Form 104
Industrial Relations Commission Rules 2022 Part 7A

APPLICATION FOR RECOVERY OF MONEY AND/OR CIVIL PENALTIES IN THE INDUSTRIAL COURT OF NEW SOUTH WALES

COURT DETAILS

Court	Industrial Court of New South Wales
Case number	

TITLE OF PROCEEDINGS

[First] applicant	**[name]**
#Second applicant #Number of applicants (if more than two)	
[First] respondent	**[name]**
#Second respondent #Number of respondents (if more than two)	

JURISDICTION

This application is commenced in the Court's jurisdiction under:

☐ the *Industrial Relations Act 1996*
☐ the *Fair Work Act 2009*
☐ the *Work Health and Safety Act 2011*
☐ other: [ ] (*specify the Act*)

CLAIMS

A. The applicant claims:

☐ an order for the payment of money owed
☐ an order for a civil penalty
☐ an injunction

B. In respect of the following entitlements: (*state the nature of the entitlements claimed and their source, namely the relevant statutory provision, award, agreement or other industrial instrument*)

C. The applicant elects for these proceedings to be dealt with under the Court's small claims procedures. *(An applicant can only elect for proceedings to be dealt with under the Court's small claims procedures in respect of claims made under the Industrial Relations Act 1996. The maximum amount that the Commission or Court can order an employer to pay on a small claims application in respect of any one employee is $100,000)*

Yes ☐ No ☐

OTHER PROCEEDINGS

A. There are past or ongoing proceedings relating to the conduct that is the subject of this application.

Yes ☐ No ☐

B. If 'Yes', the matter number for the proceeding(s): (*state the matter number for any proceeding relating to the conduct that is the subject of this application)*

FINAL ORDERS

The orders sought by the applicant are:

1. [ ]
2. [ ]
3. [ ]

GROUNDS OF APPLICATION

The grounds of the application are:

1. [ ] (*state the reasons for and particulars of the claim, including, if the claim is for the payment of money owed, details of how the amount is calculated (attach any further details)*
2. [ ]
3. [ ]

APPLICANT DETAILS

Name	**[name]**
Address	
Email	
Phone	
Solicitor or Agent or Self-represented	**[name]**

RESPONDENT DETAILS

Name	
Address	
Email address	
Phone	

SIGNATURE

#Signature of legal representative	
#Signature of or on behalf of party if not legally represented	
Capacity	[eg solicitor, authorised officer, role of party]
Date of signature	

LISTING DETAILS

The parties will be advised of the date, time and place when the Court will hear this Application. Any enquiries should be made to the Industrial Relations Commission List Clerk, telephone 02 8688 3516.

If the respondent does not enter an appearance when this matter is listed before the Commission, or if there is no attendance by a party or their counsel, solicitor or agent at the time and place as notified to the parties, the proceedings may be heard in their absence and an order may be made against the party who fails to attend.

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website: https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html.

REGISTRY ADDRESS

Street address	Industrial Court of New South Wales Level 1, 47 Bridge Street Sydney NSW 2000, or Level 10, 10 Smith Street Parramatta NSW 2150
Telephone	02 8688 3516