

Decision of the Chair, Workers' Compensation Appeal Tribunal

Number: 5
Date: April 29, 2004
Subject: Manual of Rules, Practices and Procedures

1. In Decision of the Chair No. 4, a revised *Manual of Rules, Practices and Procedures* (MRPP) dated March 29, 2004, was approved as an amendment and replacement of the MRPP effective March 29, 2004.
2. To correct an error in the text, item #5.31 of the MRPP is now amended to insert "30 or" before each reference to a 90-day time limit:

Additionally, in considering whether acts and omissions of representatives constitute special circumstances that precluded the filing of the appeal on time, WCAT will take into account the following factors (see *WCAT Decision #2003-04175*):

- (a) whether there is evidence that the party intended to request a review within the 30 or 90-day time limit through instructing the representative to do so;
 - (b) whether there is evidence that the party gave instructions promptly (early in the 30 or 90-day period);
 - (c) whether the party followed up with the representative within the 30 or 90-day time limit to ensure that the representative acted in accordance with the party's instructions;
3. These rules, practices and procedures remain in effect until their amendment, replacement or revocation by the chair.

Jill Callan
Chair, Workers' Compensation Appeal Tribunal

Signed at Richmond, British Columbia, this 29th day of April, 2004.