



Workers' Compensation
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WORKERS' COMPENSATION ARBITRATION SERVICE

PRACTICE NOTE 8

In person lodgement of documents disposing of disputes

Introduction

1. Parties before the Arbitration Service often reach agreement to finalise or resolve their disputes whilst on the premises of the Arbitration Service.
2. Unless defined as exempt under rule 3A(1) or declared to be exempt under rule 3A(3) of the *Workers' Compensation and Injury Management Arbitration Rules 2011* ("the Rules") all parties to a proceeding are required to lodge documents via the electronic document system ("EDS").
3. Unless a party falls within a class of persons excepted by rule 3A of the Rules, parties are unable to immediately lodge a document disposing of a dispute whilst on the premises but must leave and lodge that document via the EDS.
4. This practice note clarifies the practices adopted by the Arbitration Service in regard to the in- person lodgement of a document disposing of a dispute.

Exemption from lodgement via EDS in regard to documents disposing of the dispute

5. It is the Registrar's view that it is unreasonable to require parties wishing to finalise or resolve their dispute to have to leave the premises to lodge the relevant finalising document via the EDS.
6. Pursuant to rule 3A(3) of the Rules all parties wishing to lodge a document finalising or resolving their dispute whilst on the premises of the Arbitration Service are granted an exemption from the requirement to use the EDS for the lodgement of that document and may lodge it in person.

Clarifications

7. For the avoidance of doubt parties should note the following.
 - a. Parties are free to continue to use the EDS to lodge finalising documents if they so wish.
 - b. Unless some other exemption applies, this exemption is only from the requirement to use the EDS in respect of documents finalising a dispute between the parties.
 - c. Service of documents lodged with the Arbitration Service remains the obligation of the lodging party.
 - d. This exemption only applies to Arbitration Service documents and not documents that are to be lodged with Director, Conciliation Service.

Commencement

8. This practice note takes effect from the date of its publication.



Sam Nunn
Registrar
Workers' Compensation Arbitration Service
1 December 2021