

Approved Forms and Service and Facilitation of Electronic Processes

The Bill provides flexibility for many forms to be approved administratively by the WorkCover WA CEO and also facilitates electronic creation, transmission, service and registration of documents in the future.

Key Points

Bill ref: cl. 496, 497

- The Bill facilitates electronic processes and is an important change in the context of digitalisation and modern communication methods. Regulations, arbitration rules or conciliation rules may address any, or all, of the following:
 - the means by which documents and information given under the Act may or must be created, recorded, given, exchanged, accessed or obtained
 - the creation, recording, giving, lodging and exchange of documents and information by electronic means for, or related to, the purposes of this Act, including the use of an electronic database or document system
 - when the giving, lodgment or exchange of documents and information is taken to be effected
 - the authentication of documents and information given, lodged or exchanged
 - the production of documents and information kept electronically
 - the status and effect of things done electronically under the rules or regulations.
- In light of these changes most hard coded references in the current Act to how documents must be given, exchanged, or verified are not replicated in the Bill.

Key Points

- Some forms, documents and notices will continue to be prescribed in regulations or, if related to disputes, prescribed by the conciliation rules or arbitration rules. However, many scheme related forms that are unsuitable for regulations or rules will be in a form approved by the CEO. The Bill provides for the WorkCover WA CEO to approve scheme related forms and documents (such as the claim form, certain notices) and to determine the manner in which approved forms are to be created, recorded, provided or exchanged.

Questions & Answers

Q. Will all forms and documents be able to be created, exchanged and registered electronically when the new Act commences?

A. No. It is envisaged a staged approach will be taken in the future to the making of regulations and rules to facilitate electronic communication and transmission as not all processes are capable of being done electronically - due to legal, security, technical or practical reasons.

