

Table of delegations “B” – Personal Injury Commission Rules 2021

Item	Rule	Function of:	Description of delegated function	Member/s or role/s to which the function is delegated	Authorisation to sub-delegate the function	Member/s or officer/s to which the delegate sub-delegates the function
<i>Part 2 - Application</i>						
1.	R6(2)	President	Dispensing with requirements of Rules-particular applicable proceedings by order, dispensing with a requirement of these Rules in relation to particular applicable proceedings if satisfied it is appropriate to do so (excluding where proceedings are allocated to a member of the Commission)	Workers Compensation proceedings		
				Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V, VI
				Principal Registrar	Yes	Director Medical Services Director Registry and Dispute Services
				Motor Accident proceedings		
				Division Head MA	Yes	Director Legal and Policy Decision-maker grade 11/12

				Principal Registrar	Yes	Director Medical Services Director Registry and Dispute Services
2.	R6(2)	President	Dispensing with requirements of Rules-particular kinds of applicable proceedings by order, dispensing with a requirement of these Rules in relation to particular kinds of applicable proceedings if satisfied it is appropriate to do so	Workers Compensation proceedings		
				Division Head WC	No	N/A
				Motor Accident proceedings		
				Division Head MA	No	N/A
3.	R7(2)	President	Directions in circumstances not covered by Rules giving directions in relation to particular applicable proceedings (but not particular kinds of applicable proceedings), concerning an aspect of practice or procedure for which these Rules or the procedural directions do not provide (excluding where proceedings are allocated to a member of the Commission)	Workers Compensation proceedings		
				Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V, VI
				Principal Registrar	Yes	Legal Officers IV, V, Presidential Unit Senior Administrative Officer Grade 5/6, Presidential Unit
				Motor Accident proceedings		
				Division Head MA	Yes	Director Legal and Policy Decision-maker grade 11/12

Part 3 - Administration						
4.	R14(1)	President	Register of delegations keeping a register of delegations and sub delegations given under section 18 of the PIC Act	Principal Registrar	No	N/A
5.	R14(3)	President	Register of delegations arranging for information in the register to be published on the Commission website	Principal Registrar	No	N/A
6.	R15(1)	President	Use of ECM system making orders and directions in relation to whether a person may not use an ECM system for particular proceedings	Principal Registrar	No	N/A
7.	R15(2)	President	Use of ECM system establishing a protocol for the use of an ECM system that applies generally or for particular proceedings.	Principal Registrar	No	N/A
8.	R15(5)	President	Use of ECM system making orders and directions in relation to the level of access to an ECM system to which a person is entitled, and the conditions of use that apply to a person	Principal Registrar	No	N/A
Part 4 - Documents						
Division 4.1 Forms and documents						
9.	R16(3)	President	Approval of forms if there is no approved form for a document being satisfied the document is in a satisfactory form	Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services Director Legal and Policy
10.	R17(2)	President	Form and content of documents	Principal Registrar	Yes	Director, Registry and Dispute Services

			whether to refuse to accept, seal or issue a document that, in the opinion of the delegate, contravenes this rule			Registry Support Officer Grade 3-4 Legal Officers IV, V, Presidential Unit Senior Administrative Officer Grade 5/6, Presidential Unit
Division 4.2 Amendment of documents						
11.	R20(4), (7) and (8)	President	<p>Amendment of documents the determination of an application for leave to amend a document lodged by the party if the application is made before the Commission is constituted dealing with the proceedings, subject to subrule (8)(b)</p> <p>without limiting subrule (6), when considering an application, seeking further oral or written information from a party.</p> <p>when considering the application— (a) listing the application for hearing before the President, or (b) referring the application to a member for determination.</p>	Workers Compensation proceedings		
				Division Head WC (proceedings where the Commission is not to be constituted by a Presidential member)	Yes	Non-presidential members in WC Division Director Legal and Policy Legal Officers III, IV, V and VI
				Principal Registrar (proceedings where the Commission is to be constituted by a Presidential member)	Yes	Legal Officers IV, V, Presidential Unit

				Motor Accident proceedings		
				Division Head MA	Yes	Members in MA Division Director Legal and Policy Decision-maker grade 11/12
12.	R21(2)	President	Minor or agreed amendments of documents if the application for leave is made before the Commission is constituted to deal with the proceedings, the granting under subrule 21(2)	Workers Compensation proceedings		
				Division Head WC (Commission proceedings except proceedings where the Commission is constituted by a Presidential member)	Yes	Director Legal and Policy Legal Officers III, IV, V and VI
				Principal Registrar (Commission proceedings where the Commission is constituted by a Presidential member)	Yes	Legal Officers, IV, V, Presidential Unit

				Motor Accident proceedings		
				Division Head MA	Yes	Decision-maker grade 11/12
Division 4.3 Lodgment of documents						
13.	R23(3)	President	Lodgment of documents with and issue of documents by Commission directing that a document, or a document of a class, can or cannot be lodged with or served on the Commission, in any of the following ways— (a) by email—by sending it to the Registry email address under rule 11, (b) by hand—by delivering it to the Commission at the Registry, (c) by post—by sending it by prepaid post to the Registry postal address under rule 11.	Principal Registrar	Yes	Director, Registry and Disputes Registry Officer Grade 5/6 and above Legal Officers IV, V, Presidential Unit Senior Administrative Officer Grade 5-6, Presidential Unit
Division 4.4 Service of documents						
14.	R30(1)	President	Substituted service ordering direct service of a document on a party to be effected differently than in a way specified by these rules if satisfied that it is impracticable for service to be effected by in a way specified by these Rules.	Principal Registrar	Yes	Director Registry and Dispute Services Director, Medical Services Director Legal and Policy Legal Officers IV, V Presidential Unit Senior Administrative Officer Grade 5/6, Presidential Unit

15.	R30(3)	President	Substituted service ordering that service be taken to have been effected on the happening of any specified event or on the expiry of any specified time.	Principal Registrar	Yes	Director, Registry and Dispute Services Director, Medical Services Director, Legal and Policy Legal Officers IV, V, Presidential Unit Senior Administrative Officer Grade 5/6, Presidential Unit
16.	R36(2)	President	Use of Interpreters approving an interpreter for Commission proceedings even though the interpreter is not a NAATI-certified interpreter if – (a) There are currently no NAATI-certified interpreters for the language requiring translation in the proceedings, or (b) determining whether it is necessary to approve the interpreter because of the unavailability of NAATI- certified interpreters	Workers Compensation proceedings		
				Principal Registrar	Yes	Director, Registry and Dispute Services Director, Medical Services
				Division Head WC	Yes	Non-presidential members in WC Division
				Motor Accident proceedings		
				Division Head MA	Yes	Members in MA Division
				Principal Registrar	Yes	Director, Registry and Dispute Services Director, Medical Services

17.	R41(5)	President	Compliance with notice for production determining an objection to a notice for production by— (a) setting aside the notice for production wholly or in part, or (b) directing that the documents be produced to the requesting party or the Commission, or (c) making another order the (delegator) thinks fit.	Workers Compensation proceedings		
				Principal Registrar	Yes	Legal Officers IV, V Presidential Unit
				Division Head WC	Yes	Director Legal and Policy Legal Officers III, VI, V and VI
18.	R41(7)	President	Compliance with notice for production exercising a function of the commission under subrule (6)(b) in addition to, or instead of, making an order under section 290(6)(c) of the 1998 Act.	Workers Compensation proceedings		
				Division Head WC	Yes	Director Legal and Policy Legal Officers III, VI, V and VI
				Principal Registrar	Yes	Legal Officers IV, V Presidential Unit
19.	R45(1) (2)	President	Production of Commission record of proceedings receiving and dealing with a written request to produce the Commission’s record of other proceedings for either or both of the following— (a) inspection by the party, or (b) use as evidence in the first proceedings.	Principal Registrar	Yes	Director Registry and Dispute Services Director Legal and Policy Director Medical Services

20.	R 50(4), (6) and (7)	President	<p>Objection to direction for production notifying the parties to the proceedings under subrule (4) that a notice of objection has been received</p>	Principal Registrar	Yes	<p>Director Registry and Dispute Services</p> <p>Registry Officer Grade 5-6 and above</p> <p>Director Medical Services</p> <p>Director Legal and Policy</p>
			<p>Under subrule (6) when considering an objection to a direction for production – (a) seeking further information from the producer or the parties, or (b) determining the objection, whether solely on the basis of the notice of objection and the notice of opposition or otherwise.</p> <p>Under subrule (7), setting aside, or varying a direction for production following determination of an objection</p>	Workers Compensation proceedings		

				Motor Accident proceedings		
				Division Head MA	Yes	Director Legal and Policy Decision-maker grade 11/12 Members in MA division
21.	R 51(5) (6)	President	Objection after production by party to first access when considering an objection to access – determining the objection, whether solely on the basis of the notice of objection and the notice of opposition or otherwise under subrule (6), varying a direction for production following determination of an objection.	Workers Compensation proceedings		
				Division Head WC	Yes	Non-presidential members
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services
				Motor Accident proceedings		
				Division Head MA	Yes	Non-presidential members
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services

22.	R 52(2)	President	Inspection and return of produced documents giving directions concerning the removal from or return to the Commission of documents produced in compliance with a direction for production under subrule (2)	Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services
23.	R 53(3)	President	Conduct money for compliance with direction for production ordering that the party who requested the issue of the direction pay to the producer an additional amount in relation to the expense or loss.	Workers Compensation proceedings		
				Division Head WC	Yes	Director Legal and Policy Non-presidential members Legal Officers III, IV, V and IV
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services
				Motor Accident proceedings		
				Division Head MA	Yes	Director Legal and Policy Non-presidential members Decision-maker grade 11/12
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services

24.	R54	President	Exemption from production directing that a producer is not required to comply with a direction for production, or is required to comply only with part of it, if complying with the direction would pose a serious risk to the safety, health or well-being of a party to the proceedings or a person affected by the proceedings.	Workers Compensation proceedings		
				Division Head WC	Yes	Non-presidential members in WC Division Director Legal and Policy Legal Officers III, IV, V and IV
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services
				Motor Accident proceedings		
				Division Head MA	Yes	Members in MA division Director Legal and Policy Decision-maker grade 11/12
				Principal Registrar	Yes	Director Registry and Dispute Services Director Medical Services
25.	R 56(1)	Division Head	Issue of summons issuing a summons in accordance with rule 56	(WC proceedings only) Director Legal and Policy (*the function is not delegated in MA proceedings)	Yes (in WC only)	Legal Officer Grade III, IV, V, VI

26.	57(1) & (2)	Division Head	Variation of summons under subrule (1), setting aside or varying a summons, wholly or in part under subrule (2) ordering that— (a) the terms of the summons be varied, or (b) the attendee is not required to comply with the summons	(WC proceedings only) Director, Legal and policy (*the function is not delegated in MA proceedings)	Yes	Legal Officers III, IV, V and VI
				Principal Registrar (WC proceedings only)	Yes	Legal Officers IV, V, Presidential Unit Senior Administrative Officer Grade 5-6, Presidential Unit
27.	R58(2)	Division Head	Conduct money for compliance with summons if an attendee who is not a party to the proceedings reasonably incurs, as a result of service of the summons, an expense or loss that substantially exceeds any amount paid under subrule (1), ordering that the requesting party pay to the attendee an additional amount in relation to the expense or loss.	(WC proceedings only) Director, Legal and policy (*the function is not delegated in MA proceedings)	Yes	Legal Officers III, IV, V and VI
Part 6 – Representation and parties						
28.	R62(1)	President	Orders concerning joinder ordering in applicable proceedings (but not Commission proceedings allocated to a member) that a person be joined as a party to the proceedings if the appropriate decision-maker considers that the person should be joined as a party.	Workers Compensation proceedings		
				Division Head WC	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Motor Accident Proceedings		
Division Head MA	Yes	Director, Legal and Policy Decision-maker grade 11/12				

29.	R62(2)	President	Orders concerning joinder ordering in applicable proceedings (but not Commission proceedings allocated to a member) that a person be removed as a party to the proceedings if the appropriate decision-maker considers that the person has – a) Been improperly or unnecessarily joined, or b) Ceased to be a proper or necessary party.	Workers Compensation proceedings		
				Division Head WC	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker grade 11/12
30.	R62(3)	President	Orders concerning joinder for the purposes of an order made under subrule (1) or (2) (the <i>principal order</i>), making other orders in applicable proceedings (but not Commission proceedings allocated to a member) the appropriate decision-maker considers necessary to facilitate the operation of the principal order, including orders for the amendment of documents lodged in the proceedings and orders for service.	Workers Compensation proceedings		
				Division Head WC	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker grade 11/12
31.	R62(4)	President	Orders concerning joinder making an order in applicable proceedings (but not Commission proceedings allocated to a member) under this rule of their own motion or on the application of the person concerned or a party.	Workers Compensation proceedings		
				Division Head WC	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker grade 11/12

32.	R66(3)	President	Application to commence applicable proceedings refusing to accept an application that does not comply with a requirement of Part 6.	Principal Registrar	Yes	Director Registry and Dispute Services Registry support officer Grade 3/4 and above Decision-maker grade 11/12 Senior Administrative Officer 5/6, Presidential Unit Legal Officers III, IV, V and VI, Presidential Unit
33.	R67(4)	President	Material to be lodged in applicable proceedings in applicable proceedings other than Commission proceedings, being satisfied that it is necessary in the interests of justice, to allow a party to introduce evidence that the party would be prevented from introducing because of the operation of subrule (2) if— (a) the party complies with subrule (3), or (b) the appropriate decision-maker gives the party leave to lodge additional documents.	Workers Compensation proceedings		
				Division Head WC	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker Grade 11/12
34.	R 69(1)	President	Fixing of time for applicable proceedings in applicable proceedings by order, fixing the time within which a thing is to be done in or for the proceedings, if the time is not fixed by— (a) the PIC Act, or (b) enabling legislation, or (c) these Rules, or	Workers Compensation proceedings		
				Division Head WC (in respect of proceedings not before a presidential member)	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI

			(d) a decision or order of the Commission or President	Principal Registrar (in respect of proceedings before a presidential member)	Yes	Legal Officers, IV, V Presidential Unit Senior Administrative Officer Grade 5/6 Presidential Unit
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker Grade 11/12
35.	R69(2)	President	Fixing of time for applicable proceedings in applicable proceedings, by order, extending or shortening a time fixed for the applicable proceedings- (a) By these Rules, or (b) Under Chapter 7, Part 9 of the 1998 Act, except the extension of time fixed under section 352(74) of the 1998 Act.	Workers Compensation proceedings		
				Division Head WC (in proceeding not before a presidential member)	Yes	Director, Legal and Policy Legal Officers III, IV, V and VI
				Principal Registrar in proceeding before a presidential member)	Yes	Legal Officers III, IV, V and VI, Presidential Unit Senior Administrative Officer Grade 5/6 , Presidential Unit
				Motor Accident proceedings		
				Division Head MA	Yes	Director, Legal and Policy Decision-maker Grade 11/12

36.	R75(1)	President Principal Registrar	Request that application be expedited receiving and considering application by a party to applicable proceedings for an application in the proceedings be expedited.	Workers Compensation proceedings		
				Division Head WC (WC proceedings, excluding medical assessment proceedings, but including proceedings before mediators)	Yes	Director Legal and Policy
				Motor Accident proceedings		
				Division Head MA (MA proceedings excluding medical assessment, but including merit review proceedings)	Yes	Director Legal and Policy
				Principal Registrar (medical assessment proceedings)	Yes	Director Registry and Dispute Services Director Medical Services
37.	R80(2)	President	Application to resolve dispute other than for expedited assessment accepting a dispute for referral for determination by the Commission and being satisfied that the dispute is not prevented from being referred	Principal Registrar	Yes	Director Registry and Dispute Services
38.	R 84(6)	President	Defective pre-filing statement If a dispute is referred for determination, (a) giving a direction for the filing of submissions and supporting documents on which a party relies, or	Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V and VI

			(b) giving a direction to the claimant about the action necessary to cure a defect in the pre-filing statement, within a specified period, or (c) determining that the pre-filing statement served by the claimant is not defective.			
39.	R 85(2)	President	Direction for access to information or premises giving or refusing to give the direction as proposed (in relation to R85(1)).	Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V and VI
40.	R 85(6) (7) & (8)	President	Direction for access to information or premises Under subrule (6), within 7 days of the date on which the claimant was notified of an objection, receiving notice to oppose the direction, with reasons, Under subrule (7), when considering an objection to a direction for access to information or premises— (a) seeking further information from the parties, or (b) listing the objection for hearing, or (c) determining the objection, whether solely on the basis of the notice of objection and the notice of opposition or otherwise. Under sub rule (8), setting aside or varying a direction for access to information or premises following determination of an objection.	Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V and VI
41.	R 89(3)	President	Mediator unable to mediate claim revoking the direction referring the claim to the mediator and making a direction referring the claim to another mediator	Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V and VI

42.	R90	President	Certificate of mediation outcome If a defendant lodges a response to an application for mediation of a claim under rule 89 that indicates that the defendant will decline to participate in mediation, on the grounds that the defendant wholly disputes liability for the claim, issuing a certificate to that effect.	Division Head WC	Yes	Director Legal and Policy Legal Officers I-III, IV, V and VI
43.	R 101(4)	President	Standing over of motor accident proceedings for assessment of damages ensuring that— (a) a list is maintained of motor accident proceedings that have been stood over under this rule, and (b) the list is managed in accordance with any applicable procedural directions.	Division Head MA	No	No
Part 11 - Medical Assessment Proceedings						
Division 11.2 Conduct of medical assessment proceedings						
44.	R108 (1)	President	Conduct of medical assessment proceedings determining the procedure for medical assessment proceedings under (1) and (2)	Principal Registrar	No	
45.	R109 (1)	President	Surveillance recordings determining whether exceptional circumstances exist under subrule (a) and ordering that the surveillance recording may be submitted under subrule (b).	Division Head WC	Yes	Director Legal and Policy Legal Officers III, IV, V and VI Non-presidential members WC division

46.	R111 (1)	President	Medical assessment certificate for multiple assessments of permanent impairment if different medical assessors are required to conduct different assessments of permanent impairment, appointing a lead assessor.	Principal Registrar	Yes	Director Medical Services Director Registry and Dispute Services Team Leader, Grade 7/8
Part 12 - Merit Review Proceedings						
47.	R116 (1)	President	Conduct of merit review proceedings determining the procedure for merit review proceedings, including whether the proceedings are to be conducted in person, by telephone or audiovisual link or without a conference.	Division Head MA	Yes	Director Legal and Policy Decision-maker Grade 11/12
Part 13 - Appeals and Reviews						
Division 13.2 Workers compensation dispute appeals to Commission						
48.	R 126(1) & (2)	President	Non-compliance with procedural requirements (1) giving a direction, as an alternative to refusing to accept, seal, issue or register a document for use in a workers compensation dispute appeal, to a party to rectify non-compliance with procedural requirements for the appeal. (2) being satisfied that the appeal is procedurally compliant.	Principal Registrar	Yes	Director, Registry and Dispute Services Legal Officers IV, V Presidential Unit Senior Administrative Officer Grade 5/6, Presidential Unit

Part 14 - Miscellaneous

49.	R131	President	Publication of decisions making a direction, with the consent of the parties, under subrule (2)	Workers Compensation proceedings		
				Division Head WC (WC proceeding excluding presidential appeals)	Yes	Director Legal and Policy Legal Officer Grade III, IV, V, VI
				Principal Registrar (presidential appeals)	Yes	Senior Administrative Officer 5/6, Presidential Unit Legal Officers IV, V Presidential Unit
				Motor Accident proceedings		
				MA proceedings)- Division head MA	Yes	Director Legal and Policy Decision-maker grade 11/12
50.	R132(1) – (6)	President	De-identification or redaction of publishable decisions directing either or both of the following under subrule (1): (a) that all or part of a publishable decision be de-identified before it is published, (b) that part of a publishable decision be redacted before it is published.	Workers Compensation proceedings		
				Division Head WC	Yes	Director Legal and Policy

		<p>determining an application for a direction by having regard to the matters referred to in subrule (4)</p> <p>directing whether the publishable decision be published without the de-identifications or redactions directed by the Commission or with different de-identifications or redactions under subrule (5).</p> <p>considering whether another person has a sufficient interest to make the application under subrule 6(c)</p>	Motor Accident proceedings		
			Division Head MA	Yes	Director Legal and Policy