



PRACTICE NOTE NO 8A

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Re-issued pursuant to Section 185A of the *Industrial Relations Act 1996* (NSW)
and Section 15 of the *Civil Procedure Act 2005* (NSW)

MAJOR INDUSTRIAL CASES

COMMENCEMENT

1. The purpose of this Practice Note is to enable prompt and timely notice to be provided to the Commission of the likelihood of the commencement of an industrial case that is expected to require substantial time before a Full Bench and to thereby ensure the appropriate allocation and effective use of the Commission's resources in respect of such cases. Such cases may include applications for a new or varied award which is required to be arbitrated pursuant to the Award Making Principles.
2. This Practice Note has effect from the date of re-issue.

APPLICATION

3. This Practice Note applies in relation to major industrial cases, being:
 - a. any anticipated application within the arbitral jurisdiction of the Commission which could reasonably be expected to be heard by a Full Bench of the Commission over 5 or more hearing days; and
 - b. any other anticipated Full Bench arbitral proceeding which, because of its importance, or other special feature, the applicant considers ought to be listed for hearing as a matter of priority.

MAJOR INDUSTRIAL CASES

4. When an applicant determines that it will make an application in respect of a major industrial case, it shall give notice in writing to the Industrial Registrar of its intention to do so by email to Industrial.Registrar@courts.nsw.gov.au.
5. The notice referred to in paragraph [4] shall:
 - a. be given as soon as practicable after the decision is taken to make the future application; and
 - b. be served on every other party to the affected award(s) plus such other persons or bodies who are expected to have an interest in the application.

6. The notice need not be in any particular form but must provide:
 - a. particulars of the nature of the expected application or a draft application as an attachment;
 - b. a statement as to its significance or importance for the purpose of determining its appropriate priority;
 - c. details of the persons or bodies upon whom the notice will be served;
 - d. the estimated or likely date when the application will be filed;
 - e. the earliest date by which the applicant expects the application would be ready for hearing;
 - f. the estimated time required to hear the application; and
 - g. any other matters which the applicant considers would assist the Commission to program the matter.
7. Upon receipt of the notice the President shall determine whether to convene a conference of the parties. If no conference is to be convened the applicant will be informed and the matter will not be progressed by the Commission until the application is filed.
8. A conference convened pursuant to paragraph [7] shall be chaired by the President or such other member of the Commission as nominated by the President. The conference will deal with:
 - a. the expected programming of the matter; and
 - b. whether and when to make a member of the Commission available for the conciliation and case management of the matter.
9. If the conference is convened by a member other than the President the member may prepare, or require the parties to prepare, a report summarising the outcome of the conference for the benefit of the President.
10. Failure to give notice of a matter which is or may be a major industrial case may affect the priority that the Commission is able to afford to the matter.

JUSTICE I TAYLOR
PRESIDENT
1 JUNE 2026

AMENDMENT HISTORY

1 June 2026: This Practice Note re-issues and amends former Practice Note No 8A.

17 June 2025: Practice Note 8A was rescinded.

1 February 2010: Practice Note No. 8A was issued replacing former Practice Note No. 8.

29 May 2003: Practice Note No. 8 was first issued