



## **WORKERS COMPENSATION COMMISSION**

**E-Bulletin No. 13**

**January 2004**

### **President's Welcome**

Welcome to E-Bulletin No. 13 of the Workers Compensation Commission.

On 31 December 2003, the Compensation Court (the Court) transferred its remaining files to the Commission or the District Court.

This e-bulletin outlines the Commission's procedures for managing proceedings transferred from the Court to the Commission.

Justice Terry Sheahan  
President  
January 2004

### **Commission procedure for managing matters transferred from the Compensation Court**

#### **Registration**

The Commission will register transferred matters and assign them a Commission matter number. The Commission matter number will appear on all correspondence issued by the Commission.

You must quote the Commission's matter number in any contact you have with the Commission.

#### **Directions and information exchange**

After registering the transferred matters, the Commission will issue appropriate directions as to the following:

- filing documents and information with the Commission and service on other parties by a specified date
- filing and service of Directions for Production by a specified date (Directions for Production are the Commission equivalent to the Court's Subpoena to Produce Documents)
- the need to file Commission forms such as an Application to Resolve a Dispute or Reply. (The Application to Resolve a Dispute is the Commission equivalent to the Court's Application for Determination and the Reply is the Commission equivalent to the Court's Answer.)

With all such directions issued by the Commission on and from 5 January 2004, the Commission will enclose an information sheet giving further details about the procedure for managing transferred proceedings.

### **Access to produced or subpoenaed documents**

Accompanying the Court files transferred to the Commission will be all documents produced in response to a subpoena issued by the Court.

Parties may request access to documents produced under subpoena by making a written request to the Commission. The Commission will usually issue a general access order giving all parties 7 calendar days within which to access the subpoenaed documents.

If after the matter is transferred to the Commission a party issues a Direction for Production (Form 8), access to any documents produced will be granted in accordance with Part 10 of the *Workers Compensation Commission Rules 2003*.

### **Teleconference**

Once the information exchange process has been completed the Commission will arrange a teleconference between the parties and an arbitrator.

The Commission will send written notice of the teleconference to the parties. Parties generally receive two weeks' written notice of teleconferences.

At the teleconference, the arbitrator will use his/her best endeavours to bring the parties to a settlement.

If the parties are not able to resolve their dispute, the arbitrator will set a date for a conciliation conference/arbitration hearing, which will be held within 3 weeks of the teleconference. **Parties must have their available dates for conciliation conference/arbitration hearing at the teleconference.**

If the applicant is not ready to proceed, the arbitrator may strike out the proceedings.

## **Further information**

The Commission's approved forms, Practice Directions and *Workers Compensation Commission Rules 2003* are available from the Commission's website at [www.wcc.nsw.gov.au](http://www.wcc.nsw.gov.au).

## **Contact the Commission**

If you contact the Commission with a query about transferred proceedings, remember to quote the Commission's matter number from the direction. The matter number is a

unique number the Commission assigns to the proceedings and is different from the Court's matter number.

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

By telephone: 1 300 368 040

TTY (for people with hearing impairments): (02) 9261 3334

By facsimile: 1 300 368 018

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

Postal Address: PO Box 594 Darlinghurst NSW 1300

Document Exchange: DX 11524 Sydney Downtown

Email: [registry@wcc.nsw.gov.au](mailto:registry@wcc.nsw.gov.au)