



Practice Direction #31

Powers of Practice and Procedure

1.0 This Practice Direction explains

- the WSIAT's general authority to control its practices and procedures
- the Vice-Chair's or Panel's authority to control the proceedings in cases they are hearing

2.0 Section 131 of the *Workplace Safety and Insurance Act, 1997*

2.1 The WSIAT determines its own practices and procedures for

- appeals
- applications
- proceedings
- mediations

This is under section 131 of the *Workplace Safety and Insurance Act, 1997*.

2.2 The WSIAT exercises this power of practice and procedure to adopt Practice Directions and Practice Guidelines.

2.3 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 WSIAT website – www.wsiat.on.ca. Earlier versions of Practice Directions are archived. They are available from the WSIAT library.

3.2 A Practice Direction takes effect on the date found on the bottom of the Practice Direction. An amendment to a Practice Direction takes effect on the date of the amendment to the Practice Direction.

3.3 The most current Practice Direction on the same subject replaces older versions.

3.4 The Vice-Chair or Panel can make rulings to ensure a fair process if, during a proceeding, a Practice Direction is

- adopted
- amended
- repealed or replaced

4.0 Control of Proceedings

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

4.2 The Vice-Chair or Panel can make any rulings necessary to

- control the proceedings
- prevent abuse of process

5.0 Practice Guidelines

5.1 The WSIAT may issue Practice Guidelines from time to time.

6.0 References and Resources

6.1 Legislative Authority

Workplace Safety and Insurance Act, 1997, section 131 (the WSIAT can determine its own practice and procedure)