



New South Wales

Workers Compensation (General) Amendment (Conciliation) Regulation 2001

under the

Workplace Injury Management and Workers Compensation
Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,

Special Minister of State

Explanatory note

Section 81A of the *Workplace Injury Management and Workers Compensation Act 1998* requires each party to a conciliation conference to provide to the other party and the conciliator a copy of any documents on which the party proposes to rely. A document that is not provided as required is not admissible on behalf of the party in proceedings before a conciliator or the Compensation Court.

The object of this Regulation is to allow a conciliator or the Compensation Court to admit a document that a worker did not provide as required, where the worker was not represented by a legal practitioner or an agent at the time of the failure to provide the document.

This Regulation is made under the *Workplace Injury Management and Workers Compensation Act 1998*, including sections 81A and 248 (the general regulation-making power).

Schedule 1 Amendment

(Clause 3)

Clause 51AA

Insert after clause 51A:

51AA Provision of documents before conciliation—exemption for unrepresented worker

When under section 81A (4) of the 1998 Act a document is not admissible on behalf of a worker in proceedings before a conciliator or the Compensation Court (because the document was not provided by the worker as required by that section), the conciliator or the Compensation Court may permit the admission of the document on behalf of the worker in the proceedings if satisfied that the worker was not represented by a legal practitioner or agent (as defined in section 131 of the 1998 Act) at the time of the failure to provide the document concerned.