

Powers of Practice and Procedure

1.0 This Practice Direction:

- sets out the Tribunal's general authority to control its practice and procedure
- sets out the Vice-Chair/Panel's authority to control the proceedings in cases they are hearing.

2.0 Workplace Safety and Insurance Act, section 131

2.1 Under section 131 of the *Workplace Safety and Insurance Act* (the Act), the Appeals Tribunal shall determine its own practice and procedure in relation to appeals, applications, proceedings and mediations. The Tribunal has exercised its powers of practice and procedure under section 131 to adopt Practice Directions and Practice Guidelines.

2.2 In the event of a conflict between a Practice Direction and a Guideline, the Practice Direction prevails.

3.0 Effective Date of Practice Directions

3.1 Current Practice Directions are available on the Tribunal's website: www.wsiat.on.ca. Earlier Practice Directions are archived and available from the Tribunal's Library.

3.2 A Practice Direction takes effect on the date indicated on the Practice Direction. An amendment to a Practice Direction similarly takes effect on the date indicated on the amendment to the Practice Direction.

3.3 A more recent Practice Direction on the same subject repeals and replaces an earlier Practice Direction.

3.4 If a Practice Direction is adopted, amended or repealed and replaced during the course of a Tribunal proceeding, the Vice-Chair/Panel may make any rulings necessary to ensure fair process.

4.0 Control of Proceedings

4.1 In appropriate circumstances, the Vice-Chair/Panel may waive or modify any provision included in a Practice Direction.

4.2 The Vice-Chair/Panel may make any rulings necessary to control the proceedings and prevent abuse of process.

5.0 Other

5.1 The Tribunal may issue Practice Guidelines from time to time. These Guidelines and other information on how to prepare for appeals and applications are found on the Tribunal's website: **www.wsiat.on.ca**.

Dated at Toronto, Ontario this first day of October, 2007
Workplace Safety and Insurance Appeals Tribunal
I.J. Strachan, Tribunal Chair