



NUMBER:

Form 18 - Application for order for repayment of fee received by a private employment agent

Industrial Relations Act 2016, section 403
Industrial Relations Regulation 2018, regulations 12, 13 and 14
Industrial Relations (Tribunals) Rules 2011, rule 188
Version 3

Applicant: **(NAME OF APPLICANT IN MATTER)**

AND

Respondent: **(NAME OF RESPONDENT IN MATTER)**

This is an Application to the Queensland Industrial Relations Commission, pursuant to section 403 of the *Industrial Relations Act 2016* for an order for repayment of a fee received by a private employment agent.

1. The Applicant:

Title			
Name			
Postal address			
Suburb/Town		Postcode	
Phone number		Fax number	
Mobile number			
Email address			

(a) Does the Applicant have a representative?

A representative might be a lawyer, a union, an agent or a family member or friend who will speak on behalf of the Applicant. There is no requirement to have a representative.

- Yes - Provide representative's details below and file a Form 33 or 34
 No

b) The Applicant's representative

Organisation/Firm			
Name of contact person			
Postal address			
Suburb/Town		Postcode	
Phone number		Fax number	
Mobile number			
Email address			

2. The Respondent

The Applicant must serve a copy of this Application on the Respondent

Name of Respondent			
Name of contact person			
Postal address			
Suburb/Town		Postcode	
Phone number		Fax number	
Mobile number			
Email address			

3. DETAILS OF DECISION SOUGHT:

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4. THE MATERIAL FACTS ARE:

(set out in chronological order the events and circumstances surrounding the payment by the claimant of the fee, if possible include the dates when events occurred).

5. DECLARATION

Further, I declare that:

(Select and complete all that apply)

<input type="checkbox"/>	Neither I, nor to the best of my knowledge and belief, has any other person eligible to make application under section 403 of the Act in relation to [myself / the claimant] made an application under section 408G of the Act for the same matter.
<input type="checkbox"/>	[I / the claimant] [am / not/ is / is not] a [model] [or] [performer].
<input type="checkbox"/>	The respondent contravened section 400(1) of the Act because [I / the claimant] [am / is] not a model or performer and the respondent [directly / indirectly / demanded / received] a fee for [finding / attempting to find], [me / the claimant] work .
<input type="checkbox"/>	The respondent contravened section 400(2) of the Act because: <input type="checkbox"/> [I / the claimant] [am / is] a [model / performer] and the respondent [directly / indirectly / demanded / received] a fee for [finding / attempting to find], [me / the claimant] work; or <input type="checkbox"/> The respondent did not give me a written notice stating the particulars required under regulation section 12; or <input type="checkbox"/> The fee payable is more than the percentage prescribed under regulation section 13 of the gross amount payable, excluding any allowances and payments prescribed under regulation section 14, for the work; or <input type="checkbox"/> The amount payable to [me / the claimant] is at least the amount payable under the: <i>(name the award or agreement that applies to the work and the rate of payment)</i>
<input type="checkbox"/>	Full particulars of the amount are set out in Schedule 1 attached.

6. Further, I [make oath and say] [solemnly and sincerely affirm and declare]

All the facts and circumstances deposed to in this my affidavit are within my own knowledge and belief, except for the facts and circumstances deposed to from information only, and my means of knowledge and sources of information appear on the face of this my affidavit.

7. Signature

Signature	
Print Name	
Date	

Taken by:

Sworn/Affirmed by the deponent at:		
on:		
Signature		
Print Name		
Date		
Justice of the peace/commissioner for declarations/lawyer/other qualified person		

TO RESPONDENT(S):

TAKE NOTICE that if you wish to oppose this application or to argue that any different decision should be made, you must attend before the commission in person or, if appropriate, by your agent at the time on the date and at the place fixed by the registrar or the clerk of the magistrates court and you will be heard. If you do not attend as required a decision may be given against you in terms of the decision sought and costs, where appropriate, without further reference to you. (See R.66, Hearing in respondent's absence).

SCHEDULE 1 – PARTICULARS OF AMOUNT CLAIMED:

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Add additional pages if required