Workers’ Compensation and Injury Management Conciliation Amendment Rules 2015

Made by the Minister under section 293A.

1. Citation

These rules are the Workers’ Compensation and Injury Management Conciliation Amendment Rules 2015.

2. Commencement

These rules come into operation as follows —

(a) rules 1 and 2 — on the day on which these rules are published in the Gazette (gazettal day); 

(b) the rest of the rules — on the later of —

(i) the day after gazettal day; or 

(ii) 1 July 2015.

3. Rules amended

These rules amend the Workers’ Compensation and Injury Management Conciliation Rules 2011.

4. Rule 26 amended

(1) After rule 26(1) insert:

(2A) A party proposing to rely on a document in the conciliation of a dispute must lodge the document
within any time limit which the conciliation officer directs.

(2B) A party who has lodged a document outside a time limit directed under subrule (2A) may only rely on that document in the conciliation of the dispute at the discretion of the conciliation officer.

(2C) In exercising discretion under subrule (2B), a conciliation officer is to have regard to the time when the party lodging the document first obtained it.

(2) After rule 26(2)(c) insert:

(da) by sending it to the Conciliation Service by email in accordance with rule 28A; or

(3) In rule 26(3) delete “fax” and insert:

fax, by email

5. **Rule 28A inserted**

After rule 27 insert:

**28A. Lodging by email**

(1) The Director —

(a) may approve and publish an email address for the service of documents under this rule; and

(b) may determine and publish requirements as to the permissible format and the maximum size of documents which may be lodged under this rule.

(2) An email by which documents are lodged under this rule must —

(a) state the sender’s name, postal address and email address; and

(b) state a telephone number through which the sender can be contacted; and

(c) list and describe the documents being lodged by the email.

(3) Documents lodged under this rule must comply with any published requirements as to form and size.
(4) A person who lodges a document under this rule must —

(a) create and retain for the duration of the conciliation proceedings a physical copy of the email and the documents lodged; and

(b) produce the items mentioned in paragraph (a) if required by the conciliation officer.

M. MISCHIN, Minister for Commerce.