

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 20.....

On Appeal from *

Between

....., Appellant

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 20....., dated the day of, 20....., 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 20.....

.....

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, 20.....

.....

Clerk of the Court.

Form 2

(Reg. 4)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

To

IN THE MATTER OF.....

Between

Appellant.

and

Respondent.

NOTICE OF HEARING

Take notice that the Court will sit at

on the day of, 20.....,
at o'clock in the noon to hear the abovementioned
matter.

Dated at this day of 20.....

.....
Clerk of the Court.

Form 3

(Reg. 7)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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, 20.....,

or so soon thereafter as he may be heard, for an order that

Dated at this day of 20.....

Complainant
(or Solicitor for Complainant)

Filed in my office this.....day of....., 20.....

Clerk of the Court.

Form 4

(Reg. 9)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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 20.....,
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
20.....

before me—
.....

.....
Clerk of the Court, J.P., Commissioner
for Declarations or other authorised
persons.

Filed in my office this day of, 20.....

..... |
Clerk of the Court.

|

Form 5

(Reg. 10)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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 20.....

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 20....., at o'clock in thenoon 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 20.....

Clerk of the Court.

Form 7

(Reg. 18)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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, 20....., before the Western Australian Industrial Appeal Court at

Dated at thisday of 20.....

.....

Appellant or Respondent.

\$

Amount directed to be paid under order or judgment

Paid into Court

Remaining due

\$

Received at a.m./p.m. on the day of 20.....

Warrant issued/...../20.....

.....

Clerk of the Court.

Form 8

(Reg. 18)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

Address
to the
Sheriff
of Western
Australia.

To

IN THE MATTER OF

.....
.....

Between

.....
.....

Appellant.

and

.....
.....

Respondent.

WARRANT OF EXECUTION (AGAINST RESPONDENT OR DEFENDANT)

WHEREAS on the day of, 20.....,
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, 20.....). 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 Courts 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 20.....

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 5 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 thenoon of the day of, 20.....

.....
Clerk of the Court.

(1) Applicant or complainant.

(2) Respondent or defendant.

Form 9

(Reg. 19)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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 20....., 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..... 20.....

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

Form 10

(Reg. 19)

Industrial Relations Act 1979

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT

No. of 20.....

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
20....., 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 20.....

*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 20.....

Address
to the
Clerk of
the Court.

To

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 20.....

.....

Superintendent of the Prison.

[Schedule amended in Gazette 2 Jul 1982 p. 2383; 22 Apr 1994 p. 1668.]