

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

NO S98 OF 2013

BETWEEN:

COMCARE

Appellant

AND:

PVYW

Respondent

APPELLANT'S CHRONOLOGY



Filed on behalf of the Appellant by:

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PART I

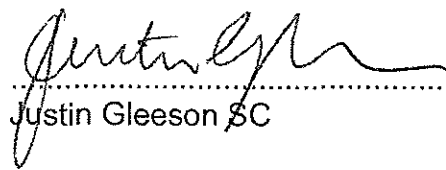
1. I certify that this chronology is in a form suitable for publication on the internet.

PART II

2. 01.04.1971 The Respondent's date of birth.
3. November 2007 The Respondent commenced employment with a Commonwealth agency.
4. 26.11.2007 The Respondent was instructed to visit her employer's office in Nowra with a work colleague to do budget reviews, provide training and meet local staff. The Respondent stayed in a motel that evening. Her accommodation was booked and paid for by her employer.
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5. 26.11.2007 The Respondent sustained injuries to her nose, mouth and front tooth while she was in the motel room. At the time she sustained the injuries, the Respondent was having sex with TA, an acquaintance from Nowra, and the glass light fitting above the bed was pulled from its mount and struck the Respondent on the nose and mouth.
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6. 28.11.2007 The Respondent submitted a Claim for Workers' Compensation to the Appellant.
7. 14.01.2008 Determination issued. Appellant accepted liability to pay compensation pursuant to section 14 of the *Safety, Rehabilitation and Compensation Act 1988* in respect of 'broken tooth (right) and open wound of nose, without complication'.
8. 21.01.2010 Reviewable Decision issued. Appellant revoked determination dated 14.01.2008. Liability to pay compensation denied for 'broken tooth (right), open wound of nose, without complication and adjustment reaction with mixed emotional features' (**the injuries**).
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9. 25.01.2010 Application for Review of Decision dated 21.01.2010 lodged with Administrative Appeals Tribunal.
10. 01.11.2010 Hearing before Administrative Appeals Tribunal.

11. 26.11.2010 Administrative Appeals Tribunal Decision published. The Tribunal decided the Appellant was not liable to pay compensation to the Respondent pursuant to section 14 of the *Safety, Rehabilitation and Compensation Act 1988* in respect of the injuries. As such, the reviewable decision dated 21.01.2010 was affirmed.
12. 15.12.2010 Notice of Appeal lodged in Federal Court of Australia.
- 10 13. 27.07.2011 Hearing in the Federal Court of Australia before Nicholas J.
14. 19.04.2012 Judgment of Nicholas J handed down. Decision of Tribunal set aside.
15. 10.05.2012 Notice of Appeal lodged in the Full Court of the Federal Court of Australia.
16. 28.11.2012 Hearing in the Full Court of the Federal Court of Australia before Keane CJ, Buchanan and Bromberg JJ.
17. 13.12.2012 Judgment of Keane CJ, Buchanan and Bromberg JJ handed down. Appellant's appeal dismissed.

20 Date of filing: 17 June 2013


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