



QUEENSLAND INDUSTRIAL  
RELATIONS COMMISSION

**NUMBER:**

**Form 29 - Notice of Non - Party Disclosure**

*Version 1*

Applicant/Appellant: **(NAME OF APPLICANT/APPELLANT IN MATTER)**

AND

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

ISSUED WITH THE AUTHORITY OF THE QUEENSLAND INDUSTRIAL RELATIONS COMMISSION and filed in the Industrial Registry on \_\_\_\_\_ upon the request of *(name and address)* (“**the requesting party**”):

Industrial Registrar:

Dated:

To: *(name of person required to produce documents)*, of *(address)*, in this notice called “**the nominated party**”.

AND TO: *(name person required to be served under Rule 64D)*, of *(address)*, in this notice called “**the affected party**”.

Between 7 and 14 days after the day of service of this notice on you, you must (for the purpose of the Commission determining this proceeding) produce the document(s) mentioned or described in the Schedule to the requesting party, in accordance with this notice.

The matter in issue in the proceedings about which the document(s) sought is/are directly relevant is as follows:

## Schedule of documents

The following documents must be produced:

No.	Date	Description

NOTICE OF NON PARTY DISCLOSURE	Name:
Filed on Behalf of the (Applicant/Appellant/Respondent)	Address:
Form 29	Phone No:
Industrial Relations (Tribunals) Rules 2011	Fax No:
Rule 64B	E-mail address:

## **A. Obligations of nominated party**

1. The nominated party is required to produce to the requesting party the documents mentioned or described in the schedule of documents above.
  2. The nominated party is required to produce the documents between 7 and 14 days after being served with this notice.
  3. The nominated party is required to produce the documents-
    - (a) at the nominated party's or a lawyer's/agent's place of business during normal business hours; or
    - (b) as may be agreed between the nominated party and the requesting party.
  4. The requesting party may take copies of the documents produced pursuant to this notice.
  5. A failure by the nominated party to comply with the Commission-imposed obligations may result in the requesting party obtaining compliance orders and such orders as the Commission may consider appropriate.
  6. The nominated party is entitled to the reasonable costs and expenses of producing documents. The nominated party must give notice of its costs and expenses within one month of compliance with this notice and the requesting party can pay those costs or cause the costs and expenses claimed to be assessed.
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## **B. Nominated party's rights**

1. The nominated party is only obliged to produce documents if-
  - (a) the documents relate to a matter in question between the parties to the proceeding;
  - (b) the document is in the possession or control of the nominated party;
  - (c) the document is capable of being required to be produced at trial;
  - (d) there is no other reasonably simple, inexpensive way for the requesting party to prove what the documents show.
2. The nominated party is only obliged to produce documents if the requesting party has served a copy of this notice on-
  - (a) a person, other than a party to this proceeding named in the title, about whom information is sought; and
  - (b) the owner of the document if it is other than the nominated party. (If the owner of the document cannot be found after reasonable inquiry compliance with this sub-rule is excused.)
3. The nominated party may object to production provided that such objection is given within 7 days of service of this notice or such other time as the Commission may allow.
4. The nominated party's objection must –
  - (a) be written;
  - (b) served on the requesting party; and
  - (c) clearly state the reasons for objection.

Grounds for objection are contained in Rule 64E of the *Industrial Relations (Tribunals) Rules 2011*.

