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WORKERS' COMPENSATION AND
ASSISTANCE ACT 1981

WORKERS' COMPENSATION
BOARD RULES 1982

Reprinted under the *Reprints
Act 1984* as at 1 August 1986.

WESTERN AUSTRALIA

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981

WORKERS' COMPENSATION BOARD RULES 1982

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WORKERS' COMPENSATION AND ASSISTANCE ACT 1981

WORKERS' COMPENSATION BOARD RULES 1982

PART I—PRELIMINARY

Citation

1. These rules may be cited as the *Workers' Compensation Board Rules 1982*.¹

Interpretation

2. In these rules, unless the contrary intention appears—

“agent” means a person other than a legal practitioner appointed under section 118 (3);

“member” means a member of the Board;

“statutory allowances” means amounts payable under Schedule 1 other than weekly payments of compensation or amounts payable under Schedule 1 clause 1, 2, 3, or 5;

“file” means file with the Registrar and derivatives of the term have a corresponding meaning;

“sub-rule” means a sub-rule of the rule in which the term is used.

Forms to be used

3. (1) The forms to be used in relation to matters before the Board shall be those prescribed in Appendix A to these rules, in the Rules of the Supreme Court, or in practice directions from the Chairman but where no form is prescribed then a form shall be adapted or prepared so as to deal with the matter in question.

(2) Want of accuracy in the completion of any form or the use of a wrong form shall not invalidate any proceedings but the Chairman may in any such case make any amendment or give such other direction both as to costs and otherwise as the circumstances may require.

PART II—PARTIES TO PROCEEDINGS**Parties**

4. Where application is made for determination by the Board the party making the application shall be called "the applicant", and, subject to these rules, all other persons whose presence at the hearing may be necessary to enable the Board effectively and completely, to adjudicate upon and determine all the questions in issue shall be made parties to the application and shall be called "respondents".

Joinder and consolidation

5. (1) More than one person may be joined as applicants in one application in any one case in which any right to any relief arising out of the same disability to the same worker is alleged to exist whether jointly, severally, or in the alternative, but the Board, upon the application of any party, may order separate hearings if it appears that such joinder may embarrass or delay proceedings.

(2) Where appropriate the Chairman may order consolidation of proceedings.

Application by dependants generally

6. (1) An application on behalf of the dependants of a deceased worker for the determination by the Board of the amount payable as compensation to the dependants may be made by the legal personal representative, if any, of the deceased worker on behalf of the dependants or by the dependants themselves; and in either case the particulars to be filed under these rules shall contain particulars as to the dependants on whose behalf the application is made and all other persons who may be dependants.

(2) If there is any conflict of interest between the dependants themselves, or if any dependants neglect or refuse to join in an application, the application may be made by or on behalf of some only of the dependants, the other dependants in either case being named as respondents.

(3) For the purposes of this rule, the expression "dependants" includes persons who claim or may be entitled to claim to be dependants.

Application by dependants where amount of compensation agreed upon or ascertained

7. (1) In any case in which the amount payable as compensation to the dependants of a deceased worker has been agreed upon or ascertained, but any question arises—

- (a) as to who are dependants; or
- (b) as to the amount payable to each dependant,

an application for determination of the question by the Board may be made—

- (c) by the legal personal representative, if any, of the deceased worker on behalf of the dependants or any of them;
- (d) by such dependants or any of them against the other dependants and the persons claiming or who may be entitled to claim to be dependants, but as to whose claim to rank as such a question arises; or
- (e) by any person claiming to be a dependant, but as to whose claim to rank as such a question arises, against the legal representative, if any, of the deceased worker and the dependants, and such of the persons claiming or who may be entitled to claim to be dependants, as are not applicants.

(2) The employer, if made a respondent, may pay the amount of compensation into the custody of the Board, to be dealt with as the Board may direct, and thereupon further proceedings against him may be stayed.

(3) The Registrar shall send notice of payment under sub-rule (2) to the applicant and to the other respondents (if any) and the Board may order that the employer shall not be liable to any further costs.

Persons under disability

8. The Chairman may at any time direct that a person under a disability shall appear either as applicant or respondent in any proceedings in the same manner as if he were a person of full age and capacity.

PART III—APPLICATIONS FOR DETERMINATION BY BOARD

Application by worker

9. (1) Except an application in chambers filed pursuant to rule 55, an application by the worker or by dependants for the determination of any matter or question by the Board shall be made by filing an application which shall, if the nature of the application permits, be in accordance with one of the forms in the Appendix A numbered inclusively 1 to 6 with such modifications as the circumstances require and the application shall state concisely the question which has arisen and the application shall be delivered to the Registrar and one copy for each respondent to be served.

(2) Particulars shall appear upon or be annexed to the application and, without limiting the particulars to the following matters, shall contain—

- (a) a concise statement of the circumstances under which the application is made;
- (b) a statement whether there is an admission of liability to pay compensation or a denial of such liability, wholly or partially, with (in the latter case) a statement of the grounds upon and extent to which liability is denied;
- (c) a statement of the matters which the applicant desires to have determined by the Board; and
- (d) the full names and addresses of the respondents and of the applicant, and of his legal practitioner or agent, if the proceedings are commenced through a legal practitioner or agent.

[Rule 9 amended in Gazette 11 June 1982 p. 1937.]

Review, reconsideration, termination, reduction, reinstatement, increase or redemption

10. An application by either party for the review, reconsideration, termination, reduction, reinstatement, increase or redemption of weekly payments shall be in accordance with Form 7.

Application by employer

11. (1) Where relief is sought against a worker or his dependants, an employer may make an application for the hearing and determination of such matter by the Board and to that application the worker, or the legal personal representative, if any, and the persons claiming or who may be entitled to claim to be dependants of a deceased worker, or the other persons as the case may be shall be respondents.

(2) Particulars shall appear upon or be appended to the application and, without limiting the particulars to the following matters, shall contain—

- (a) a concise statement of the circumstances under which the application is made;
- (b) a statement whether there is an admission of liability to pay compensation or a denial of such liability, wholly or partially, with (in the latter case) a statement of the grounds upon and extent to which liability is denied;

- (c) a statement of the matters which the applicant desires to have determined by the Board; and
- (d) the full names and addresses of the respondent and the name and address of the applicant's legal practitioner or agent, if the proceedings are commenced through a legal practitioner or agent.

[Rule 11 amended in Gazette 12 August 1983 p. 2951.]

Proceedings between employers and insurers

12. Proceedings between—

- (a) employers and insurers;
- (b) employers; and
- (c) insurers,

shall be commenced by application which shall state concisely the facts relied upon and the relief or remedy sought and the provisions of this Part shall apply.

[Rule 12 amended in Gazette 12 August 1983 p. 2951.]

Filing application

13. (1) Unless liability is shown in the application to be admitted either unconditionally or subject to assessment by the Board of the amount of compensation, the party filing the application shall at the same time obtain from the Registrar a notice in accordance with Form 8, of a date for the preliminary hearing of the application.

(2) Notice of this preliminary hearing in accordance with Form 9, shall be annexed to or endorsed upon the application and shall be served upon all other parties and in the event of a change of date of the preliminary hearing the Registrar shall notify the parties accordingly.

(3) Where liability is admitted the Registrar shall list the application for hearing in chambers.

Preliminary hearing date

14. The date of the preliminary hearing shall be not earlier than 4 weeks from the date of institution of the proceedings so as to enable all parties to receive the relevant documents and conduct preliminary enquiries into the questions in issue and the preliminary hearing may, at the Registrar's discretion, be adjourned to a date to be fixed or to a fixed date.

Filing answer

15. (1) Every respondent who desires to contest any part of the applicant's claim shall within 28 days of service of the application deliver or post to the Registrar for sealing and filing an answer and shall forthwith serve on each other party to the proceedings a copy of the sealed answer.

(2) The answer shall state concisely but with particularity the matters to be traversed and relied upon by the respondent in opposing the application.

(3) In the absence of an answer, then subject to sub-rule (4), the facts alleged in the application, and in the case of a claim for compensation, the liability to pay compensation, shall be taken to be admitted.

(4) In the absence of an answer and in the event that the applicant does not consent at the hearing of the application to a respondent availing himself of any matter of which he should pursuant to this rule have given notice by filing an answer or have included in any

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answer filed, the Board may proceed with the hearing without permitting the respondent to avail himself of such matter and may treat the relevant facts alleged in the application as admitted, or may, upon such terms as the Board considers appropriate, permit an answer or an amended answer to be filed and relied upon, or may adjourn the hearing to some later time or date and make such orders generally in respect of the matter as the Board considers fit.

[Rule 15 amended in Gazette 11 June 1982 p. 1937.]

Attending preliminary hearing

16. (1) All parties to the proceedings shall attend the preliminary hearing, unless arrangements approved by the Registrar are made excusing such attendance.

(2) The Registrar or a member shall conduct the preliminary hearing and shall do so in an informal manner as the circumstances permit.

(3) On the preliminary hearing, the Registrar or member—

- (a) shall enquire into the likelihood of settlement, the delineation of issues in dispute, and the state of preparation of the cases of the respective parties and such procedural matters as he considers relevant; and
- (b) shall give directions for the further conduct of the proceedings and, when appropriate fix a date for the hearing of the application.

(4) In enquiring into the likelihood of settlement the Registrar shall, if he is of opinion that it is advantageous to do so, order or direct the parties to attend a pre-trial conference before him on such terms and conditions including reasonable travelling and other expenses as he shall think fit.

(5) Evidence of anything said, or of any admission made, in the course of such a conference is not admissible in any further proceedings before the Board.

[Rule 16 amended in Gazette 12 August 1983 p. 2951.]

Adjournment of preliminary hearing on reference to the Board

17. Where there is failure on the part of a party to proceedings—

- (a) to comply with any of these rules;
- (b) to comply with an interlocutory order; or
- (c) to attend a preliminary hearing,

the Registrar or Member shall note such matter on the file and may adjourn the preliminary hearing or refer the case to the Board and upon that reference the Board may order that the application be dismissed or that it be treated as undefended and on appropriate evidence make an award or make an order that the case be listed for hearing in the contested list or may make such other order as it considers appropriate.

[Rule 17 substituted in Gazette 6 January 1984 p. 19.]

Third party notice

18. (1) Where a respondent claims to be entitled to indemnity against any person pursuant to the Act and requires to have that person joined in the applicant's proceedings, he shall at least 7 days before the day fixed for the preliminary hearing, or within such extended time as the Board or Registrar may permit, file a third party notice appended to which shall be a notice of preliminary hearing and serve a copy of both notices upon the person against whom the indemnity is claimed (hereinafter called "the third party") and also (if the third party is not already a party to the proceedings) a copy of the applicant's application for determination.

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(2) A respondent may with the leave of the Board issue a third party notice after a date has been fixed for the hearing of the matter and the Registrar shall then convene a preliminary hearing to determine whether the matter should proceed to hearing on the listed date and he may make such orders as he considers appropriate.

Answer to third party notice

19. (1) If the third party desires to dispute the applicant's claim in the proceedings against the respondent on whose behalf the notice has been given or his own liability to that respondent he must appear before the Registrar on the day fixed for the preliminary hearing or on any other day of which he may receive notice from the Registrar that the preliminary hearing or proceedings are to be heard.

(2) In default of appearance as provided by sub-rule (1), the third party shall be deemed to admit the validity of any award made against the respondent as to any matter between the applicant and the respondent whether such award is made by consent or otherwise and his own liability to indemnify the respondent to the extent claimed in the notice served on him by the respondent, but if it appears to the Board that for reasonable cause he is unable to appear the Board may adjourn the hearing on such terms as the Board considers just.

Directions for hearing

20. (1) At the preliminary hearing or at any time thereafter, directions may be given as to the procedure to be adopted when there is a dispute between the respondent and a third party as to liability for indemnity.

(2) The directions may include orders for separate hearings of the claim for compensation and of the claim for indemnity.

Expedited hearings

21. (1) A party may by interlocutory application apply for an order for the expedited hearing of an application.

(2) At least 7 days notice of the hearing of the interlocutory application shall be given by the party applying for the expedited hearing to all affected parties.

(3) On considering the matter of an expedited hearing, the Board may enquire into the likelihood of compromise, the reasons for an expedited hearing, the state of preparation of the respective cases, and all such matters as appear relevant to the expeditious and equitable conclusion of litigation.

(4) In order to inform itself for the purposes of this rule, the Board may require the parties to indicate details of their respective cases, but in a manner so as not to prejudice any future proceedings in the matter.

(5) After making enquiries and informing itself as provided by sub-rules (3) and (4), the Board may give directions for an early hearing of the application, or may adjourn the enquiry, or may make such other order as it considers appropriate in the circumstances.

PART IV—STAY OF PROCEEDINGS**Several applications on same issue**

22. Where several applications are filed by different applicants against the same respondent in respect of matters arising out of the same circumstances or involving the same issue of fact or law, the respondent may, on filing an undertaking to be bound so far as his liability to pay compensation is concerned, by the order in such one of those matters as may be selected by the Board, apply to the Board, for an order to stay proceedings in the matters other than the one so selected until an order is made in the selected matter.

Pending appeal, review or reconsideration

23. The Chairman may—

- (i) pending an appeal from a decision of the Board; or
- (ii) pending hearing of an application for review or reconsideration of an award,

make an order for stay of proceedings upon such terms as he considers fit.

Application to be in chambers

24. An application under this Part shall be heard in chambers, supported by affidavit.

PART V—MEDICAL EVIDENCE**Admission of medical reports**

25. (1) Subject to notice being given in accordance with Form 10 at least 4 weeks before the date of trial a written report signed by a medical practitioner is, on the application of a worker, admissible in evidence.

(2) Sub-rule (1) shall not—

- (a) operate to prevent a medical practitioner whose written report is, pursuant to sub-rule (1), admissible in evidence, from being required by the party to whom the notice is given to attend and be cross-examined on the contents of the report subject to the costs of his attendance, being met by the party who requires him so to attend; and
- (b) apply where the Chairman is satisfied that the party requiring the attendance of a medical practitioner has taken all reasonable steps to have that practitioner available for cross-examination and notwithstanding those steps has failed to secure his attendance.

[Rule 25 inserted in Gazette 12 August 1983 p. 2951.]

Filing medical reports and statements of other medical evidence

26. (1) Where a party intends to adduce the evidence of a medical practitioner at the hearing of an application, he shall, at least 14 days before the date fixed for the hearing, file in book form (with 2 copies) every medical report that he has received from that medical practitioner and a statement of the substance of any other medical evidence which he intends to adduce; and shall, if he has not already done so, within 24 hours after filing such report, deliver a copy of it to every other party to the action.

(2) A report that has not been filed or evidence of which a statement has not been filed, and delivered pursuant to sub-rule (1) shall not be used in a proceeding, without leave.

[Rule 26: Former rule 25 renumbered as rule 26 in Gazette 12 August 1983 p. 2951.]

[Former rule 26 repealed in Gazette 12 August 1983 p. 2951.]

PART VI—CERTIFICATE OF AWARD**Award or order of the Board**

27. A certificate of the Board showing an award or order in favour of one party against another shall be signed by the Registrar and shall be in accordance with form 11 or form 12, as the case requires.

Corrections

28. The Board may at any time correct any clerical mistake or error in an award or order arising from any accidental slip or omission.

Record of awards or orders

29. Every award or order shall be noted in the appropriate record, but it shall not be necessary in every case, unless by the direction of the Chairman, to draw up a certificate of an award or order.

Issue of copies of certificate

30. The Registrar shall upon request being made by any person or by legal practitioner or agent representative of any person, being a party to the proceedings, issue to that person, legal practitioner, or agent, a sealed copy of the certificate of an award or order.

**PART VII—WORKERS EMPLOYED ON
WESTERN AUSTRALIAN SHIPS****Special rules**

31. (1) The application for compensation on behalf of dependants of a worker lost with his ship shall state the date upon which the ship was lost.

(2) In any notice or application it shall be sufficient to describe the owners of the ship as "the owners of the ship"; and the provisions of the Supreme Court Rules as to the disclosure of the names of partners shall with the necessary modifications apply to the disclosure of the names of those owners.

PART VIII—AGREEMENTS**Memorandum to be sent to Registrar**

32. (1) Where an agreement has been entered into a memorandum thereof, with one additional copy for every party interested, shall be sent to the Registrar in accordance with form 13, as soon as practicable after agreement has been reached.

(2) The memorandum shall be authenticated by the signatures of the parties to the agreement but in the case of employers the signature may, if not that of the actual employer, be that of any official in his employ or in the employ of his insurer, duly authorized to sign on his behalf, and in the case of a person under disability, by the signature of his next friend on his behalf.

(3) Whenever the memorandum is not the original the Registrar may require the original to be produced for his inspection.

(4) When an insurer sends a memorandum on behalf of an employer, the insurer shall stand in the place of the employer with regard to notices and the proceedings connected with the recording of the agreement.

(5) Where a person under a disability is a party to an agreement an application, to be heard in chambers shall be filed by that person's next friend for approval of the agreement.

Notice to parties

33. (1) On receipt of the memorandum the Registrar shall send to each interested party one copy thereof with notice in accordance with form 14 requesting that party to inform him, within 7 days from the date of the notice, whether the memorandum is genuine, or whether he disputes it, and if so in what particulars, or whether he for any reason objects to its being recorded, and if so, on what grounds, but the Registrar may in his discretion allow a longer period than 7 days for reply.

(2) Upon registration of an agreement the Registrar shall send to the parties notice in accordance with form 15.

Inquiry by Registrar

34. (1) Where it appears to the Registrar that the memorandum ought not to be recorded he shall refer the memorandum to the Chairman together with a report of all relevant information and the grounds upon which it appears to him that the memorandum ought not to be recorded.

(2) After consideration of the Registrar's report the Chairman may in the first instance direct—

- (a) that the memorandum be recorded;
- (b) that the memorandum be not recorded; or
- (c) that the memorandum be recorded only if it is amended in such manner as the Chairman indicates and the parties ratify.

(3) When the Chairman makes a direction under sub-rule (2) (b) or (2) (c) each of the parties shall be notified of that direction in accordance with form 16 and the direction may be subject to any further medical examination or information as the Chairman considers appropriate.

[Rule 34 amended in Gazette 11 June 1982 p.1938.]

Objections

35. (1) Where any party interested disputes the genuineness of the memorandum, or the adequacy of the compensation agreed upon or otherwise objects to the recording of the agreement he shall within the time limited by the notice referred to in rule 33 (1) notify the Registrar by notice in accordance with form 17, that he objects to recording of the memorandum, stating his grounds for such objection and, subject to any order of the Board the memorandum shall not be recorded.

(2) On receipt of an objection from any party the Registrar shall send to each other party a notice in accordance with form 18 informing such parties that the memorandum will not be recorded except with the consent in writing of the objector or by order of the Board.

Amendment

36. Whether or not an objection has been received or the Registrar has refused to record it a memorandum may after being lodged be amended or varied by the Registrar, if he has the consent in writing of all parties to such amendment or variation.

Proceedings in relation to agreements

37. (1) Where any party who has received notice pursuant to rule 34 (3) or rule 35 (2) requires that the memorandum be recorded, or be recorded without amendment, he shall, within 14 days of receiving that notice, file an application accordingly.

(2) Proceedings in relation to agreements shall in the first instance be heard as applications in chambers.

PART IX—SUSPENSION OF RIGHTS UNDER THE ACT

Applications

38. Applications in respect of suspension of rights under section 64, 65, 70, or 72 shall in the first instance be heard in chambers.

Orders

39. On any application under rule 38, the Board may dismiss the application or grant it, or upon ordering that the application be heard in open court as an application under Part III the Board may make such orders pending determination as the Board considers just.

**PART X—RECONSIDERATION OR SETTING ASIDE OF
AWARD OR ORDER****Nature of application**

40. (1) Any application under section 117 shall in the first instance be heard in chambers, and such an application shall be accompanied by an affidavit setting out the grounds of the application.

(2) Upon hearing the application the Board may grant the order sought, dismiss the application, or upon ordering that the application be heard in open court as an application under Part III the Board may make such orders pending determination as the Board considers just.

Not to operate as stay

41. The instituting of such an application shall not, unless otherwise ordered by the Chairman, operate as a stay of proceedings.

PART XI—INQUIRIES INTO COMPLAINTS UNDER SECTION 127**Procedure**

42. The same procedure as in the case of an application to the Board under Part III with any necessary modifications shall apply to the hearing of a complaint under section 127.

Meeting

43. Unless it appears to the Chairman that the complaint is frivolous, vexatious, or lacking in substance, the Registrar shall convene a meeting of the Board together with the 2 duly appointed nominees and the meeting may be adjourned from time to time and to such places as the Board considers just.

Service

44. A copy of the complaint together with a notice of the time and the place of the preliminary hearing shall be served by the Registrar upon the person against whom the complaint is made ("the practitioner") personally or posted by registered mail to him at his address as appearing in the register or his last known address in Western Australia.

Fees to nominees

45. The prescribed fees and allowances for the purpose of section 127 (6) shall be those set out in Appendix B.

Certificate for recovery of fine

46. Where recovery of any fine in respect of a complaint is sought before a court, the Board shall issue a certificate signed by the Chairman as proof of the fine and the amount thereof.

Proceedings not public

47. Unless otherwise directed by the Chairman proceedings under this Part shall not be open to the public.

PART XII—GENERAL**Application of Rules of Supreme Court**

48. The Rules of the Supreme Court shall apply, unless otherwise provided in these rules, to matters of practice and procedure.

[Rule 48 amended in Gazette 7 May 1982 p. 1463.]

Procedure not otherwise provided

49. Where any matter or thing is not specifically provided for under these rules, or under the Rules of the Supreme Court, application may be made to the chairman for directions appropriate to the case.

Review of Registrar's or taxing officer's orders

50. Any party seeking to have an order or direction of the Registrar (or a taxing officer of the Board) reviewed by the Board shall apply within 7 days of the date of the order or direction.

Non-compliance with interlocutory orders

51. If a party does not, without reasonable cause, proof of which is on him, comply with the terms of an interlocutory order, the Registrar or the Board may upon application in chambers dismiss a substantive application or third party notice or strike out an answer as the case may be.

Venue

52. (1) Unless otherwise ordered, the hearing or determination of any matter shall be proceeded with in Perth, but on the application in writing of any party the Chairman may direct that the hearing shall be elsewhere.

(2) A matter may, if it appears to the Board to be in the best of interests of the parties, be adjourned to such other place as may appear to the Board to be necessary or expedient.

Registry hours

53. (1) The Registry of the Board shall be kept open from 9.30 a.m. until 12.30 p.m. and from 2.00 p.m. to 3.30 p.m. on all days on which public servants are by law required to work except that the Registry may be closed from time to time by order of the Chairman on such days as may be mentioned in the order, and may also, by a like order, be kept open on any day gazetted as a public holiday.

(2) Where the time for doing any act or taking any proceeding expires on a day on which the Registry of the Board is closed, the act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken if done or taken on the day on which the offices are next open.

Applications which are to be heard in chambers

54. Interlocutory proceedings, orders or determinations by consent applications under section 62, and formal applications in respect of a deceased worker may be heard in chambers.

[Rule 54 amended in Gazette 7 September 1984 p. 2887.]

Procedure for applications expressed to be heard in chambers

55. (1) This rule applies to all applications which may be and are in the first instance heard in chambers.

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(2) These applications may be either *ex parte* or on summons returnable not less than 2 days after service.

(3) Where the application is made *ex parte* the Board or Registrar, as the case may be may order that it be served on any other interested parties and shall in such case appoint a fresh return day.

(4) These applications shall be in accordance with form 19, shall be filed in triplicate with one extra copy for each other party and any party in respect of whom an order for service may be made pursuant to sub-rule (3), and shall state the provision of the Act or rules, or both, under which they are made and any necessary evidence shall be by affidavit.

(5) The Board may order that any such application shall be heard in open court following which the provisions of Part III shall apply and upon making that order the Board may direct that a formal application be filed under that Part.

(6) The Board or Registrar, as the case may be, upon hearing the application, may make an order absolute in the first instance, or to be absolute at any time ordered by it or may make such other order or give such directions as it considers just. including, subject to section 129, an order for costs of the application.

[Rule 55 amended in Gazette 11 June 1982 p. 1938.]

Summonses to witnesses

56. A summons to witness shall be in accordance with form 20.

Manner of taking evidence

57. Evidence in proceedings before the Board shall be upon oath or affirmation or in such manner as the Chairman in any particular case shall direct.

Service

58. (1) Personal service of any application, pleading or other document is not required.

(2) The affidavit of service referred to in order 72 of rule 7 of the Rules of the Supreme Court shall be in accordance with form 21.

[Rule 58 substituted in Gazette 11 June 1982 p. 1938.]

Appointment of agent

59. The appointment of an agent shall be in accordance with form 22.

Taxing officers

60. The Registrar and Deputy Registrar are taxing officers of the Board.

[Rule 60 amended in Gazette 12 August 1983 p. 2951.]

Assessment of costs

61. (1) Taxation of fees, costs, and charges by a taxing officer of the Board shall be in accordance with the scale of costs prescribed in Appendix C.

(2) Assessments of and orders by the Board for, fees, costs, and charges may be made in chambers or open court.

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(3) Where the Chairman is of opinion that a special order as to costs should be made by reason of the unusual complexity or importance of the case or for any other good or sufficient reason the Chairman may order that any particular allowances in the scale in Appendix C be increased and he may order that counsel's fees shall be included in the taxed bill of costs in full or in part as a disbursement notwithstanding that they exceed the costs in item 11 (a), (b) and (c) of Appendix C.

[Rule 61 amended in Gazette 11 June 1982 p. 1938.]

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APPENDIX A

(Rule 9)

Form 1

APPLICATION TO THE BOARD BY DISABLED WORKER CONCERNING
COMPENSATION CLAIMED BY HIM.IN THE WORKERS' COMPENSATION
BOARD OF WESTERN AUSTRALIA

No.....of 19.....

BETWEEN

Applicant

of.....

and

Respondent

of.....

1. On the day of 19 ..
 ("the material date") the applicant suffered disability at.....

2. The applicant on the material date was a worker in the respondent's employment.

3. The applicant was born on

4. The applicant on the material date was employed as

5. The nature of the disability suffered was.....

6. The manner in which the disability arose was

7. The applicant claims (weekly payments for the period.....
 to.....; or, a lump sum calculated

8. Notice of disability was served upon the respondent on
 (if not served, state reasons for not doing so).

9. This claim is admitted/not admitted by the respondent(s).

Dated this day of 19 ..

(Signed)

Applicant, or Applicant's
Solicitor, or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of
the agent (form 22).

15

Form 2

(Rule 9—Schedule 1, clauses 1, 2 and 3)

APPLICATION TO THE BOARD BY OR ON BEHALF OF DEPENDANTS OF DECEASED WORKER, CONCERNING THE COMPENSATION PAYABLE IN RESPECT OF THE WORKER'S DEATH TO SUCH DEPENDANTS, WHERE DEATH HAS RESULTED FROM A DISABILITY TO THE WORKER, AND FOR THE DETERMINATION OF QUESTIONS AS TO WHO ARE DEPENDANTS, AND THE APPORTIONMENT AND APPLICATION OF SUCH COMPENSATION

IN THE WORKER'S COMPENSATION
BOARD OF WESTERN AUSTRALIA

No.....of 19.....

BETWEEN

Applicant

of.....

and

Respondent

of.....

1. On the day of 19 ..
("the material date") the deceased (names)
suffered disability resulting in his death on

2. The deceased was on the material date a worker in the respondent's employment, employed as

3. The deceased was born on

4. The application is made on behalf of: (names, dates of birth and relationship to deceased) as dependants of the deceased.

5. The applicant makes this application as legal personal representative/dependant.

6. The manner in which the disability and death arose was

.....

7. Other known dependants of the deceased at the date of his death were:

.....

8. The claim is for

.....

9. This claim is admitted/not admitted by the respondent(s).

The names and addresses of the respondents to be served with this application are:—

of

of

Dated this

day of

19 ..

(Signed)

Applicant, or Applicant's
Solicitor, or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of the agent (form 22).

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Form 3

(Rule 9—Schedule 1 cl. 5)

APPLICATION TO THE BOARD BY OR ON BEHALF OF DEPENDANTS OF DECEASED WORKER, CONCERNING THE COMPENSATION PAYABLE IN RESPECT OF THE WORKER'S DEATH TO SUCH DEPENDANTS, WHERE DEATH HAS NOT RESULTED FROM A DISABILITY TO THE WORKER, AND FOR THE DETERMINATION OF QUESTIONS AS TO WHO ARE DEPENDANTS, AND THE APPORTIONMENT AND APPLICATION OF SUCH COMPENSATION

IN THE WORKERS' COMPENSATION
BOARD OF WESTERN AUSTRALIA

No.....of 19.....

BETWEEN

of.....Applicant
and
of.....Respondent

1. On theday of19.....
("the material date") the deceased (names)
suffered disability and died on theday of19.....but
his death did not result from the disability.
2. The deceased was on the material date a worker in the respondent's employment,
employed as
3. From the material date the deceased received/was entitled to receive weekly pay-
ments for the period(state dates).
4. The deceased was born on
5. The application is made on behalf of: (names, dates of birth and relationship to
deceased) as dependants of the deceased.
6. The applicant makes this application as legal personal representative/dependant.
7. The manner in which the disability and death arose was
.....
8. Other known dependants of the deceased at the date of his death were:
.....
9. The claim is for.....
.....
10. This claim is admitted/not admitted by the respondent(s).
.....
.....s and addresses of the respondents to be served with this application are:
.....
.....of
.....of
.....ated this.....day of.....19.....

(Signed)

Applicant, or Applicant's
Solicitor, or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of
the agent (form 22).

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(Rule 9)

Form 4

APPLICATION TO THE BOARD BY WORKER DISABLED ON A WESTERN
AUSTRALIAN SHIP CONCERNING THE COMPENSATION CLAIMED BY
HIMIN THE WORKERS' COMPENSATION
BOARD OF WESTERN AUSTRALIA.

No. of Matter.....

BETWEEN

Applicant

of.....

and

The owners of the ship " " Respondents

of.....

1. On the.....day of.....("the material date")
the applicant (the master/a seaman/or as the case may be) employed (or engaged) on the
ship " " suffered disability.

2. The applicant was on the material date a worker in the respondents' employment.

3. The applicant was born on the.....

4. The nature of the disability suffered was.....

5. The manner in which the disability arose was

6. The applicant claims.....

7. Notice of the disability was served on the respondent on
(if not served state reasons for not doing so).

8. This claim is admitted/not admitted by the respondent(s).

Dated this.....day of.....19.....

(Signed)

Applicant or Applicant's
Solicitor or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of
the agent (form 22).

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Form 5

(Rule 9—Schedule 1 cl. 4)

APPLICATION TO THE BOARD BY OR ON BEHALF OF DEPENDANTS OF
WORKER DISABLED ON WESTERN AUSTRALIAN SHIP AND WHOSE
DEATH RESULTED FROM THE DISABILITY

IN THE WORKERS' COMPENSATION
BOARD OF WESTERN AUSTRALIA.

No. of Matter.....

BETWEEN

Applicant

of.....

and

The owners of the ship “

” Respondents

of.....

1. On the day of (“the material date”) the
deceased....., (names), (the master of the
ship, or a seaman, or as the case may be)
suffered disability resulting in his death on

2. The deceased was on the material date a worker in the respondents' employment.

3. The deceased was born on

4. The application is made on behalf of: (names, dates of birth and relationship to
deceased) as dependants of the deceased.

5. The applicant makes this application as legal personal representative/dependant.

6. The manner in which the disability and death arose was

7. Other dependants of the deceased at the date of his death were

8. This claim is for

9. This claim is admitted/not admitted by the respondent(s).

(Signed).....

Applicant, or Applicant's
Solicitor, or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of
the agent (form 22).

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(Rule 9—Schedule 1 cl. 5)

Form 6

APPLICATION TO THE BOARD BY OR ON BEHALF OF DEPENDANTS OF
WORKER DISABLED ON WESTERN AUSTRALIAN SHIP AND WHOSE
DEATH DID NOT RESULT FROM THE DISABILITYIN THE WORKERS' COMPENSATION
BOARD OF WESTERN AUSTRALIA.

No. of Matter.....

BETWEEN

Applicant

of.....
andThe owners of the ship “.....” Respondents
of.....

1. On the day of (“the material date”) the
deceased....., (names) (the master of the
ship “.....”, or a seaman, or as the case may be)

suffered disability and the deceased died on the.....day of.....
but his death did not result from the disability.

2. The deceased was on the material date a worker in the respondents' employment.

3. From the material date the deceased received/was entitled to receive weekly pay-
ments for the period.....(state dates).

4. The deceased was born on

5. The application is made on behalf of: (names, dates of birth and relationship to
deceased) as dependants of the deceased.

6. The applicant makes this application as legal personal representative/dependant.

7. The manner in which the disability and death arose was

8. Other dependants of the deceased at the date of his death were

9. This claim is for.....

10. This claim is admitted/not admitted by the respondent(s).

(Signed).....

Applicant, or Applicant's
Solicitor, or Agent.

Address.....

Note—If application is signed by an agent it must be accompanied by appointment of
the agent (form 22).

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(Heading as in
form 1 or form 4
as the case may
be)

Form 7

(Rule 10)

APPLICATION TO THE BOARD CONCERNING THE REVIEW, RECONSIDERATION, TERMINATION, REDUCTION, REINSTATEMENT, INCREASE OR REDEMPTION

1. The applicant seeks review/reconsideration/termination/reduction/ reinstatement/increase/redemption of weekly payments.

2. The grounds upon which this application is made are:

.....
.....

Dated this day of 19.....

(Signed)

Applicant or Applicant's
Solicitor or Agent

Address.....

NOTE—If signed by an agent, application must be accompanied by appointment of the agent (form 22).

(Heading as in
application)

Form 8.

(Rule 13 (1))

NOTICE TO APPLICANT OF DATE OF PRELIMINARY HEARING.

Take notice that I will proceed with the preliminary hearing of this matter
at on the day of
in the , at the hour of o'clock
noon.

Dated this day of 19 ..

Registrar/Member.

To.....

of.....

Take notice that if you do not attend either in person or by your solicitor or agent at the time and place abovementioned, your application may be dismissed.

21

Form 9

(Rule 13 (2)) (Heading as in application)

NOTICE TO RESPONDENT/THIRD PARTY OF DATE OF PRELIMINARY HEARING

Take notice that I will proceed with the preliminary hearing of this matter at
on _____, the _____ day of _____, 19____, at the hour of _____ o'clock
in the _____ noon; and that if you do not attend either in person or by your
solicitor or agent at the time and place abovementioned such order will be made and
proceedings taken as I may think just and expedient.

And further take notice that if you wish to defend the application/third party notice or
disclaim any interest in the subject matter of the proceedings or consider that the
applicant's particulars are in any respect inaccurate or incomplete, or desire to bring any
fact or document to the notice of the Board, or intend to rely on any fact or to deny
(wholly or partially) your liability to pay compensation under the Act/or to indemnify the
third party, you must file with me an answer stating your name and address, and the
name and address of your solicitor or agent (if any) and stating that you disclaim any
interest in the subject matter of the proceedings or stating in what respect the applicant's
particulars are inaccurate or incomplete or stating concisely any fact or document which
you desire to bring to the notice of the Board, or on which you intend to rely, or the
ground on, and extent to which, you deny liability.

Such answer, together with a copy thereof for the Board, and a copy for the applicant
and for each of the other respondents (if any) must be filed with me within 28 days of
service of the application upon you.

If an answer is not filed, and subject to such answer, if any, the applicant's particulars
and your liability to pay compensation/indemnity will be taken to be admitted.

Dated this _____ day of _____ 19____.

Registrar/Member.

To.....
of.....

Form 10

(Rule 25 (1))

NOTICE TO ADDUCE MEDICAL REPORT IN EVIDENCE

Take notice that at the hearing of this application the applicant/respondent worker
intends to adduce in evidence the following medical reports copies of which are annexed
hereto:

.....
Solicitors for the applicant/respondent worker.

TO.....
and the solicitors acting for that party

.....
.....
.....

22

Form 11

(Rule 27)

(Heading as in
application)

CERTIFICATE OF AWARD OR ORDER

Upon the application dated the day of
and upon hearing counsel/the agent for the applicant and counsel/agent for the respon-
dent IT IS ORDERED THAT

1.

Registrar.

Form 12

(Rule 27)

(Heading as in
application)

CERTIFICATE OF COSTS

Upon hearing counsel/agent for the
and counsel/agent for the IT IS
ORDERED THAT the fees, costs, and charges of
the application heard and determined on the day of
..... be taxed/fixed in the sum of \$.....

Registrar.

23

Form 13

(Section 76 and Rule 32 (1).)

Workers' Compensation and Assistance Act 1981

MEMORANDUM OF AGREEMENT

To The Registrar, Workers' Compensation Board,
Perth, Western Australia

In the matter of an Agreement

Between.....(Employer)

of (address) and

.....(Worker)

of (address)

THIS AGREEMENT is made theday of.....19.....

between("the worker")

of (address) and

.....("the employer")

of (address)

Upon the due recording of this Agreement pursuant to section 76 of the *Workers' Compensation and Assistance Act 1981* ("the Act") the claims and demands hereinafter referred to are released in manner hereinafter appearing and the employer shall pay to the worker and the worker shall accept the lump sum of \$

in the circumstances and upon the terms and conditions hereinafter set out:

1. The disability of the worker occurred on
by:
 - * a personal injury by accident arising out of or in the course of the employment, or whilst the worker was acting under the employer's instructions;
 - * a disabling disease to which Part III Division 3 applies;
 - * a disease contracted by a worker in the course of his employment at or away from his place of employment and to which the employment was a contributing factor and contributed to a recognizable degree;
 - * the recurrence, aggravation, or acceleration of any pre-existing disease where the employment was a contributing factor to that recurrence, aggravation, or acceleration and contributed to a recognizable degree; or
 - * a disabling loss of function to which Part III Division 4 applies.
2. When the disability occurred the worker was:
 - (a) aged.....
 - (b) employed by the employer as
 - (c) his weekly earnings were
3. The nature of the disability was.....
and now is.....
and it occurred in the following circumstances

4. The worker has received from the employer prior to the date of this agreement:

(a) weekly payments in respect of that disability as follows:

	Totalling: \$
(b) expenses payable under Clauses 9, 10, 17, 18 and 19 of Schedule 1	
totalling	\$

5. The lump sum is made up as follows:

* (a) weekly payments of compensation:

(i) by way of redemption of liability to make future weekly payments	\$
(ii) otherwise	\$

* (b) the worker having duly elected under s. 24 of the Act by a form of election dated....., compensation payable under Schedule 2, being the percentage loss of use of the following items.....

Totalling \$

* (c) redemption amount under Schedule 5 Clause 2 or 3 (2) (3) or (4) \$

* (d) supplementary amount under Schedule 5 Clause 2 or 3 (2), (3) or (4) \$

* (e) expenses as are provided for in Clauses 9, 10, 17, 18 and 19 of Schedule 1 namely

.....	\$
.....	\$

6. The employer warrants that to the date of this Agreement it has paid all compensation due to the worker and all expenses in respect of the matters contained in Clauses 9, 10, 17, 18 and 19 of Schedule 1 and to the extent that these have not been paid undertakes to pay them.

7. The worker warrants that he is not aware of any expenses due but unpaid in respect of the matters contained in Clauses 9, 10, 17, 18 and 19 of Schedule 2.

8. The worker hereby releases and forever discharges the employer from all claims and demands which the worker now has or but for the execution of this agreement could or might have had against the employer under the Act in any respect whatever for or by reason of any matter or thing in any way connected with the disability to the worker referred to in this Agreement arising or occurring prior to the date hereof, or in existence at such date.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first hereinbefore written:

SIGNED by the worker:
in the presence of:

SIGNED by or on behalf of the employer:
in the presence of:

*Delete if not applicable.

25

Form 14

(Rule 33)

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981
 NOTICE OF MEMORANDUM HAVING BEEN RECEIVED
 IN THE WORKERS' COMPENSATION BOARD OF WESTERN AUSTRALIA
 IN THE MATTER of an Agreement between

.....Employer
 and

.....Worker

Ref. W.C.B.

TAKE NOTICE

1. That a Memorandum, copy of which is hereto annexed, has been sent to me for registration. The Memorandum appears to affect you.
2. I have therefore to request you to inform me within 7 days from this date whether you admit the genuineness of the Memorandum, or whether you dispute it, and if so, in what particulars, or object to its being recorded, and if so, on what ground.
3. If you do not inform me in due course that you dispute the genuineness of the Memorandum, or object to its being recorded, it may be recorded without further inquiry and will be enforceable accordingly.
4. If you dispute its genuineness or object to its being recorded, it will not be recorded, except with your consent in writing, or by order of the Workers' Compensation Board.
5. The Memorandum indicates that you have agreed to accept a payment under the *Workers' Compensation and Assistance Act 1981*.
6. If you have any doubts as to the effect of the agreement, or your rights to compensation generally you should contact me immediately.

Dated this..... day of....., 19.....

.....
 Registrar

Form 15

(Rule 33 (2))

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981
 NOTICE OF REGISTRATION OF AGREEMENT
 IN THE WORKERS' COMPENSATION BOARD OF WESTERN AUSTRALIA
 IN THE MATTER of an Agreement between

.....Employer
 and

.....Worker

Ref. W.C.B.

YOU ARE NOTIFIED

That the Memorandum of agreement, entered into between the abovenamed parties, and dated the day of 19....., has now been recorded in the Register in accordance with the provisions of the *Workers' Compensation and Assistance Act 1981*.

The Agreement has been numbered W.C.B.

Dated this day of....., 19.....

Registrar
 Workers' Compensation Board.

26

Form 16

(Rule 34 (3))

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981

NOTICE TO PARTIES WHERE REGISTRAR REFERS THE QUESTION OF
RECORDING A MEMORANDUM OF AN AGREEMENT TO THE BOARD
UNDER SECTION 76 (6)

IN THE WORKERS' COMPENSATION BOARD OF WESTERN AUSTRALIA

IN THE MATTER of an Agreement between

.....Employer
and.....Worker
Ref. W.C.B.

TAKE NOTICE that I have refused to record the Memorandum sent to me in this matter for registration, and have referred the matter to the Board pursuant to section 76 (6) of the Act, it appearing to me that the said Memorandum ought not to be registered by reason of—

- (a) the inadequacy of the lump sum agreed to be paid in redemption of the weekly payment referred to in the Memorandum; or
- (b) the inadequacy of the amount of compensation agreed to be paid to
.....; or
- (c) the inadequacy of the amount of compensation agreed to be paid to
..... and dependants; or
- (d) the agreement having been obtained by fraud or undue influence, or improper means.

And further take notice that the Board has ordered that the Memorandum be not recorded, or be not recorded unless amended as follows:

.....
unless on application pursuant to Rule 37 (1) you show cause to the contrary.

Dated this day of 19.....

Registrar
Workers' Compensation Board.

27

Form 17

(Rule 35 (1))

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981

NOTICE DISPUTING MEMORANDUM, OR OBJECTING TO
ITS BEING RECORDED

IN THE WORKERS' COMPENSATION BOARD OF WESTERN AUSTRALIA

IN THE MATTER of an Agreement between

.....Employer
and

.....Worker

TAKE NOTICE that the undersigned

of, disputes the genuineness of the
Memorandum sent to you for registration in the abovementioned matter in the following
particulars:—.....

(Here state particulars)

OR, TAKE NOTICE that the undersigned,

of
objects to the Memorandum sent to you for registration in the abovementioned matters
being recorded on the following grounds:—.....

(Here state grounds)

Dated this day of, 19.....

To the Registrar
Workers' Compensation Board

28

Form 18

(Rule 35 (2))

WORKERS' COMPENSATION AND ASSISTANCE ACT 1981

NOTICE THAT MEMORANDUM IS DISPUTED, OR OF OBJECTION TO ITS
BEING RECORDED

IN THE WORKERS' COMPENSATION BOARD OF WESTERN AUSTRALIA.

IN THE MATTER of an Agreement between

and

Employer

Worker.

Ref. W.C.B.

TAKE NOTICE that the genuineness of the Memorandum in the abovementioned matter left with (or sent to) me for registration is disputed by

of.....

a party affected by such Memorandum, in the following particulars:—

(Here state particulars of dispute)

.....

(Or that.....a party interested in the Memorandum in the abovementioned matter, left (or sent to) me for registration objects to the same being recorded, on the following grounds:—)

(Here state grounds)

.....

The Memorandum will therefore not be recorded, except with the consent in writing of the said.....
 or by order of the Board.

Dated this

day of

, 19

Registrar,

Workers' Compensation Board.

Form 19

(Rule 55 (4))

APPLICATION IN CHAMBERS

(Heading as in
form 1 or form 4
if originating ap-
plication, or as
in application if
interlocutory)

Let of attend
 before the Board sitting to hear this application on the
 day of , 19

This application is issued by (name if originating or applicant respondent or third party
 if interlocutory) of
 (address if originating) for an order that: (state the nature of the claim)

Dated this

day of

, 19

This application was taken out by
 for the said applicant whose address for service is

solicitor/agent

NOTE: If the respondent to this application does not attend before the Board sitting to hear this matter at such time and place as shall be fixed for such hearing, such order will be made and proceedings taken as the Board may think just and expedient.

29

Form 20

(Rule 56)

SUMMONS TO WITNESS

TO (name of witness)

(Heading as in application)

You are commanded to attend before the Workers' Compensation Board situated at the 25th Floor of the AMP Building, 140 St. George's Terrace, Perth at on day the day of 19 , at the hour of in the noon, and from day to day thereafter until the end of the trial, to give evidence on behalf of the applicant (or respondent or third party)*.

Issued on the day of 19 , by
agent for/solicitor for the

*If production of documents or things is required add: And you are also commanded to bring with you and produce at the time and place aforesaid (here describe the documents or things to be produced).

Registrar,
Workers' Compensation Board

Form 21

(Rule 58)

AFFIDAVIT OF SERVICE

I, of
.....in the State of Western Australia
....., being duly sworn make oath and say as follows:—

(Headings as in application)

1. I am over the age of 16 years.

2. I did on the day of 19 ,
serve the abovenamed with the application/answer/third party
notice (or as the case may be) in this matter numbered of 19 ,
which application/or as the case may be was dated the day of 19 , and appeared to me to bear the seal of the Workers' Compensation Board of Western Australia.

3. Such service was effected by delivering the said application/or as the case may be to the said

personally,
or

by delivering the said application to
the

{ residence
{ place of business of the said

or

by sending it in a registered letter addressed to the

{ residence
{ place of business

of the said

4. At the same time I served copy of the notice of preliminary hearing to be heard on day of 19 .

30

Form 22

(Rule 59)

APPOINTMENT OF AGENT

(Heading as in
form 1, form 4
or bearing refer-
ence to an agree-
ment, as the
case may be)

I hereby authorize
of, whose signature appears
at the foot hereof to appear and act on my behalf in any proceeding connected with the
abovementioned matter in the Workers' Compensation Board of Western Australia.

Dated thisday of 19.....

Party.....

Address.....

Description.....

Witness:

.....
Justice of the Peace

Agent's Signature.....

[Appendix A amended in Gazettes 7 May 1982 p. 1463; 11 June 1982 p. 1938;
12 August 1983 p. 2952.]

APPENDIX B

Fees and Allowances to Nominees under S. 127 (6)

(Rule 45)

\$

1. Fees per hour.
2. Reasonable travelling and accommodation expenses actually incurred.

60

31

APPENDIX C

(Rule 61)

SCALE OF COSTS

(The taxing officer may award costs in respect of the following matters but not exceeding the amounts stated.)

	\$
1. Substantive application, including instructions	150
2. Next friend or guardian <i>ad litem</i>	40
3. Payment into or out of the Board and offer to consent to judgment	40
4. Answer to application or to third party notice	150
5. Third party notice including instructions	150
6. Request for particulars	40
7. (a) Notice requiring discovery	40
(b) Giving discovery of documents	150
(c) Inspection and giving inspection—per hour	40-80
8. (a) Delivery of interrogatories	100
(b) Answer to interrogatories	100
9. Examination of witness before trial by counsel or solicitor, pursuant to order	An allowance calculated in accordance with Item 12 (b)
10. Getting up case for trial and/or pre-trial conferences not exceeding in the aggregate	2 000
11. Counsel fee on attendance at pre-trial conference—per hour	80
12. Counsel fee:	
(a) Counsel fee on trial	1 200
For Queen's Counsel (where 2 or more counsel are certified for) add 50%	
(b) Counsel fee for the second and each successive day of hearing	600
(c) Counsel fee on trial for second counsel (if certified for)—an allowance not exceeding two-thirds of the amounts that would have been allowed under item 11 (a) or 11 (b) if he had appeared alone.	
(d) Solicitor attending trial, per hour	80
(e) Attending on a reserved judgment	80
13. Settling and extracting certificate of award or order	50
14. (a) Drawing bill of costs, copies and service	100
(b) Attending taxation—per hour	40-80
15. Re-trial, re-hearing or hearing upon reference back from the Full Court for re-trial, getting up case and re-trial or re-hearing	Such amounts as are reasonable in the circumstances.
16. Preliminary hearing	75
17. Chambers applications of an originating nature and Interlocutory proceedings	250
18. Execution	100
19. Service of process, photocopies of documents and allowances to witnesses:	(as in item 28, 29 and 30 of the Fourth Schedule of the Supreme Court Rules)
20. Taking instructions for, negotiating and preparing agreement	200

[Appendix C substituted in Gazette 22 February 1985 p. 698.]

NOTES

¹ This reprint is a compilation as at 1 August 1986 of the *Workers' Compensation Board Rules 1982* and includes all amendments effected by the regulations referred to in the following Table.

Table

Regulation	Gazettal	Commencement
<i>Workers' Compensation Board Rules 1982</i>	8 April 1982 pp. 1250-75	8 April 1982
Corrigendum	7 May 1982 p. 1463	7 May 1982
<i>Workers' Compensation Board Amendment Rules 1982</i>	11 June 1982 pp. 1937-38	11 June 1982
<i>Workers' Compensation Board Amendment Rules 1983</i>	12 August 1983 pp. 2951-52	12 August 1983
<i>Workers' Compensation Board Amendment Rules 1983 (2)</i>	6 January 1984 p. 19	6 January 1984
<i>Workers' Compensation Board Amendment Rules 1984</i>	7 September 1984 p. 2887	7 September 1984
<i>Workers' Compensation Board Amendment Rules 1985</i>	22 February 1985 p. 698	22 February 1985