

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

*Industrial Relations Act 2016, section 403*

*Industrial Relations (Tribunals) Rules 2011, rule 188*

*Industrial Relations Regulation 2018, regulations 12, 13 and 14*

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## Information

- Use this form to apply for the repayment of a fee received by a private employment agent.
- Please read this form carefully. Please 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 rejection of your form.
- Once your form has been processed the Industrial Registry will contact you and provide you with a sealed copy of your amended application.
- Practice Note 1 of 2018 - ELECTRONIC FILING AND HARD COPIES OF DOCUMENTS. Documents which are longer than 30 pages in length must be supplied to the Industrial Registry in hard copy before it will be accepted for filing.

**NOTE TO RESPONDENT:** if you wish to oppose this application you must attend before the commission in person or, if appropriate, by your agent at the time, date, and place fixed by the registrar or the clerk of the magistrates court. 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.

For further information please contact the Industrial Registry on 1300 592 987 or via email at [qirc.registry@qirc.qld.gov.au](mailto:qirc.registry@qirc.qld.gov.au)

**Applicant:**

V

**Respondent:**

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

## Application

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. Applicant

**Name of applicant:**

**Postal address:**

Suburb/Town

Postcode

**Phone number:**

**Fax number:**

**Mobile number:**

**Email address:**

### Does the applicant have a representative?

A representative might be 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

No

**NOTE TO PARTIES:** Pursuant to section 530(2)(b) of the Industrial Relations Act 2016 a person or party must not be represented by a lawyer in proceedings before the commission under section 403 or 475.

## 2. Applicant's representative

<b>Organisation:</b>			
<b>Name of contact person:</b>			
<b>Postal address:</b>			
	Suburb/Town	Postcode	
<b>Phone number:</b>		<b>Fax number:</b>	
<b>Mobile number:</b>			
<b>Email address:</b>			

## 3. The Respondent

The applicant must serve a copy of this application on the respondent

<b>Name of respondent:</b>			
<b>Name of contact person:</b>			
<b>Postal address:</b>			
	Suburb/Town	Postcode	
<b>Phone number:</b>		<b>Fax number:</b>	
<b>Mobile number:</b>			
<b>Email address:</b>			

## 4. Details of decision sought

*1000 character limit. (Note: If more than 1000 characters are required please attach a schedule)*

## 5. Signature of applicant or representative

Signature:	
Name:	
Date:	/ /

## 6. Declaration

I declare that: *(Select and complete all that apply)*

	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 402 of the Act for the same matter.
	I the claimant am am not is is not a model performer.
	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
	<p>The respondent contravened section 400(2) of the Act because:</p> <p>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</p> <p>The respondent did not give me a written notice stating the particulars required under regulation section 12; or</p> <p>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</p> <p>The amount payable to me the claimant is at least the amount payable under the:</p> <p><i>(name the award or agreement that applies to the work and the rate of payment)</i></p>
	Full particulars of the amount are set out in Schedule 1 attached.

**Schedule 1 – Particulars of amount claimed:**

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Add additional pages if required.