March 2019

Direction

Direction for Production
This is the approved form for directing a person to produce documents to the Workers Compensation Commission.

Applicant:

Respondent:

Filed by:
(Firm or organisation)

Postal address:                                      Postcode:
Phone number:                                      Fax:

Email address:

This direction is filed by:

☐ Worker                          ☐ Employer                          ☐ Self-insurer
☐ Worker representative          ☐ Employer representative        ☐ Insurer/scheme agent representative
☐ Dependant                      ☐ Insurer/scheme agent*          ☐ icare
☐ Dependant representative      ☐ Specialised insurer             ☐ TMF Agent

*Note scheme agent means scheme agent for the nominal insurer

PART 1 – Notice to Producer

Issued to:                           Name:
                                          Address

Production of documents
Unless the Registrar otherwise orders, you are directed to produce to the Commission the documents described below which are in your possession or control:

1. Direction for Production
2.

Production of copies
You must produce clear sharp copies of original documents unless otherwise requested.

Return Date
The documents must reach the Commission by: / /
**Address for production**
You must produce documents in an envelope marked “produced under direction” to the Commission:

- **Hand delivery**: Level 20, 1 Oxford Street Darlinghurst NSW 2010
- **Postal address**: PO Box 594 Darlinghurst NSW 1300
- **Document exchange**: DX 11524 Sydney Downtown
- **Electronic lodgment**: registry@wcc.nsw.gov.au
- **Facsimile**: 1300 368 018

**Compliance**
You must comply with a direction if:

a. This direction is served not less than 7 days (if served in New South Wales) or 14 days (if served out of New South Wales) before the return date, or by the time stated in Part 3 below, and
b. Sufficient money is paid or tendered to you to meet the reasonable expenses of complying with this direction.

A person who fails to comply with a direction without a reasonable excuse is guilty of an offence under section 357(3) of the *Workplace Injury Management and Workers Compensation Act 1998* (maximum penalty: $5500).

Direct any enquiries about compliance with this direction to the party that filed this direction. If after discussion with that party a dispute exists concerning the production of documents, the payment of reasonable expenses or the terms of access to the documents produced, the producer may apply to the Commission for a decision. Any application must be made in writing prior to the return date.

**Document disposal**
Produced documents that are not originals will be retained by the Commission until the conclusion of proceedings, after which time they will be destroyed. Original documents will be returned to the producer, provided the producer clearly identifies the documents as originals.

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**PART 2 - Proposed Access to Documents**
The parties may inspect and copy (for the purpose of these proceedings only) any material produced in compliance with this direction as follows:

First access to the for days (no more than 7 days) after the return date.

Other parties may access the documents for the same length of time as the first time access party once the first access period has expired.

**PART 3 - Authorisation to Reduce Time for Service**
This direction must be served no later than _____ am/pm on __/__/____
Signed: _________________________________ Date: __/__/____

**PART 4 – Approval to Issue**
Issued under delegation of the Registrar
Signed: _________________________________ Date: __/__/____