**GENERAL DIVISION**

**PERSONAL COMPENSATION STREAM**

**PRACTICE DIRECTION 1: *Workers Rehabilitation and Compensation Act* 1988**

This Practice Direction is made pursuant to s93 of the *Tasmanian Civil and Administrative Tribunal Act* 2020*.*

* 1. Referrals must be filed with the Tribunal by either:
* posting them to:

The Deputy Registrar

Tasmanian Civil and Administrative Tribunal

Personal Compensation Stream

GPO Box 1311

HOBART TAS 7000

* leaving them with the receptionist at:

Tasmanian Civil and Administrative Tribunal

Personal Compensation Stream

38 Barrack Street

HOBART

* sending them by email to: wrc.personalcompensation@tascat.tas.gov.au
	1. Parties must use the Tribunal’s forms which can be accessed at [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) as approved by the President pursuant to s42(2) of the *Workers Rehabilitation and Compensation Act* 1988 (the Act).
	2. The claim form and the initial workers compensation medical certificate must be attached to any referral filed with the Tribunal.
	3. The referral must include the names and residential addresses of all the parties.
	4. All email correspondence and telephone calls must be directed to the Tribunal staff member allocated to that referral, whose name will be noted on the Tribunal correspondence. All email correspondence must also be copied to wrc.personalcompensation@tascat.tas.gov.au.
	5. If a party wants to receive further correspondence from the Tribunal by electronic means a written request must be made to the Tribunal and a written response will be provided.
	6. Copies of all correspondence to the Tribunal must be provided to the other party except in matters that must be kept confidential.
	7. At least 3 days prior to a s81A or s77AB hearing the following must be filed and served on the Tribunal and the other party:
* Any evidence to be adduced by or on behalf of the worker.
* Any notice of intention to call or cross-examine a witness.
	1. All parties served with a notice to attend a conciliation conference must attend unless leave is granted by the conciliator.
	2. The parties must complete a resolved in conciliation form with respect to any referral which is settled at a conciliation conference or informally between the parties.
	3. In s132A referrals “all in” settlements must come with a breakdown of costs and disbursements and other amounts to be deducted from the settlement sum, as well as the amount the worker will ultimately receive.
	4. Copies of any reports exchanged between the parties must also be filed with the Tribunal.
	5. An application to produce evidentiary material must include reasons for the production.
	6. Section 60A applications for an interim order must be accompanied by the evidentiary material to be relied upon must be filed and served before the matter will be listed for hearing.
	7. Parties seeking orders by consent pursuant to s61(2) must provide a joint memorandum clearly outlining the form of the orders sought and the section of the Act pursuant to which orders can be made.
	8. Expert witnesses engaged for the purposes of matters before the General Division of the Tribunal must be aware of and agree to comply with the Expert Witness Code of Conduct published as Practice Direction 1 at:

[Practice-Direction-1-Expert-Witness-Code-of-Conduct.pdf (tascat.tas.gov.au)](https://www.tascat.tas.gov.au/__data/assets/pdf_file/0006/709593/230601-Practice-Direction-1-Expert-Witness-Code-of-Conduct.pdf)

Malcolm Schyvens

President – TASCAT

21 June 2023