IRC Form 67 (version 1)
Workplace Injury Management and Workers Compensation Act 1998, s 280AH(2)
Industrial Relations Commission Rules 2022, rule 7E.2

APPLICATION TO DETERMINE RELEVANT CONDUCT

Pursuant to Chapter 7, Part 3, Division 3A *Workplace Injury Management and Workers Compensation Act 1998*

COURT DETAILS	
Court	Industrial Relations Commission of NSW
Jurisdiction	Commission
List	Workplace Conduct
Registry	
Case number	
TITLE OF PROCEEDINGS	
Applicant	**[name]**
Respondent	**[name]**
FILING DETAILS	
Filed for	**[name], Applicant**
#Representative	[name of representative] [industrial organisation or firm]
Contact number	[telephone]
Contact email address	[email address]
Respondent contact name, telephone and email	[name] [telephone] [email address]
RELEVANT CONDUCT	
Nature of relevant conduct claimed to the insurer	*Tick all that apply* ☐ Bullying ☐ Excessive work demands ☐ Racial harassment ☐ Sexual harassment
NOTE: YOU MUST ATTACH A COPY OF THE CLAIM SUBMITTED TO INSURER AND A COPY OF THE REVIEW OUTCOME	
Date of insurance claim	DD/MM/YYYY
Date the insurer disputed liability	DD/MM/YYYY
Insurance claim number	
Name of Insurer	

Date of injury as stated in the claim	*If the injury occurred over a period of time, insert the date range*
I have attached a copy of the claim submitted to the insurer	☐ Yes
Date of review outcome	DD/MM/YYYY
I have attached a copy of the review outcome	☐ Yes
Do you have an ongoing dispute in the Personal Injury Commission	☐ Yes ☐ No
If yes, provide matter number	Matter Number:
If yes, has it been stayed until the IRC determines relevant conduct	☐ Yes ☐ No
Do you have another application in the Industrial Relations Commission	☐ Yes ☐ No
If yes, provide matter number	Matter Number:

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 for the listing of a conciliation, which may be conducted virtually. Any enquiries should be made to the Industrial Relations Commission Registry by email to irc.registry@courts.nsw.gov.au, or by phone on 02 8688 3516.

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission, including Practice Note 38 - Workplace Conduct Claim Proceedings. The Practice Notes may be found at the following website:

https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html

NOTES TO PARTIES

1. A review of the claim pursuant to s 280AE(5) of the *Workplace Injury Management and Workers Compensation Act 1998* must have been conducted, and the insurer must still dispute a claim or an aspect of a claim for a relevant injury before an application under s 280AH(2) can be filed.
2. For an application to be filed it must attach:
    a. a copy of the claim as submitted to the insurer (including any annexures to the extent they describe conduct that is claimed to be relevant conduct); and
    b. a copy of the review decision; and
    c. all evidence in chief with each statement or affidavit with its annexures or exhibited documents being filed as a single pdf document, with each page consecutively numbered from the first page of the statement or affidavit.
3. **This application must be served on the named Respondent(s) to the application as soon as practicable after the document is lodged with the Commission.**
   Note – in accordance with IRC Rules r 7E.6, an insurer or employer who uses an electronic mail address to communicate with an applicant about the applicant's claim is taken, for the Uniform Civil Procedure Rules 2005, rule 3.7, to have consented to the use of the electronic mail address for service, including for service of the originating application and accompanying documents.
4. Part 10 of the Uniform Civil Procedure Rules 2005 (NSW) outlines the requirements of service.

REGISTRY ADDRESS

Street Address	Level 1, 47 Bridge Street Sydney NSW 2000 or Level 5, 10 Smith Street Parramatta NSW 2150
Telephone	02 8688 3516
Email	irc.registry@courts.nsw.gov.au