



Dispute Resolution Service Division

Motor Accident Electronic Dispute Management System

Online User Protocol

COMMENCEMENT

1. This Protocol commences on 1 July 2020.

APPLICATION

2. This Protocol sets out information and requirements for use of an Electronic Dispute Management System in accordance with Part 7 of the Motor Accident Guidelines: Dispute Resolution.
3. This Protocol applies to all CTP disputes lodged with DRS under the Motor Accident Injuries Act 2017 and the Motor Accidents Compensation Act 1999.

DEFINITIONS

4. In this Protocol:

Claimant means a person who makes or is entitled to make a claim

CTP means Compulsory Third Party

DRS means the Dispute Resolution Service

EDMS means DRS's Electronic Dispute Management System

Legal Representative means a legal practitioner representing an insurer or a claimant.

AUTHORITIES

5. This Protocol is issued in accordance with:
 - Part 7 of the Motor Accident Guidelines: Dispute Resolution;
 - Chapter 7 of the Medical Assessment Guidelines; and
 - Chapter 7 of the Claims Assessment Guidelines.

CONDITIONS OF USE

Who can use the EDMS?

6. To be entitled to use the EDMS, the user must be a party to a DRS CTP dispute, or a legal or authorised personal representative to a party to that dispute.
7. For a legal representative firm, at least one member of that firm must be a registered legal practitioner.
8. Any request to be an approved legal representative in the Portal will be actioned within 1 working day.
9. Any request by an Insurer to be authorised to use the system must be in writing to drsenquiries@sira.nsw.gov.au.

Using the Portals

10. Insurers are required to lodge, respond and communicate through the Insurer Portal.
11. Legal representatives are required to lodge, respond and communicate through the Legal Portal when acting on behalf of an Insurer or a Claimant.
12. Claimants without legal representation are encouraged to lodge, respond and communicate through the Claimant Portal. If they are unable to use the Portal, they may lodge documents with DRS by email, post, telephone or in person.
13. Claimants without legal representation are required to access the Claimant Portal through their Service NSW online account.
14. The content of any correspondence between the parties and/or their clients will be maintained in the system and be available to DRS staff.
15. Insurers and Legal Firms need to manage their own internal users. Each Insurer and Legal Firm will be given an Administrator login who will activate and deactivate their own users, create new users, reset passwords and manage their EDMS account.
16. User Guides are available in both the Insurer and Legal Portals.

Documentation and Supporting Evidence

Receipt and Acknowledgment

17. The applicant will receive an automatic receipt of their application once lodged.
18. Any document that is lodged in the EDMS is considered to be lodged at the date and time it is submitted in the Portal.

19. The respondent to the application will be notified of the application when a reply is requested.
20. The Application and Reply Forms in the EDMS replace all previously required paper forms. No paper forms need to be submitted unless they are specifically requested.
21. If documents are lodged in the Portal and the other party is either an Insurer or a Legal Representative, they are deemed to be exchanged with the other party, and no further exchange is required.

Supporting Documentation

Uploading and naming of individual documents

22. All documents are to be uploaded as separate documents and categorised in accordance with the requirements of the EDMS.
23. Documents which have already been uploaded to the EDMS are not to be uploaded again.
24. Parties are required to indicate which dispute each document relates to; this can be done by selecting the dispute or disputes in the upload component.
25. Any mandatory documents required under the individual dispute types in the 1999 scheme must be uploaded with the application or reply. If they are not, the application may be rejected.

Document Size

26. The system will allow users to upload up to a maximum of 5GB.

Draft Documents

27. Any documents in draft form in the Portal are not viewable by other users and will be automatically deleted after 60 days of creation.

Format of Documents

28. Documents must be clearly written, typed or reproduced in English.
29. Where a document is lodged that would otherwise require a signature, it is taken to have been signed by that person if their name is printed where their signature would have otherwise appeared. The ticking of a declaration and submitting the application or reply is also taken to have been signed by that person.
30. DRS will accept files in all formats. The EDM supports all file types.
31. When uploading a PDF which is password protected, the user should include the password in the description of the document.

Additional Documentation or Urgent Requests/Cancellations

32. Additional documents will be considered in accordance with the provisions of the relevant Medical, Claims and Motor Accidents Guidelines:

[Medical Assessment Guidelines](#)

[Claims Assessment Guidelines](#)

[Motor Accidents Guidelines](#)

33. For any urgent requests or late cancellation of arranged appointments, contact the Case Owner directly.

34. Requests for the expedition of an assessment of a dispute can be made through the Communications feature of the online Portal, or by noting the unique circumstances in the application.



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