



**Workers' Compensation  
Arbitration Service**  
2 Bedbrook Place  
Shenton Park WA 6008  
**Ph** 08 9388 5555  
**Fax** 08 9388 5690  
 @WorkCoverWA  
[www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)

**Standard Directions  
Hearing Orders  
ARBITRATION**

A   
(case number)

- Parties appearing before an Arbitrator should consider in advance the orders they wish the Arbitrator to make.
- This document sets out a range of case management orders commonly made by Arbitrators. Parties are encouraged to discuss proposed orders and if possible agree the orders sought.
- If the parties agree, please jointly complete one form and hand to the Arbitrator. If the parties cannot agree, please complete individual forms indicating the orders sought by each party.
- Please circle the number of orders sought and cross out any part of an order that does not apply to your dispute.
- This form is not to be used for applications for leave made by interlocutory application.

**SECTION A - APPLICATION DETAILS**

Proposed by (tick relevant box):  Applicant  Respondent  By consent of both parties

Applicant  represented by

of

Respondent  represented by

of

**SECTION B - LISTING AND PROGRAMMING**

1. By  (dd/mm/yyyy) the (party)  file and serve

2. The matter is adjourned to a directions hearing (by telephone) on  (dd/mm/yyyy) at  am/pm.

3. The matter is adjourned to a date to be fixed.

4. By  (dd/mm/yyyy) the parties each file notice of their unavailable dates through until  (dd/mm/yyyy)

5. The matter is listed for hearing on  (dd/mm/yyyy) commencing at  on each day.

6. 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 on at hearing by  (dd/mm/yyyy)

7. The parties file a statement of agreed facts pursuant to r41 setting out the issues and facts agreed between the parties and the issues and facts that remain in dispute between the parties by  (dd/mm/yyyy)

8. The matter be determined on the papers.

**SECTION C - EXTENSIONS AND LEAVE**

9. The time for compliance with order  of the orders dated  (dd/mm/yyyy) is extended to  (dd/mm/yyyy)

10. The time for  be extended until  (dd/mm/yyyy)

**SECTION D - PARTICULARS OF INCAPACITY**

11. By  (dd/mm/yyyy) the Applicant file and serve particulars of:
- a. the nature of the incapacity alleged to arise from the injury, in particular;
    - i. the dates of any period of total incapacity; and
    - ii. the dates of any period of partial incapacity.

## SECTION E - PARTICULARS OF INJURY

12. By  the Applicant file and serve particulars of:
- a. which paragraph(s) of the definition of injury in Section 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. whether the pre-existing disease recurred, was aggravated or accelerated;
    - iii. the period during which the pre-existing disease recurred, was aggravated or was accelerated;
    - iv. 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.

## SECTION F - PARTICULARS OF s5(4) EXCLUSIONS

13. By  the Respondent file and serve particulars of, in summary form:
- a. 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 Applicant's alleged injury (if any);
  - b. 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 Applicant's alleged injury (if any);
- or,
- c. any expectation alleged to have been held by the Applicant of a matter or decision made by the Respondent in respect of a matter referred to above alleged to have wholly or predominantly contributed to the Applicant's alleged injury (if any).

## SECTION G - OTHER ORDERS SOUGHT

*(draft proposed orders)*

## SECTION H - SIGNATURES

Signature of Applicant

Name

Date

Signature of Respondent

Name

Date