



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

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*Industrial Relations Act 2016, s 403**Industrial Relations (Tribunals) Rules 2011, r 188**Industrial Relations Regulation 2018, regs 12, 13 and 14*

Information

- Use this form to apply for an order for the repayment of a fee received by a **private employment agent**.
- Use this form only if the total amount claimed is **\$20,000 or less**. For amounts over \$20,000, a claim may be filed with the Magistrates Court.
- For more information on recovering unpaid wages etc, please see the Wage Recovery section on the website www.qirc.qld.gov.au.
- Please note, legal representation is not permitted in this application.
- Please read this form carefully and complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the non-acceptance of your form.
- Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.
- For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Applicant:**v****Respondent:**

If there are more than two parties to this application, please complete a **Form 1 – Parties list** and file with this form.

Application

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

1. Applicant/Claimant's details

Title [please select]:	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of Applicant/ Claimant:						
Name of contact person: [if Applicant is an organisation]						
Postal/Service address:						
	Suburb/Town				Postcode	
Phone number:			Mobile number:			
Email address:						

2. Claimant's details (if claimant is not the applicant)

Title [please select]:	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of claimant:						
Postal/Service address:						
	Suburb/Town				Postcode	
Phone number:			Mobile number:			
Email address:						

3. Applicant/Claimant's representative [if applicable]

[Please note legal representation is not permitted. Please see s 530 of the *Industrial Relations Act 2016* regarding representation]

Organisation:						
Name of contact person:						
Postal/Service address:						
	Suburb/Town				Postcode	
Phone number:			Mobile number:			
Email address:						

4. Respondent

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

5. Declaration.

I declare that no other application to a Magistrate for a claim, in accordance with s 402 of the *Industrial Relations Act 2016*, has been made by or on behalf of the claimant for the same matter.

☐

6. Signature of Applicant/Claimant or representative

Signature:

Name:

Date:

7. Particulars of the claim for repayment of a fee received by a private employment agent

7.1 Is the claimant a model or performer?

☐

Yes

☐

No

(go to question 7.2)

(a) Did the private employment agent directly or indirectly demand or receive a finder's fee?

☐

Yes

☐

No

(b) Did the agent give the Claimant a written notice stating the particulars prescribed by regulation 12 of the *Industrial Relations Regulation 2018*?

☐

Yes

☐

No

(c) Was the fee payable more than the percentage prescribed by regulation 13 of the *Industrial Relations Regulation 2018* of the gross amount payable to the Claimant for the work, excluding any allowances or payments prescribed by regulation 14 of the *Industrial Relations Regulation 2018*?

☐

Yes

☐

No

7.2 Did the private employment agent directly or indirectly demand or receive a finder's fee?

☐

Yes

☐

No

7.3 The amount payable to the claimant is at least the amount payable under an industrial instrument (enter name of relevant award or agreement):

7.4 The total amount claimed is:

[Please outline the particulars of the amount claimed in Part 8]

\$

8. Particulars of the amount claimed

Please outline, in consecutively numbered paragraphs, the details of the decision/order you are seeking.

Please attach a schedule if more room required