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Industrial Relations Act 1979

Industrial Relations Commission Amendment Regulations 2014

Made by the Chief Commissioner of The Western Australian Industrial Relations Commission after consulting the members of the Commission.

1. Citation

These regulations are the *Industrial Relations Commission Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Industrial Relations Commission Regulations 2005*.

4. Regulation 14 replaced

Delete regulation 14 and insert:

14. Notice of answer

A notice of answer must be in the form of Form 5 and must specify with particularity the answer and the basis on which it is given.

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5. Regulation 48 amended

In regulation 48(5) and (6) delete “and counter-proposal”.

6. Regulation 50 amended

In regulation 50(6) and (7) delete “and counter-proposal”.

7. Regulation 61 amended

In regulation 61(4) and (5) delete “and counter-proposal”.

8. Regulation 99D amended

(1) Delete regulation 99D(6) and insert:

(6) A notice of answer must be in the form of Form 5 and must specify with particularity the answer and the basis on which it is given.

(2) In regulation 99D(9) delete “answer and counter-proposal,” and insert:

answer,

9. Schedule 1 amended

(1) In Schedule 1 delete Forms 1 to 3 and insert:

Form 1 — Notice of application (general)

[r. 13, 27(3), 58, 59(1), 73(1) and (2), 82(8), 102(7), 103(9)
and 104(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

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To:
.....
.....

(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

NOTE 1: It is important to correctly state the full name of an employer. If an employer in this matter is a trading, financial or foreign corporation the Commission may not have jurisdiction to deal with the matter. If known, please indicate whether the employer is one of the following:

- Company Incorporated association Trust
- Unincorporated (e.g. sole trader, partnership or other)
- State government agency Other

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of applicant/s — attach schedule if more space is needed)

has this day applied to the

- Commission Public Service Arbitrator
- Public Service Appeal Board
- (other)

For:
(examples: an order / a conference / registration of a new agreement / issuance of a new award)

The grounds on which the application is made are:

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

(give details or attach schedule if more space is needed)

.....
.....
(signature of applicant/s)

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NOTE 2: For endorsements, see the back of this form.

NOTE 3: This form must be completed and signed by the applicant, and a written statement of claim or other adequate description of the subject matter of the application must be attached.

NOTE 4: The fee payable with this application must be paid at the time it is filed, or within 7 days of filing, or the application will not proceed.

NOTE 5: Unless the Commission otherwise directs, after the notice is filed, the applicant must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

NOTE 6: Where service is to be effected outside WA, Form 4 of the *Service and Execution of Process Regulations 1993* (Commonwealth) is required to be attached to the application.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 2 — Notice of claim of harsh, oppressive or unfair dismissal

[r. 61(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....
.....

(name, street address and telephone number of employer — attach schedule if more space is needed)

NOTE 1: It is important to correctly state the full name of the employer. If the employer in this matter is a trading, financial or foreign corporation the

Industrial Relations Commission Amendment Regulations 2014

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Commission may not have jurisdiction to deal with the matter. If known, please indicate whether the employer is one of the following:

- Company Incorporated association Trust
- Unincorporated (e.g. sole trader, partnership or other)
- State government agency Other

TAKE NOTICE THAT

.....

.....

.....

(name, street address and telephone number of applicant/s — attach schedule if more space is needed)

has this day claimed to have been harshly, oppressively or unfairly dismissed for the reasons set out in the attached statement and has applied to the Commission for an order of reinstatement or compensation.

.....
(signature of applicant)

- NOTE 2: For endorsements, see the back of this form.
- NOTE 3: This form must be completed and signed by the applicant, and a written statement of claim or other adequate description of the subject matter of the application must be attached.
- NOTE 4: The fee payable with this application must be paid at the time it is filed, or within 7 days of filing, or the application will not proceed.
- NOTE 5: Unless the Commission otherwise directs, after the notice is filed, the applicant must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.
- NOTE 6: If the employer desires to contest the claim, the employer must file and serve on the applicant a Form 5 Notice of answer and answering statement within 21 days of being served with this notice. There is no fee payable.
- NOTE 7: Where service is to be effected outside WA, Form 4 of the *Service and Execution of Process Regulations 1993* (Commonwealth) is required to be attached to the application.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

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Form 3 — Notice of claim of entitlement to a benefit under a contract of employment

[r. 61(2)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....
.....

(name, street address and telephone number of employer — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of applicant/s — attach schedule if more space is needed)

has this day made a claim that he or she has not been allowed by you a benefit to which he or she is entitled under his or her contract of employment. The claim and the reasons why it is claimed are set out in the attached schedule.

.....
.....
(signature of applicant/s)

- NOTE 1: For endorsements, see the back of this form.
- NOTE 2: This form must be completed and signed by the applicant/s, and a written statement of claim or other adequate description of the subject matter of the application must be attached.
- NOTE 3: The fee payable with this application must be paid at the time it is filed, or within 7 days of filing, or the application will not proceed.
- NOTE 4: Unless the Commission otherwise directs, after the notice is filed, the applicant/s must serve (e.g. by posting or delivering it to the person

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personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

NOTE 5: If the employer desires to contest the claim, the employer must file and serve on the applicant a Form 5 Notice of answer and answering statement within 21 days of being served with this notice. There is no fee payable.

NOTE 6: Where service is to be effected outside WA, Form 4 of the *Service and Execution of Process Regulations 1993* (Commonwealth) is required to be attached to the application.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

- (2) In Schedule 1 Form 4 delete “**Statutory declaration of service**”.
- (3) Delete Schedule 1 Forms 5 to 14 and insert:

Form 5 — Notice of answer

[r. 14, 48(5), 50(6), 61(4) and 99D(6)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....

(name, street address and telephone number of applicant/s — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

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has this day filed an answer to the application or claim made by you in the above number matter.

The particulars to the answer are:

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

(attach schedule if more space is needed)

.....
.....
(signature of respondent/s)

NOTE 1: It is important to correctly state the full name of the respondent/s.

NOTE 2: This form must be completed and signed by the respondent/s and, where necessary, sealed and an answering statement admitting or disputing each claim made by the applicant/s must be attached.

NOTE 3: Unless the Commission otherwise directs, after the notice is filed, the respondent/s must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each applicant as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 6 — Notice of retirement from agreement

[r. 56(a)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

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To:
.....
.....
.....

(name, street address and telephone number of party/parties to whom notice is directed — attach schedule if more space is needed)

TAKE NOTICE THAT

(name, street address and telephone number of party giving notice)

being a party to registered industrial agreement number of 20..... has this day given notice of intention to retire from and cease to be a party to the said agreement at the expiration of 30 days from the date of this notice.

.....
(signature of party giving notice)

NOTE 1: This notice signifying intention to retire from an industrial agreement must be completed by the person giving such notice, signed and where necessary sealed by him or her.

NOTE 2: Unless the Commission otherwise directs, after the notice is filed, the person who filed it must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each other party as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 7 — Notice of referral to the Occupational Safety and Health Tribunal

[r. 96(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission sitting as the Occupational Safety and Health Tribunal

No. OSHT..... of 20.....

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To:
.....
.....

(name, street address and telephone number of employer or respondent/s
if applicable — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of applicant — attach
schedule if more space is needed)

has this day referred to the Tribunal:

.....
.....

(state nature of matter e.g. review, appeal, claim)

The grounds on which the referral is made are:

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

(give details — attach schedule if more space is needed)

.....
(signature/seal of applicant or signature
of applicant's solicitor or agent)

NOTE: For endorsements, see the back of this form.

(Stamp of Commission)

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Form 7A — Notice of referral to the Road Freight Transport Industry Tribunal

[r. 99B]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission sitting as the
Road Freight Transport Industry Tribunal

No. RFT of 20.....

To:
.....
.....

(name, street address and telephone number of respondent/s if applicable — attach schedule if more space is needed)

TAKE NOTICE THAT

(state name, street address and telephone number of applicant — the categories of persons who may refer a dispute or matter are set out in the *Owner-Drivers (Contracts and Disputes) Act 2007* section 40)

has this day referred to the Tribunal:

(state nature of dispute or matter and identify whether the dispute or matter arises under the *Owner-Drivers (Contracts and Disputes) Act 2007* section 40(a), (b) or (c) or more than one of those paragraphs)

The grounds on which the referral is made are:

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

(state the name, street address and telephone number of owner-driver and of hirer (if not set out above) and the details of the claim, including any relevant terms of the owner-driver contract; or any relevant terms of the code of conduct alleged to be breached; or any alleged circumstances of a breach of the *Owner-Drivers (Contracts and Disputes) Act 2007*; or any relevant conduct complained of in respect of negotiations for an owner-driver contract — attach schedule if more space is needed)

(signature/seal of applicant or signature of applicant's solicitor or agent)

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NOTE: Unless the Commission otherwise directs, after the notice is filed, the applicant must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 8 — Notice of appeal from Board of Reference

[r. 118(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....

(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of appellant/s — attach schedule if more space is needed)

has this day instituted an appeal to the Commission in Court Session against the decision given on the day of 20

by the Board of Reference constituted for the purposes of

.....
(state name and number of award, order or General Order)

Industrial Relations Commission Amendment Regulations 2014

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in respect of:

.....
.....

(state briefly the subject matter of the Board's decision)

on the ground/s set forth in the attached schedule.

.....
.....

(signature of appellant/s)

NOTE 1: This form must be completed and signed by the appellant/s and, where necessary, sealed by him or her and a statement of the grounds of appeal must be attached.

NOTE 2: Unless the Commission otherwise directs, after the notice is filed, the appellant/s must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each other party before the Board of Reference or on the solicitor or agent who represented that party as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 9A — Notice of appeal under *Vocational Education and Training Act 1996*

[r. 101(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....

(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

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TAKE NOTICE THAT

(name, street address and telephone number of appellant/s — attach schedule if more space is needed)

has this day instituted an appeal to the Commission against the decision given on the day of 20.....

by the chief executive officer of the department principally assisting the Minister to administer the *Vocational Education and Training Act 1996*

or

(state title of person who gave decision)

in respect of:

(state briefly the subject matter of the decision)

on the ground/s set out in the attached schedule.

(signature of appellant/s)

NOTE: This form must be completed and signed by the appellant/s and, where necessary, sealed by him or her and a statement of the grounds of appeal must be attached.

(Stamp of Commission)

Form 9B — Notice of review of a decision of the Construction Industry Long Service Leave Payments Board

[r. 102A(2)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Industrial Relations Commission Amendment Regulations 2014

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To: The Construction Industry Long Service Leave Payments Board

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

(name, street address and telephone number of respondent/s — attach
schedule if more space is needed)

TAKE NOTICE THAT

.....
(name, street address and telephone number of applicant)

has this day referred the decision of the Construction Industry Long Service Leave
Payments Board

.....
(give details of the decision)

given on the day of 20.....

for review to the Commission under the *Construction Industry Portable Paid Long
Service Leave Act 1985* section 50 on the following grounds:

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

(attach schedule if more space is needed)

.....
(signature of applicant)

NOTE: Unless the Commission otherwise directs, after the notice is filed, the
applicant must serve (e.g. by posting or delivering it to the person
personally) a stamped copy, together with its attachments, on each
respondent as soon as reasonably practicable and file a Form 4 statutory
declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at
www.wairc.wa.gov.au.

(Stamp of Commission)

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Form 9 — Notice of appeal to Full Bench

[r. 99 and 102(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....

(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....

(name, street address and telephone number of appellant/s — attach schedule if more space is needed)

has this day instituted an appeal against the decision of the:

- Commission Public Service Arbitrator Industrial Magistrates Court
- Occupational Safety and Health Tribunal
- Road Freight Transport Industry Tribunal
- (other).....

in matter numbered of or the following parts or parts of that decision namely:

.....

on the ground/s set forth in the attached schedule.

.....
.....
(signature of appellant/s)

NOTE 1: For endorsements, see the back of this form.

NOTE 2: The fee payable with this notice must be paid at the time it is filed.

Industrial Relations Commission Amendment Regulations 2014**r. 9**

NOTE 3: This form must be completed and signed by the appellant/s and, where necessary, sealed by him or her and a statement of the grounds of appeal must be attached.

NOTE 4: Unless the Commission otherwise directs, after the notice is filed, the appellant/s must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

NOTE 5: An appeal book in accordance with the *Industrial Relations Commission Regulations 2005* must be filed and served on the respondent/s within 14 days of the filing of this notice.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au

(Stamp of Commission)

**Form 10 — Notice of appeal to Public Service Arbitrator /
Railway Classifications Board**

[r. 106(1) and 111(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20

To:

(name, street address and telephone number of respondent/employer)

TAKE NOTICE THAT

(name, street address and telephone number of appellant)

has this day instituted an appeal against the salary/range of salary/title* of the office occupied by me. (*delete whichever is inapplicable)

Particulars of office to which appeal relates	Position No.	Classification	Title
	Section	Branch	Division

Industrial Relations Commission Amendment Regulations 2014

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Claim

Grounds
of Appeal

Tick the box if the statement is appropriate:

- An appeal relating to the above position has not been lodged within the last 12 months;
- I wish to represent myself; or
- I authorise the following organisation/person* to act as my agent.

.....
(name, street address and telephone number of agent)

.....
(signature of appellant)

NOTE 1: The fee payable with this notice must be paid at the time it is filed.

NOTE 2: Unless the Commission otherwise directs, after the notice is filed, the appellant must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent/employer as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 11 — Notice of appeal to Public Service Appeal Board

[r. 107(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:

.....
(name, street address and telephone number of respondent/s — attach schedule if more space is needed)

Industrial Relations Commission Amendment Regulations 2014

r. 9

TAKE NOTICE THAT

.....

.....

.....

(name, street address and telephone number of appellant/s — attach schedule if more space is needed)

has this day instituted an appeal against the decision

.....

(give details of the decision)

given on the day of 20

on the following grounds:

.....

.....

.....

.....

.....

(attach schedule if more space is needed)

.....

.....

(signature of appellant/s)

NOTE 1: The fee payable with this notice must be paid at the time it is filed.

NOTE 2: The appellant/s is required to sign this notice.

NOTE 3: Unless the Commission otherwise directs, after the notice is filed, the appellant/s must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

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Form 12 — Notice of application to enforce the *Industrial Relations Act 1979*

[r. 60(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To:
.....
.....
(name and street address of respondent/s — attach schedule if more space is needed)

TAKE NOTICE THAT
(Minister / Registrar / Deputy Registrar / Industrial Inspector / Interested person)

has this day applied to the Full Bench of the Western Australian Industrial Relations Commission for the enforcement of

.....
(specify part of the Act, direction, order or declaration alleged to be breached)

You are therefore summoned to appear before the Full Bench of the Western Australian Industrial Relations Commission at 111 St Georges Terrace, Perth in hearing room

on the day of 20
(day of the week) (date) (month) (year)

at o'clock in the a.m./p.m.

to answer the application for enforcement of that
(Act, direction, order or declaration)

under the *Industrial Relations Act 1979* section 84A.

Dated at Perth this day of 20

.....
(signature of applicant)

NOTE 1: The fee payable with this notice must be paid at the time it is filed.

NOTE 2: Where this application is initiated other than by the Registrar it must be signed and, where necessary, sealed by the applicant.

(Stamp of Commission)

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Form 13 — Notice of objection

[r. 15(1), 66(3), 67(3), 68(4), 69(5) and 71(3)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20

IN THE MATTER OF
an application for

(state nature of application)

Objector

(name, street address and telephone number of objector)

The above named objector objects to the whole (or any part) of the abovementioned application.

.....
.....
(if part only, specify part objected to)

The grounds of objection are:

.....
.....
.....
.....
(attach schedule if more space is needed)

The objector is or is likely to be affected by the application in the following manner, namely:

.....
.....
(attach schedule if more space is needed)

Dated this day of 20.....

.....
(signature of objector)

NOTE 1: The fee payable with this notice must be paid at the time it is filed.

NOTE 2: Unless the Commission otherwise directs, after the notice is filed, the objector must serve (e.g. by posting or delivering it to the person

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personally) a stamped copy, together with its attachments, on the person to whom the objection is directed as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

Form 14 — Notice of withdrawal or discontinuance

[r. 16(1) and (4) and 99]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20

To:
.....
.....
.....
(name and street address of respondent/s — attach schedule if more space is needed)

TAKE NOTICE THAT
.....
.....
.....
(name and street address of applicant/s — attach schedule if more space is needed)

the applicant hereby discontinues or withdraws this application or the following part of the claim, namely —

.....
(if part only, specify part withdrawn or discontinued)

Dated this day of 20.....

.....
.....
(signature of applicant/s)

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NOTE 1: Unless the Commission otherwise directs, after the notice is filed, the applicant/s must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

NOTE 2: Where a counter-proposal has been filed in answer to an application, the application may only be withdrawn or discontinued with the consent of the respondent making the counter-proposal.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

(4) In Schedule 1 Form 15 delete “**Notice of hearing**”.

(5) In Schedule 1 delete Forms 16 to 18 and insert:

Form 16 — Notice to admit

[r. 23(1) and 99]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Between
(applicant)

and
(respondent)

To:
.....
(name and street address)

TAKE NOTICE that you are required within 7 days of receiving this notice to admit or deny in writing the following facts:

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

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

(attach schedule if more space is needed)

and TAKE FURTHER NOTICE that should you fail to reply to this notice within 7 days or such other time as the Commission upon your application may direct you may be liable to pay the costs of establishing those facts before the Commission.

Dated this day of 20

.....
(signature of party issuing this notice)

NOTE: This form must be completed and signed by the party requesting the admission or denial of the facts referred to above.

(Stamp of Commission)

Form 17 — Summons to witness

[r. 41(1) and 99]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Between

(applicant)

and

(respondent)

To:

.....
(full name, occupation and street address)

You are summoned to appear before the Commission at

on the day of 20

at o'clock in the a.m./p.m.

and after that from day to day until discharged from attendance, to:

- (1) give evidence concerning the abovementioned matter;
- and

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(delete if not applicable) (2) produce all books, papers, or other documents in your possession or under your control in any way relating to the proceedings in the said matter and in particular (but not exclusively) the following:

.....
.....

This summons has been taken out by

.....
(name and street address of party taking out summons)

If you fail or neglect to comply with this summons you are liable to a penalty.

NOTE 1: The fee payable with this notice must be paid at the time it is filed.

NOTE 2: Service of summons is to be effected by serving it personally on the person named in the summons.

NOTE 3: At the time of service, the person serving the summons must tender to the person named in the summons sufficient money to enable him or her to travel between his or her place of residence or employment (whichever is appropriate) and the place of hearing mentioned in the summons.

(Stamp of Commission)

Form 18 — Warrant to appear as agent

[r. 63(1) and (3) and 99]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Between
(applicant)

and
(respondent)

Agent

.....
(insert name, street address and telephone number of agent)

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is hereby authorised to appear and act, in the abovementioned proceedings, for

.....

.....

(name of party for whom agent is appearing and acting)

This warrant also authorises the agent to receive mail, including email or fax, from the Commission for and on behalf of the party for whom the agent is appearing and acting.

(delete if not applicable)

(affix seal where necessary)

.....
(signature of party for whom the agent is appearing)

Dated this day of 20

NOTE: Unless the Commission otherwise directs, after the warrant is filed, the party for who the agent is appearing must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on each respondent as soon as reasonably practicable and file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

- (6) In Schedule 1 Form 19:
- (a) delete “**Application for registration of organisation/association**”;
 - (b) delete “To the Registrar.” and insert:

To the Full Bench:

- (7) In Schedule 1 Form 20 delete “**Application to register additions, alterations or revisions of the name or rules of a registered organisation or association**”.

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- (8) In Schedule 1 Form 21 delete “**Summons for cancellation or suspension of registration of organisation/association**”.
- (9) In Schedule 1 Form 22 delete “**Request by an organisation/association to cancel its registration**”.
- (10) In Schedule 1 Form 23 delete “**Application to cancel registration of organisation/association**”.
- (11) In Schedule 1 Form 24 delete “**Certificate of registration as an organisation**”.
- (12) In Schedule 1 Form 25 delete “**Certificate of registration as an industrial association**”.
- (13) In Schedule 1 Form 26 delete “**Certificate of registration as an organisation formed by amalgamation**”.
- (14) In Schedule 1 Form 27 delete “**Certificate of registration of alteration of rules**”.
- (15) In Schedule 1 Form 28 delete “**Certificate of registration of change of name**”.
- (16) In Schedule 1 Form 29:
- (a) delete “**Application by secretary for authority to be issued**”;
 - (b) delete “address” (each occurrence) and insert:

registered address
- (17) In Schedule 1 Form 30:
- (a) delete “**Application by secretary for revocation of an authority**”;
 - (b) delete “address” (each occurrence) and insert:

registered address

Industrial Relations Commission Amendment Regulations 2014

r. 9

(18) In Schedule 1 delete Form 31 and insert:

**Form 31 — Notice of appeal against a decision of the
Commissioner of Police to take removal action**

[r. 90]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

To the Commissioner of Police

TAKE NOTICE THAT

.....

.....
(name, street address and telephone number of appellant/s — attach
schedule if more space is needed)

has this day instituted an appeal under the *Police Act 1892* section 33P against your
decision under section 33L of that Act to remove him/her from office with effect
from the day of 20

The reasons why the decision is harsh, oppressive or unfair are:

.....

.....

.....
(give details of the decision — attach schedule if more space is needed)

The relief sought is
(state whether the removal is sought to be of no effect or whether compensation is sought)

.....
(signature of appellant)

Industrial Relations Commission Amendment Regulations 2014

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NOTE: Unless the Commission otherwise directs, within 7 days after the notice is filed, the appellant must serve (e.g. by posting or delivering it to the person personally) a stamped copy, together with its attachments, on the Commissioner of Police and as soon as reasonably practicable file a Form 4 statutory declaration of service declaring that this has been done.

All Forms are available from the Registry or downloadable at www.wairc.wa.gov.au.

(Stamp of Commission)

A. R. BEECH, Chief Commissioner
The Western Australian Industrial Relations Commission.

Date: 19 June 2014.