

Regulations 1982 No. 32¹

Workmen's Compensation Rules²
(Amendment)

I, PETER DREW DURACK, the Attorney-General of the Commonwealth of Australia, hereby make the following Rules under the *Workmen's Compensation Ordinance 1951*.

Dated 28 July 1982.

P. DURACK
Attorney-General

1. Rule 68 of the Workmen's Compensation Rules is repealed and the following rules are substituted:

Amounts paid to witnesses

"68. (1) Subject to this rule, on a taxation of costs in arbitration proceedings, amounts paid to witnesses for their attendance on the Court or the committee or other assistance at the hearing of those proceedings shall be allowed.

"(2) The costs that may be awarded to a party to arbitration proceedings in respect of the attendance of a person on the Court or the committee as a witness in the proceedings are—

- (a) such amount as the Court or the committee orders at a rate not exceeding the rate applicable, and subject to the same conditions as are applicable, in relation to witnesses' expenses in an action in the Supreme Court; or
- (b) if such an order is not made in the proceedings—such amount as the Clerk allows on taxation at a rate not exceeding those rates and subject to those conditions.

"(3) On a taxation of costs in arbitration proceedings, an amount referred to in sub-rule (1) or (2)—

- (a) in respect of a witness who gave evidence at the hearing of the proceedings—shall be allowed unless the Court or the committee otherwise orders; or

(b) in respect of a witness who did not give evidence at the hearing of the proceedings—may be allowed if the Clerk thinks fit, whether or not the witness was served with a summons for his attendance on the Court or the committee.

Expenses of preparing plans, &c.

“68A. In arbitration proceedings, the Court or the committee may order that the expenses of preparing and proving plans, drawings, models, photographs or the like for the purposes of the proceedings be allowed or disallowed, and where—

- (a) the Court or the committee orders that those expenses be so allowed; or
- (b) the Court or the committee makes no order in relation to the allowance or disallowance of those expenses and the Clerk thinks fit to allow those expenses,

on taxation, amounts paid in respect of those expenses shall be allowed in such amount as the Clerk thinks fit.”.

Repeal

- 2. The Fifth Schedule to the Workmen's Compensation Rules is repealed.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on 10 August 1982.
- 2. Rules notified in the *Gazette* on 20 October 1938 as amended by Rules notified in the *Gazette* on 28 November 1946; and by Regulations 1968, No. 12.