



Guide to Completing the Application Form for an ILARS Grant of Funding

Purpose

This Guide explains how to complete the **Application Form ILARS Grant of Funding (ILARS Grant Application Form)**, available at www.iro.nsw.gov.au.

If the Application is urgent contact ILARS by calling **139 476**.

This Guide should be read in conjunction with the **ILARS Funding Guidelines**.

This Guide is not legal advice. This document should be considered only as a Guide for Approved Lawyers to complete the ILARS Grant Application Form.

If you have any questions about completing the ILARS Grant Application Form please contact ILARS on 13 9476.

When you should use this form

This Application Form should be used by an Approved Lawyer (Lawyer) to request an initial ILARS grant of funding to provide legal services to an injured eligible worker in New South Wales regarding their potential statutory workers compensation benefits.

This Application Form should not be used for exempt workers including police officers, firefighters, paramedics, coal miners, workers suffering a dust disease and workers subject to the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

This Application form is required only to initiate an ILARS grant of funding. Progressive funding should be sought by an email extension request.

This Application Form should not be used to apply for a grant of funding for an Industrial Deafness (Hearing Loss) claim. For Industrial deafness claims please use the **Application Form ILARS Grant of Funding Industrial Deafness (Hearing Loss)**.

Incomplete information

Applications received where the worker's personal details are incomplete will be returned for completion.

Applications made where insufficient details or information are provided to enable IRO to consider approval of a grant of funding may result in a request for further information.

Worker Details

Insert the preferred title, name, address, date of birth, and the occupation of the worker at the date of the injury.

Indicate whether an interpreter is required, and if so, the language most frequently spoken by the worker

If you are aware there has been a previous ILARS grant of funding for the worker, which may include a grant made to a Lawyer previously instructed by the worker, include the ILARS Grant Number/s (eg C/ YY/NNNNN).

If the worker is deceased or if there is a potential claim for death benefits arising from the death of the worker, insert the worker's date of death and the details of the deceased worker's representative and/or dependant/s.

Approved Lawyer Details

Insert the name of the Approved Lawyer acting for the worker, their firm, personal work email address and direct contact telephone number, their ILARS number and the firm's file reference.

Employer Details

Insert the name of the worker's employer at the time of the injury, their address/place of business and their Australian Business Number (ABN), if known.

Insurer Details

Insert the name of the relevant insurer, the claim number and the type of insurer, if known.

Injury Details

Indicate whether the employer or insurer has been notified of the claim, and/or whether the claim has been made.

Insert the date of the injury, the primary injured body part or the primary body location/s of the injury and briefly outline how the injury occurred (eg *The worker injured their back, neck and shoulders due to repetitive heavy lifting in the course of their employment as a concreter.*)

Initial funding type requested

The IRO has adopted a staged funding approach to simplify the funding structure to ensure injured eligible workers can access early legal advice and assistance.

The IRO will determine the funding stage to be initially approved based on the information provided with the Application Form and the nature of the work contemplated and identified by the Approved Lawyer.

Indicate what stage of funding is requested on the Application Form and provide brief reasons as to what work the Lawyer intends to do or action the Lawyer intends to take, if known.

Stage 1 Funding

Stage 1 Funding is provided as the *default funding* to initiate the Lawyer-client relationship and to provide comprehensive legal advice to an injured eligible worker about their rights

and entitlements under the workers compensation legislation.

Documents to attach

Available medical reports, relevant insurer decision(s), relevant insurer correspondence, the workers injury Claim Form (if available), a Certificate of Capacity or a statement from the worker.

Stage 2 Funding

If you are applying initially for Stage 2 funding you must provide an explanation or short reasons in support of the request outlining why the matter has some merit.

Documents to attach

Available medical reports, relevant insurer decision(s), relevant insurer correspondence, the workers injury Claim Form (if available), a Certificate of Capacity or a statement from the worker, a statement from the Lawyer addressing why they believe the worker has attained maximum medical improvement or why the impairment arising from the injury(ies) may exceed the relevant threshold.

Stage 3 Funding

If you are applying initially for Stage 3 funding to proceed directly to the Personal Injury Commission you must provide all available material that demonstrates an arguable case.

Documentation

Where available and relevant, the following documents should be attached to the Application Form:

- Selected relevant clinical notes (more than 10 pages will not be accepted)
- Worker's Injury Claim form
- Medico-legal reports
- Medical reports
- Decision(s) of an insurer
- Correspondence from the insurer
- Work Capacity Decisions, Internal Review decisions or Merit Review decisions
- Relevant or most recent Certificate(s) of Capacity
- Injured worker statement (may be unsigned)
- Medical Assessment Certificate(s)
- Commission Certificate(s) of Determination or Decision(s)

Please limit attachments to *essential documentation only*.

Consent and Declaration

The Lawyer seeking a grant of funding should ensure they have read the Consent and declaration carefully before applying their signature to the form.

The declaration relates to the receipt of instructions, the making of a written disclosure as to costs, acknowledgement of informing the client that an application for a grant of funding will be made and receiving the client's consent to seek a grant, and client consent to the release of personal and health information.

Signature

The Approved Lawyer must sign the Application Form and insert their name and the date of their signature. Electronic signatures will be accepted.

Unsigned and/or undated Applications will not be processed and will be returned for completion.

Lodgement

Completed Application forms must be lodged by email to ilarscontact@iro.nsw.gov.au

Version

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