstances of the employment significantly contributed to the contraction of the disease;
  - c. where the injury is alleged to involve the recurrence, aggravation or acceleration of a pre-existing disease,
    - i. the nature of the pre-existing disease;
    - ii. the period during which the pre-existing disease was contracted or in which it recurred, was aggravated or was accelerated;
    - iii. in summary form, what events, acts or circumstances of the employment significantly contributed to the recurrence, aggravation or acceleration of the disease;
  - d. where the injury is alleged to involve a personal injury by accident,
    - i. in summary form, what events, acts or circumstances of the employment the accident occurred in;
    - ii. the date(s) the accident and injury occurred on;

## Particulars of s 5(4) defence

8. By no later than (date) \_\_\_\_\_ the (party) \_\_\_\_\_ file and serve particulars of, in summary form:
- the acts, circumstances or events and the relevant dates of any such acts, circumstances or events of any of the matters referred to in s 5(4)(a) of the Act alleged to have wholly or predominantly contributed to the Worker's alleged injury (if any);
  - the acts, circumstances or events and the relevant dates of any such acts, circumstances or events of any of the matters referred to in s 5(4)(b) of the Act alleged to have wholly or predominantly contributed to the Worker's alleged injury (if any); or,
  - any expectation alleged to have been held by the Worker of a matter or decision made by the Employer in respect of a matter referred to above alleged to have wholly or predominantly contributed to the Worker's alleged injury (if any).

## Listing for hearing

9. The matter be listed for a (number) \_\_\_\_\_ day hearing commencing not before (dated) \_\_\_\_\_.
10. The parties' joint unavailable dates from (date) \_\_\_\_\_ to (date) \_\_\_\_\_ are as follows: [Set out joint unavailable dates].
11. By no later than (date) \_\_\_\_\_ the parties file a statement of agreed facts pursuant to r 41 setting out the issues and facts agreed between the parties and the issues and facts that remain in dispute between the parties.
12. By no later than 14 days prior to Arbitration, the parties each file and serve an outline of submissions, a list of authorities referred to, and an indexed and paginated book of documents the parties intend to rely upon at the hearing.
13. By no later than 7 days prior to the Arbitration, the parties file and serve a joint notice indicating:
- which documents in the parties' books of documents are duplicated (if any);
  - which documents may be admitted by consent;
- and separate notices each indicating:
- which of the respective parties' witnesses are not required for cross-examination; and
  - the proposed order of the parties' witnesses.

## Springing orders

14. The matter be discontinued upon any s 92(f) deed filed in respect of this dispute not being disapproved by the Director.
15. The matter be discontinued upon any Memorandum of Agreement filed in respect of this dispute pursuant to s 76 of the Act, being recorded.

## Medical Evidence

16. In accordance with r 59(1), the (party) \_\_\_\_\_ have leave to file a report of (medical practitioner) \_\_\_\_\_ dated (date) \_\_\_\_\_.

## Costs

17. The (party) \_\_\_\_\_ pay the (party's) \_\_\_\_\_ costs of the application [to be assessed if not agreed.] OR [fixed in the amount of (amount) \$\_\_\_\_\_.]