



## PRACTICE NOTE NO. 32

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### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Issued pursuant to Section 185A of the *Industrial Relations Act 1996*  
and Section 15 of the *Civil Procedure Act 2005*

#### FILING, LENGTH, PRESENTATION, AND FORMATTING OF DOCUMENTS AND COURTBOOKS

1. This Practice Note has effect from 4 April 2025 and replaces previous Practice Note 32.
2. This Practice Note applies to proceedings before the Industrial Relations Commission and the Industrial Court *other than* criminal proceedings and appeal proceedings. It applies *subject to* any directions that are made in a matter.
3. Filing of documents must be in accordance with [Rule 2.5 of the Industrial Relations Commission Rules 2022](#) and Schedule A of this Practice Note.
4. The Commission may, on application or on its own initiative, grant a party, on terms determined by the Commission, leave to be excused from compliance in part or in whole with the requirements of Schedule A or any directions.
5. Parties should identify any proposed alteration to the standard requirements at the first directions hearing.
6. Once directions have been made, any application to vary the directions can only be made by a party after it has consulted the other party or parties, and must:
  - a. be made in writing no later than 4.00pm, 3 working days before the time for filing of that party's evidence and/or submissions;
  - b. state what alteration to the timetable is sought;
  - c. indicate the attitude of the other party or parties;
  - d. provide reasons for the proposed variation.

## FILING DOCUMENTS ELECTRONICALLY

7. A Notification of an Industrial Dispute (Form 4) can be filed in the Online Registry or by email to [IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au).
8. The most common Forms are required to be filed using the [Online Registry](#) and *not by email*.

However, if a party is unable to file such a document in the Online Registry due to technical difficulties, a party can file the document by email with a cover note stating that the Online Registry did not allow the filing of the document.

9. All other documents can be filed by email to [IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au), *provided* they comply with Schedule B.

## FILING DOCUMENTS IN HARDCOPY

10. If filing a document in hardcopy, either in person or by post, a party must provide two copies (or such greater number of copies as is required by [Schedule 2 to the Industrial Relations Commission Rules 2022](#)) and at the same time, an **electronic copy** on a USB drive or by email the same day.
11. An 'electronic copy' means a document in a text-searchable Portable Document Format (**PDF**).
12. The Commission may direct that a document that has been filed is also to be provided electronically in Microsoft Word format by a certain time and if so requested, a party must email such a document within the time specified to [IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au).
13. The Commission may direct that a copy of a document provided to the Commission during an appearance or hearing that has not been previously filed is to be filed electronically by a certain date to [IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au).

JUSTICE I TAYLOR  
PRESIDENT  
4 APRIL 2025

## REVISION HISTORY

First Issue Date:  
Re-Issue Date (version10):

11 February 2021  
4 April 2025

## SCHEDULE A TO PRACTICE NOTE NO. 32

### BEFORE THE INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

#### REQUIREMENTS FOR LENGTH, PRESENTATION AND FORMATTING OF DOCUMENTS

##### DOCUMENTS GENERALLY

- A1. Without prior leave, a witness statement or affidavit must not exceed 25 pages before annexures and must not have more than 100 pages of documents, whether annexed or exhibited.
- A2. Without prior leave, an outline of written submissions must not exceed 10 typed pages spaced line and a half.
- A3. Formatting and presentation of all witness statements, affidavits and submissions must be in typeface that is no smaller in appearance than an Arial font in 11-point size or a Times New Roman font in 12-point size and otherwise be in accordance with the formatting and requirements contained in cl 4.3 of the [Uniform Civil Procedure Rules 2005](#).
- A4. Paragraphs A1 and A3 do not apply to applications made pursuant to s229 of the *Work Health and Safety Act 2011* (application for external review), nor the following classes of documents in proceedings commenced pursuant to s174 or s181E of the *Police Act 1990* (**Police Act**):
- A5. Section 174 applications:
  - a. documents made available to the applicant police officer (**Officer**) pursuant to sub-s174(5) of the *Police Act*;
  - b. the notice issued by the Commissioner of Police to the Officer under sub-s173(5)(a) of the *Police Act*;
  - c. any response by the Officer provided in accordance with sub-s173(5)(c) of the *Police Act*; and
  - d. the Order made by the Commissioner of Police under sub-s173(2).
- A6. Section 181E applications:
  - a. documents made available to the applicant police officer pursuant to sub-s181E(3) of the *Police Act* (often referred to as **the Commissioner's Confidence brief**);
  - b. the notice issued by the Commissioner of Police to the Officer under sub-s181D(3)(a) of the *Police Act*;

- c. any response by the Officer provided in accordance with sub-s181D(3)(b) of the *Police Act*; and
- d. the Order made by the Commissioner of Police under sub-s181D(1) of the *Police Act*.

#### **COURT BOOKS FOR HEARING**

- A7. For final hearings, the Commission prefers that relevant documents are provided to the Commission in the form of a court book. Paragraphs A8-A12 apply where a court book is being filed.
- A8. The court book is to be provided to the Commission by 4.00pm 3 working days prior to a hearing, in both hardcopy and electronic copy containing all documents that any party will seek to tender or refer to in the proceeding.
- A9. The Applicant is to provide the court book, unless otherwise agreed or directed.
- A10. If the matter is to be heard by a single member and witnesses are to be called, two hardcopies are to be provided (so there is a second copy to be shown to witnesses). If the matter is being heard by a full bench at first instance, then four hardcopies are to be provided. The hardcopies are to be exact replicas of the electronic copies, with physical tab numbers separating the documents and every page sequential page numbered.
- A11. As early as possible following all submissions and evidence being filed, the parties are to confer as to the index to the court book to ensure that the court book will, so far as known, contain all documents that a party will seek to tender or refer to in the proceeding, and does not contain any documents filed that no party will need. Note: the court book is to contain documents that a party will seek to tender even if another party will object to that tender.
- A12. The electronic version of the court book is to be in the following format:
  - a. A single PDF that is text-searchable.
  - b. Every page of the PDF, starting with the cover page and index, is to be sequentially numbered.
  - c. Each separate document within the PDF is to be bookmarked with tab numbers that replicate the tab numbers in the hardcopy.
  - d. It commences with a cover page that records the matter number, names of the parties, date of the filing, states the name of the party that filed the bundle with an index that lists each document and its page numbers. The following is an example of the Index.

COURT BOOK INDEX		
Title of Document		Page Numbers
1.	Workplace Policy	1-16
2.	Memorandum dated 3 June 2024	17-22
3.	Email dated 6 June 2024	23-25

## AUTHORITIES

- A13. A party who intends to refer to authorities or legislation at a hearing is to file a list of authorities and legislation along with an authorities bundle in accordance with [Practice Note 2A](#).
- A14. The Commission encourages the parties to confer with a view to providing a joint bundle of authorities.

## **SCHEDULE B TO PRACTICE NOTE NO. 32**

### **BEFORE THE INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES**

#### **REQUIREMENTS FOR FILING DOCUMENTS BY EMAIL TO**

**[IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au)**

A document permitted to be filed by email will be accepted if it complies with the following requirements. If you are unable to comply with these requirements, you can file a hardcopy in person or by post.

- B1. The email is addressed to [IRC.emailfiling@courts.nsw.gov.au](mailto:IRC.emailfiling@courts.nsw.gov.au) and copied to all other parties to the proceedings.
- B2. The email states:
  - a. the matter number, or if the matter has not yet commenced, the subject line specifies the nature of the matter (eg. Dispute Notification: Unfair Dismissal);
  - b. the name of the party forwarding the document for filing and the contact details of a person responsible for the matter, including their email address and phone number;
  - c. the parties that have been copied into the email.
- B3. What is attached to the email complies with the following:
  - a. Documents other than statements and affidavits are to be attached as a single document in the following format:
    - i. A single PDF that is preferably text-searchable.
    - ii. Every page of the PDF starting with the cover page and index, is to be sequentially numbered.
    - iii. Unless you are unable to do this, each separate document within the PDF is to be bookmarked.
    - iv. It commences with a cover page that records a title of the document or bundle, the nature of the matter, matter number, names of the parties, date of the filing, states the name of the party that filed the PDF and if the bundle contains more than one document has an index that lists each document and its page numbers. The following is an example of an Index.

INDEX		
Title of Document		Page Numbers
1.	Workplace Policy	1-16
2.	Memorandum dated 3 June 2024	17-22
3.	Email dated 6 June 2024	23-25

- b. Each statement of evidence or affidavit is to be attached to the email as a separate PDF document. After the last page of the body of the statement or affidavit and before the first page of any annexure, there should be an index of the documents in the annexure in the format prescribed above. Every page of the PDF, including any index, is to be sequentially numbered.
- c. There is a size limitation for documents electronically lodged with the Commission. This size restriction is currently 150Mb via email and 5Mb via the Online Registry. Please contact the Registry to discuss lodgement options for documents over the size restriction.