

1990 - No. 29

COMPENSATION COURT ACT 1984

NEW SOUTH WALES



[Published in Gazette No. 11 of 19 January 1990]

The following Rule has been made by the Rule Committee pursuant to the provisions of the Compensation Court Act 1984.

Dated the first day of December, 1989:

Judge F. R. McGrath,

O.B.E., Chairman

Judge J. L. O'Meally

Judge B. J. Moroney

Judge B. E. Egan ED

Senior Commissioner W. P. Hopkins

Mr A. Mitchell

Mr B. Ferrari

Members of the
Rule Committee

The Compensation Court Rules published in the Government Gazette No. 169 of 3rd December, 1984, as amended, are further amended by the addition of the following rule:

15. The said rules are amended as follows:

(A) Rule 2 - INTERPRETATION

(i) In subrule (2) after the definition of "Sealed" insert the following definition:

"Taxing officer" means such person as the Chief Judge may appoint to be a taxing officer, and includes the Registrar.

(ii) After subrule (2) insert the following subrule:

(3) A reference in these Rules to the Registrar in respect of his function as a taxing officer shall be taken to include a reference to a taxing officer other than the Registrar.

(B) By inserting after rule 29AC the following:

SCHEDULE OF EARNINGS

29AD In any application where the quantum of weekly compensation is or may be an issue and there is or may be a dispute in respect of the actual or probable earnings of a worker during any relevant period the following provisions shall, unless the court otherwise orders, have effect:

- (1) The applicant shall file and serve on each other party not later than 21 days before the hearing date, a schedule containing full particulars of such earnings during such period.
- (2) If any party disputes the accuracy of any matter in the schedule that party shall, not later than 7 days after service, file and serve a schedule containing its allegations of such earnings.
- (3) A matter not so disputed shall be deemed to be admitted.