

Independent Registered Agents

The Bill discontinues the regime for approving and regulating registered agents and transitions independent agents out of the scheme over a two-year period from when the new Act commences.

Key Points

Bill ref: cl. 303, 365, 577

- The current Act provides a scheme of registration where a person who is not a legal practitioner may apply for registration as an agent to represent a party to a dispute in WorkCover WA's Conciliation and Arbitration Services.
- The Bill discontinues the scheme of registration for registered agents.
- Regulations will set out the types of authorised agents who can represent parties in WorkCover WA's Conciliation and Arbitration Services.
- Authorised agents do not need to be registered or approved by WorkCover WA.
- The very small number of 'independent' (self-employed) agents currently registered will be permitted to continue to operate for a two-year transitional period.
- Regulations will provide for a scheme of registration of independent agents over the two-year transitional period. Regulations may provide for a range of circumstances relating to conduct, registration conditions, audits and investigations, suspension and cancellation.
- At the conclusion of the two-year period, the registered independent agents scheme will end and persons acting as registered independent agents will cease to be registered.
- These changes will not impact upon the ability of parties to be represented in the Conciliation and Arbitration Services by authorised agents recognised in the regulations (such as agents of an insurer, a union or employer association, or Asbestos Diseases Society).

Questions & Answers

Q. Will the two-year transitional period apply to all types of registered agent?

A. No. It only applies to independent agents. The current registration requirement for all other types of registered agent (such as agents employed by insurers, unions or associations) will cease when the new Act commences, but will not prevent these types of agent from representing parties in the Conciliation and Arbitration Services, as the regulations will authorise them.