

Workers' Compensation and Injury Management Act 1981

Workers' Compensation and Injury Management Conciliation Amendment Rules 2015

Made by the Minister under section 293A.

1. Citation

These rules are the *Workers' Compensation and Injury Management Conciliation Amendment Rules 2015*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette* (**gazettal day**);
- (b) the rest of the rules — on the later of —
 - (i) the day after gazettal day; or
 - (ii) 1 July 2015.

3. Rules amended

These rules amend the *Workers' Compensation and Injury Management Conciliation Rules 2011*.

4. Rule 26 amended

- (1) After rule 26(1) insert:
 - (2A) A party proposing to rely on a document in the conciliation of a dispute must lodge the document

within any time limit which the conciliation officer directs.

- (2B) A party who has lodged a document outside a time limit directed under subrule (2A) may only rely on that document in the conciliation of the dispute at the discretion of the conciliation officer.
 - (2C) In exercising discretion under subrule (2B), a conciliation officer is to have regard to the time when the party lodging the document first obtained it.
- (2) After rule 26(2)(c) insert:
- (da) by sending it to the Conciliation Service by email in accordance with rule 28A; or

- (3) In rule 26(3) delete “fax” and insert:

fax, by email

5. Rule 28A inserted

After rule 27 insert:

28A. Lodging by email

- (1) The Director —
 - (a) may approve and publish an email address for the service of documents under this rule; and
 - (b) may determine and publish requirements as to the permissible format and the maximum size of documents which may be lodged under this rule.
- (2) An email by which documents are lodged under this rule must —
 - (a) state the sender’s name, postal address and email address; and
 - (b) state a telephone number through which the sender can be contacted; and
 - (c) list and describe the documents being lodged by the email.
- (3) Documents lodged under this rule must comply with any published requirements as to form and size.

- (4) A person who lodges a document under this rule must —
- (a) create and retain for the duration of the conciliation proceedings a physical copy of the email and the documents lodged; and
 - (b) produce the items mentioned in paragraph (a) if required by the conciliation officer.

M. MISCHIN, Minister for Commerce.