

**Schedule**

**Form 1**

(Reg. 3)

**NOTICE OF APPEAL FROM DECISION OF PRESIDENT, FULL BENCH OR COMMISSION IN COURT SESSION OF THE WESTERN AUSTRALIAN INDUSTRIAL COMMISSION OR INDUSTRIAL MAGISTRATE'S COURT**

In the Western Australian Industrial Appeal Court.

No.....of 19.....

On Appeal from \*.....

Between.....

.....

.....

and

.....

....., Respondent

TAKE notice that.....

.....,

the abovenamed Appellant, hereby appeals against the decision of the President/Full Bench/Commission in Court Session of The Western Australian Industrial Commission/industrial magistrate's court held at.....

.....numbered No.....of 19....., dated the..... day of....., 19....., given in the abovementioned matter.

The following are the matters appealed against: —

.....

.....

.....

.....

.....

.....

(Here set out whether the appeal is against the whole of the decision, award, or order, or against only part thereof, in the latter case specifying the part or parts appealed against.)

The grounds on which this appeal is made are as follows: —

.....

.....

.....  
.....  
.....  
.....

(Here set out with particularity the grounds of the Appeal.)

Dated at.....this.....day of.....19.....

.....  
Appellant  
(or Solicitor for Appellant)

\* Name of authority from which the appeal is brought.

This notice of appeal was received in my office on the.....  
day of....., 19.....

.....  
Clerk of the Court.

**Form 2**

(Reg. 4)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

To

IN THE MATTER OF.....

.....

.....

Between

.....

.....Appellan  
t

and

.....

.....Respondent

**NOTICE OF HEARING**

Take notice that the Court will sit at.....

.....

on the.....day of....., 19.....,

at.....o'clock in the.....noon to hear the abovementioned matter.

Dated at.....this.....day of.....19.....

.....  
Clerk of the Court

**Form 3**

(Reg. 7)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

To

IN THE MATTER OF.....  
.....  
.....

Between

.....Appellant

and

.....Respondent

NOTICE OF MOTION

Take notice that this Honourable Court will be moved by.....

acting herein on behalf of.....

on.....the.....day of....., 19.....,  
or so soon thereafter as he may be heard, for an order that.....

Dated at.....this.....day of.....19.....

.....  
Complainant  
(or Solicitor for Complainant)

Filed in my office this.....day of....., 19.....

.....  
Clerk of the Court

**Form 4**

(Reg. 9)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

IN THE MATTER OF\*.....  
.....  
.....  
.....

\* State nature of proceedings.

**DECLARATION OF SERVICE**

I.....  
(Full name in Block Letters)

of.....in the State of  
(Address)

Western Australia.....do solemnly and  
(Occupation)

sincerely declare that on the.....day of.....19.....,  
I did serve.....

(Description of documents served)

upon.....  
(Name of person or party served)

by.....  
(State method of service — refer Reg 8)

at.....  
(Place of service or in case of service by post address of person or party served)

And I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*.

Declared at.....  
in the State of Western Australia, this  
.....day of.....  
19.....  
before me—  
.....  
Clerk of the Court, J.P., Commissioner  
for Declarations or other authorised  
persons.



.....

Filed in my office this.....day of....., 19.....

.....

Clerk of the Court

**Form 5**

(Reg. 10)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

IN THE MATTER OF (state matter in which the proceedings are taken).....

.....  
.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

TITLE OF PROCEEDINGS

**Form 6**

(Reg. 15)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

To

IN THE MATTER OF.....

.....  
.....  
.....

Between

.....  
.....  
Appellant  
and

.....  
.....  
Respondent

SUMMONS

You are hereby summoned to appear before the Presiding Judge of this Honourable Court at.....

.....  
on.....the.....day of.....19.....  
at.....o'clock in the.....noon or so soon thereafter as the Presiding Judge may hear this summons upon the application of.....

.....  
.....  
for an order that.....  
.....  
.....  
.....

Dated at.....this.....day of.....19.....

.....  
Clerk of the Court



**Form 7**

(Reg. 18)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

IN THE MATTER OF.....

.....  
.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

**PRAECIPE FOR WARRANT OF EXECUTION OR COMMITMENT**

PLEASE ISSUE a Warrant of Execution (or Commitment) against the abovenamed appellant (or respondent) for the sum of \$.....as under, being the amount of Order or part of same made the.....day of....., 19....., before the Western Australian Industrial Appeal Court at.....

Dated at.....this.....day of.....19.....

.....  
Appellant or Respondent

\$.....

Amount directed to be paid under order or judgment .

Paid into Court.....

Remaining due.....

\$

\_\_\_\_\_

Received at.....am./pm. on the.....day of.....19.....

Warrant issued...../...../19.....

.....  
Clerk of the Court

**Form 8**

(Reg. 18)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

Address  
to the  
Sheriff            To  
of Western  
Australia.

IN THE MATTER OF.....

.....  
.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

WARRANT OF EXECUTION (AGAINST RESPONDENT OR DEFENDANT)

WHEREAS on the.....day of....., 19.....,

the (1).....obtained an order (or judgment) in this Court against the (2).....for payment of the sum of \$.....for penalty and costs, and it was thereupon ordered by the Court that the (2)..... should pay the same to the (1).....forthwith (or on the .....day of....., 19.....). And whereas default has been made in payment according to the said order (or judgment), these are therefore to require and order you forthwith to make and levy by distress and sale of the goods of the (2)..... wheresoever they may be found (excepting so much of the goods of the (2).....as are protected from seizure under the Local Court Act 1904) the sum stated at the foot of this warrant being the amount due to the (1)..... under the said order (or judgment) including the costs of this execution; and to pay what sum you shall have so levied to the Clerk, and make return of what you have done under this warrant immediately upon the execution thereof.

Dated at.....this.....day of.....19.....

By the Court,

..... Clerk of the Court

\$.....

Amount directed to be paid under order (or judgment)

Paid into Court.....

Remaining due.....

Fee for issuing this warrant with Sheriffs' fee for executing this warrant.....

Total amount to be levied \$

Note. — The goods are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature, or at the request of the respondent or defendant.

Application was made to the Clerk of the Court for this warrant..... minutes past the hour of.....in the.....noon of the..... day of....., 19.....

..... Clerk of the Court

- (1) Applicant or complainant.
- (2) Respondent or defendant.

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No.....of 19.....

IN THE MATTER OF.....

.....  
.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

WARRANT OF COMMITMENT FOR WANT OF EXECUTION



TO the principal police officer at.....in the State of Western Australia and to all other police officers in the said State and to the Superintendent of Her Majesty's Prison at.....in the said State.

Whereas....., of.....in the State of Western Australia was on the.....day of.....19....., convicted before the Court at.....for that he did\*.....

.....  
.....

and it was adjudged that the said for his said offence should forfeit and pay the sum of \$....., and should pay to the said.....the sum of \$.....costs.

And whereas a warrant of execution was issued against the said.....  
and the officer entrusted with its execution has returned the warrant with a report  
that he was unable to find sufficient goods and chattels of the said.....  
whereon to pay the sum therein mentioned which said sums (or \$.....  
being portion thereof) still remain due and owing.

These are therefore to command you the said Police Officers to apprehend the  
said.....and convey him to the Prison  
at.....aforesaid, and deliver him to the  
Superintendent thereof together with this warrant, and you the said  
Superintendent of the said Prison are hereby commanded to receive the  
said.....into your custody in the said Prison there to imprison  
him (and keep him to hard labour) for the term  
of.....unless the said several sums and the costs and  
charges of conveying him to the said Prison amounting to the further sum of  
\$.....are sooner paid.

Provided that if the said.....shall pay  
any portion of the total amount (namely, \$.....) payable under this  
warrant, then the period of imprisonment shall be thereby reduced by a period  
which shall bear the same ratio to the period of imprisonment as the portion paid  
bears to the total payable, and the prisoner is to be released on the expiry of the  
reduced period, and in calculating any such reduction fractional parts of days are  
to be disregarded.

Dated at.....this.....day of.....19.....

By the Court,

(Seal)

.....  
Presiding Judge

The total amount payable under this warrant is \$..... made up as  
follows: —

	\$.....
Amount ordered to be paid . . . . .	
Since paid . . . . .	_____
Remaining due . . . . .	
Costs and charges this warrant . . . . .	_____
Total	\$ _____

\* State offence for which convicted

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No.....of 19.....

IN THE MATTER OF.....

.....  
.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

WARRANT OF COMMITMENT

To all police officers in the State of Western Australia, and to the Superintendent of Her Majesty's Prison at....., in the said State.

Whereas.....of.....

.....  
in the said State was on the.....day of  
....., 19....., convicted before the Court for that he did

\*.....

..... and it was adjudged by the Court that the  
said.....

..... for his said offence should be imprisoned  
for the term of.....

These are therefore to command you the said police officers to apprehend the said  
.....and convey him to the Prison at.....  
aforesaid and deliver him to the Superintendent thereof together with this  
Warrant, and you the said Superintendent of the said Prison are hereby  
commanded to receive the said.....into



your custody in the said Prison there to imprison him for the term  
of.....

Dated at.....this.....day of.....19.....

\*State offence.

By the Court,

.....  
Presiding Judge

(Seal)

**Form 11**

(Reg. 19)

*Industrial Relations Act 1979*

**IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT**

No.....of 19.....

Address  
to the  
Clerk of            To  
the Court

IN THE MATTER OF.....

.....  
.....

Between

.....  
.....

Appellant

and

.....  
.....

Respondent

**GAOLER'S RECEIPT FOR PRISONER**

I hereby certify that I have this day received from.....  
police officer of.....  
in the State of Western Australia, the body of.....  
in good health (or as the case may be).....  
together with a warrant of commitment directing the imprisonment of the said  
.....issued out of the  
Western Australian Industrial Appeal Court of the said State.

Dated at . . . . . this . . . . . day of . . . . . 19 . . . .

.....  
Superintendent of the Prison

*[Schedule amended by Gazette 22 April 1994 p.1668.]*

