

PRACTICE NOTE 4

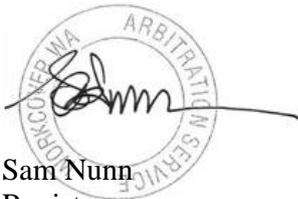
Lodging by fax – variation to Rule 10

Introduction

1. In the context of the declared state of emergency in Western Australia in relation to the COVID-19 virus many stakeholders have transitioned to working from home arrangements. WorkCover WA has also eliminated face-to-face arrangements for lodging documents with the Arbitration Service.
2. To minimise the need for stakeholders, couriers and the postal service to attend WorkCover WA's offices, the limit on the number of pages that may be lodged by facsimile pursuant to rule 10 of the *Workers' Compensation and Injury Management Arbitration Rules 2011* is extended.
3. It is the Registrar's view that this situation constitutes circumstances set out in rule 10(4), namely being a situation that has the potential cause undue hardship and is warranted by the urgency of the situation.

New Limit

4. Pursuant to rule 10(4) the limit on the number of pages of a document that may be lodged by facsimile pursuant to rule 10(3) is increased from 20 to **40** pages.
5. All persons seeking to lodge documents by facsimile with the Workers' Compensation Arbitration Service are granted permission to lodge documents under rules 10(3) and 10(4) up to this new 40 page limit.
6. Pursuant to rule 4(1), all persons seeking to lodge documents up to this new limit are excused from the requirements of rule 10(5) and need not include a copy of this permission when lodging documents by facsimile up to this new limit.
7. For the removal of doubt:
 - a. parties lodging documents by facsimile are only required to lodge **one** copy of the documents to be lodged;
 - b. this variation is not confined only to applications for arbitration or replies to arbitration but applies to all documents that may be lodged with the Arbitration Service;
 - c. for documents that exceed this 40 page limit, existing postal and courier services continue to remain available for the lodgement of documents. Documents lodged in this fashion must be lodged in **triplicate**, pursuant to rule 9(4).
8. This practice note takes effect immediately and remains in place until revoked or until the declared state of emergency in respect of COVID-19 in Western Australia is itself revoked.



Sam Nunn

Registrar

Workers' Compensation Arbitration Service

6 April 2020