



WORKERS COMPENSATION COMMISSION

E-Bulletin No. 11

November 2003

President's Welcome

Welcome to E-Bulletin No.11 of the Workers Compensation Commission.

This edition outlines arrangements for Commission proceedings during the holiday season, and new procedures in relation to Directions for Production under the *Service and Execution of Process Act 1992* effective on and from 8 December 2003.

Justice Terry Sheahan
President
November 2003

Arrangements for Commission Proceedings During Holiday Season

The Commission will schedule teleconference and conciliation/arbitration proceedings between Monday 22 December 2003 and Friday 9 January 2004 only at the request of parties to proceedings. Normal scheduling of proceedings will recommence Monday 12 January 2004.

The Registry will remain open on all business days during the holiday season.

Proceedings timeframes for dispute applications registered between Monday 27 October and Wednesday 24 December 2003 have been amended to accommodate the holiday season. A proceedings timetable, which includes extended timeframes and a notice regarding arrangements over the holiday period will be provided to parties during this period.

Key points are:

- There will be no scheduled access periods from Wednesday 24 December 2003 to Friday 2 January 2004. Access to documents resumes on Monday 5 January
- Extended return dates apply to matters registered from 10 November to 24 December

- Parties have extended time to file directions for matters registered from 4 December to 24 December
- Respondents have extended time to lodge replies for matters registered from 18 December to 24 December
- Applicants have extended time to serve dispute applications for matters registered from 18 December – 24 December

Changes to Interstate Directions – New Form 8A

In accordance with section 57 of Commonwealth's *Service and Execution of Process Act 1992* ('SEPA') the President of the Commission may grant leave for service of a direction for production outside the State only if satisfied that:

- there is sufficient time for the Producer to comply without serious hardship or inconvenience; and
- production is necessary in the interests of justice

To assist a party to comply with SEPA requirements the President has approved a form for use by a party seeking leave to serve a direction for production outside the state.

From **8 December 2003** if a Producer's address for service is in an Australian State or Territory other than NSW, the party wishing to serve the direction must lodge with the Commission an Application for Leave to Serve a Direction for Production Outside the State (Form 8A).

When lodging a Form 8A application, the filing party must ensure that the following documents are provided to the Commission:

- a fully completed Form 8A - original only required
- proposed Direction for Production (Form 8) – the original plus one copy for the Commission and for each party required
- prepared draft Order (with the matter number and applicant and respondent details completed) – the original plus one copy for the Commission and for each party required
- Notice to Producer / Witness (*Service and Execution of Process Regulations* – Form 5) – the original plus one copy for the Commission and for each party required

These documents will be available from the Commission's [website](#) from **8 December 2003**

The Commission will reject and return applications if the requesting party has not properly completed the Form 8A application or has lodged incomplete or incorrect documents.

Form 8A is not required if the Producer's address for service is outside Australia. A document to be served in a foreign country is to be served in accordance with Rule 25 of the *Workers Compensation Commission Rules 2003*.

Contact the Commission

For information, assistance or a request for dispute resolution, please contact the Workers Compensation Commission between 8.30am and 5.00pm Monday to Friday:

By telephone: (02) 1300 368 040

TTY: (02) 9261 3334 (for hearing impaired people only)

By facsimile: (02) 1300 368 018

In person at: The Registry, Level 4, 1 Oxford Street, Darlinghurst NSW 2010

Postal Address: PO Box 594, Darlinghurst NSW 1300 *or*

Document Exchange: DX11524, Sydney Downtown

Email: registry@wcc.nsw.gov.au

Further information and forms are available at: www.wcc.nsw.gov.au