

STEWART
v
SECRETARY, DEPARTMENT OF COMMUNITIES AND JUSTICE ABN
36433875185
[2024] HCASL 239
S65/2024

- 1 The applicant requires an extension of time within which to seek special leave to appeal from a decision of the Court of Appeal of the Supreme Court of New South Wales (Leeming JA and Griffiths A-JA; Stern JA dissenting) which allowed an appeal and overturned the decision of the Personal Injury Commission of New South Wales (Deputy President Wood). The application concerns the interpretation of r 8E(1)(b) of the *Workers Compensation Regulation 2016* (NSW), a provision the meaning of which depends upon a legislative context unique to New South Wales. That regulation will sunset on 1 September 2024 under s 10 of the *Subordinate Legislation Act 1989* (NSW).
- 2 In these circumstances the application does not raise an issue of sufficient general importance to warrant the grant of special leave to appeal. Accordingly, it would be futile to grant an extension of time.
- 3 Special leave to appeal is refused.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

5 September 2024