

### Application of this Guide

This Guide is the **ILARS Grant Amount Guide** and contains the **Professional Fees Schedule** and **Disbursements Schedule** referred to in the **WIRO Funding Policy** for the Independent Legal Services and Review Service published on 2 September 2019.

The Grant Amounts set out below apply for all resolutions on or after **2 September 2019**.

WIRO reserves the right to amend, vary or alter this Guide from time to time.

PROFESSIONAL FEES	
Stage 1   Preliminary Legal Advice	
Preliminary legal advice only (including completing a worker's injury claim form)	\$800
Stage 2   Early Resolutions	
Where investigations conducted and a claim or dispute is not pursued (or no outcome reached and matter not proceeding)	\$1,800
Claim for <b>hearing aids only</b>	\$800
Where worker disputes PIAWE and issue resolved between worker and insurer (including on internal review or with WIRO intervention)	\$2,400
Threshold impairment dispute (s59A, s32A, s39, s60AA 1987 Act) [except s151H work injury damages threshold] notified to the insurer and accepted by insurer	\$3,000
Lump sum compensation claim (s66 and/or 67) resolved by Complying Agreement [Including industrial deafness lump sum compensation and hearing aids]	\$3,000
Other claim or dispute notified to the insurer and accepted by insurer	\$3,500
Other claim or dispute notified to the insurer and resolved between worker and insurer on internal review or with WIRO intervention	\$4,000
Lump sum claim <b>and</b> other claim or dispute notified to the insurer and resolved between worker and insurer including on internal review or with WIRO intervention	\$4,700

Stage 3   Resolutions in the WCC		
<b>Expedited assessments</b>		
Work Capacity Decision - <i>PIAWE only dispute</i> resolved by Interim Payment Direction	\$3,500	
Other matters resolved through the Expedited assessments pathway by Direction or Recommendation at or after teleconference	\$4,500	
<b>Medical assessment</b>		
Matters resolved by Medical Assessment Certificate (including threshold disputes)	\$4,500	
<b>Arbitrations</b>		
Matters resolved in WCC from registration up to and including initial teleconference	\$6,000	
Matters resolved in WCC after initial teleconference and before date of initial conciliation conference	\$6,500	
Matters resolved on date of initial conciliation conference and before arbitration hearing commences	\$7,000	
Matters resolved after arbitration hearing commences	\$7,500	
<b>Other Resolutions</b>		
Commutations including registration of agreement	\$3,500	
Stage 4   Appeals and Reconsiderations		
Appeal against decision of Arbitrator	\$3,000	
Referral of question of law to President	\$3,000	
Appeal against a Medical Assessment Certificate	Where no counsel briefed \$2,500	Where counsel briefed \$1,500
Reconsideration	\$1,000	

## DISBURSEMENTS

### Counsel's Fees

Early advice from counsel	\$500
Appearance at teleconference	\$1,000
Con/arb single allocation	\$1,600
Second counsel where original counsel not available on second or subsequent day of hearing	\$1,600
Full day hearing fee in WCC	\$3,000
Subsequent hearing allocation per hearing after first day	\$1,500
Written submissions ordered by an arbitrator	\$1,400
Advice or written submissions on arguable case for appeal to support full funding	\$500
Grounds of appeal and submissions on appeal from an arbitrator's decision	\$1,600
Hearing before Presidential Member	\$2,000
Grounds of appeal and submissions on appeal from a MAC	\$1,000

### Travel and Allowances

Type	Conditions	Maximum Rate/Fee
<b>Public transport</b>	Where appropriate form of transport	As charged
<b>Taxi or other metered fare</b>	Reasonable	As charged
<b>Air</b>	Economy or best available in certain circumstances	As charged
<b>Private motor vehicle</b>	Km rate only – no parking fee/tolls unless km rate not charged	0.65c per km Round trip
<b>Accommodation</b>	Where overnight stay is required - reasonable 3 star	Up to \$200 per night per room exclusive of GST (as a guide depending on location and availability)

<b>Sustenance</b>	<p>Only where total travel time per trip is in excess of four (4) hours or overnight stay is required</p> <p>Total travel time includes time taken to attend the 'appointment' or hearing</p>	<p>Up to \$35 per main meal</p> <p>Up to \$70 per day per person in total</p>
<b>Sundry or other expenses</b>		
Functional Capacity Assessment and report (also known as Functional Capacity Evaluation Reports) (where examination of worker takes place)	As per <i>Workplace Injury Management And Workers Compensation (Medical Examinations And Reports Fees) Order</i> <b>Complex report</b>	
Suitable Employment Assessment and report (also called Vocational Assessment Report) (where examination of worker takes place)	As per <i>Workplace Injury Management And Workers Compensation (Medical Examinations And Reports Fees) Order</i> <b>Complex report</b>	
Suitable Employment Assessment and report (also called Vocational Assessment Report) (where <b>no</b> examination of worker takes place)	As per <i>Workplace Injury Management And Workers Compensation (Medical Examinations And Reports Fees) Order</i> <b>Standard report</b>	

## LOADINGS

### *Motor Accidents Compensation Regulation 2015*

#### Schedule 1 Maximum costs for legal services

### 3 Country loadings

- (1) An advocate whose principal chambers or offices are in the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard in a town outside that area, to a loading for that town in accordance with the Table to this clause. If proceedings take place at 2 or more towns outside that area, the loading payable is that appropriate to the town that is the farther or farthest from those chambers or offices.
- (2) An advocate whose principal chambers or offices are in a town outside the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard in the Sydney Metropolitan area, to a loading for that town in accordance with the Table to this clause.
- (3) An advocate whose principal chambers or offices are in a town outside the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard at another such town, to a loading for that other town in accordance with the Table to this clause. If proceedings take place at 2 or more towns outside that area, the loading payable is that appropriate to the town that is the farther or farthest from those chambers or offices.
- (4) For the purposes of this clause, if a town is not included in the Table to this clause, the loading for that town is to be the loading for the nearest town that is so included.
- (5) If an advocate holds more than one brief in respect of proceedings heard at a place on any one day and a loading is applicable under this clause, the loading is to be divided equally between those briefs in respect of which an advocate's fees are awarded or payable.

**Table**

<b>Town</b>	<b>Maximum loading \$</b>	<b>Town</b>	<b>Maximum loading \$</b>
Albury	1,042	Katoomba	345
Armidale	956	Kempsey	906
Batemans Bay	954	Lismore	948
Bathurst	756	Lithgow	393
Bega	1,150	Maitland and East Maitland	592
Bourke	1,643	Moree	887
Broken Hill	1,774	Moruya	721
Byron Bay	948	Moss Vale	409
Campbelltown	91	Mudgee	705
Canberra and ACT	757	Murwillumbah	1,096
Casino	1,074	Muswellbrook	627
Cessnock	592	Narrabri	823

Cobar	1,511	Narrandera	818
Coffs Harbour	841	Newcastle	592
Condobolin	1,281	Nowra	592
Cooma	1,270	Nyngan	1,407
Coonamble	1,225	Orange	674
Cootamundra	868	Parkes	912
Cowra	669	Penrith	91
Deniliquin	1,119	Port Macquarie	764
Dubbo	886	Queanbeyan	757
Forbes	886	Singleton	910
Glen Innes	841	Tamworth	882
Gosford	254	Taree	705
Goulburn	625	Tweed Heads	1,028
Grafton	1,030	Wagga Wagga	783
Griffith	847	Wentworth	1,662
Gundagai	994	Wollongong	375
Gunnedah	980	Yass	666
Hay	1,096	Young	868
Inverell	984		

#### **4 Interstate loadings**

- (1) An advocate whose principal chambers or offices are in New South Wales is entitled, in respect of proceedings heard or partially heard in another State or Territory, to such reasonable loading as is determined by the court or the claims assessor.
- (2) If an advocate holds more than one brief in respect of proceedings heard at a place on any one day and a court or assessor determines that a loading is applicable under this clause, the loading is to be divided equally between those briefs in respect of which an advocate's fees are awarded or payable.