

Originating Claim
Construction Industry Portable Paid Long Service Leave Act 1985
Industrial Magistrates Courts (General Jurisdiction) Regulations 2005 (Reg. 13(1) and 3A)

Form 1A.3
Respondent's Copy

Court Use Only	Court at Perth	Claim No:
	A response to this claim (Form 2A) must be lodged with the court and served on the claimant within 28 days after service of the claim.	

Claimant	Name:		
	Address		
	Telephone:	Facsimile:	Email:
	Lawyer/Agent:		
	Address:		
	Telephone:	Facsimile:	Email:

Respondent	Name:	
	Address:	
	Telephone:	Facsimile:

Grounds <i>Attach statement concerning alleged contravention if necessary</i>	This claim is made because the respondent has:

Act	This claim is made pursuant to: <i>(tick the appropriate box)</i>
	<input type="checkbox"/> Construction Industry Portable Paid Long Service Leave Act 1985 (WA), s. _____ <i>(specify section)</i>
	<input type="checkbox"/> Industrial Relations Act 1979 (WA), s. _____ <i>(specify section)</i>
	<input type="checkbox"/> Other _____ <i>(specify)</i>

Orders Sought <i>Attach statement to particularise claim</i>	That the respondent: <i>(tick the appropriate box)</i>
	<input type="checkbox"/> Pay the amount of \$ _____
	<input type="checkbox"/> Pay a penalty
	Do something else (specify) _____

Initial Hearing <i>(Court Use Only)</i>	The Initial Hearing of the trial of this Originating Claim shall take place at the Industrial Magistrates Court, Level 18, 111 St Georges Terrace, Perth on _____ the ____ day of _____
	20__ at _____ am/pm.

Signature: _____ Date: _____

Lodged in the Industrial Magistrates Court, Level 17, 111 St Georges Terrace, PERTH WA 6000
 Telephone: (08) 9420 4467 Website: www.imc.wa.gov.au

Seal of the Court: Date lodged _____
 Date lodged _____

DO NOT IGNORE THIS CLAIM

A response to this claim (Form 2A), together with the lodgement fee of \$ _____ must be lodged with the court and served on the claimant within 28 days after service of the claim.

**Claim pursuant to the Construction Industry Portable
Paid Long Service Leave Act 1985**

IMPORTANT INFORMATION

What you should do:

The claimant is asking the court to make orders that will affect you. The details are shown on the front of this page in the box marked "Orders sought" and on any separate sheets attached to this claim. The reason for making the claim is specified in the box marked "Grounds" and on any separate sheets attached to this claim.

You must respond to this claim by attending the initial hearing of the trial on the date and at the time and place specified on the front of this form, and by lodging with the Industrial Magistrates Court at Perth, within the time specified on the front of this form, the completed Response form (Form 2A), together with the lodgement fee which is also specified on the front of this form. If you do not do these things, the Court may make orders, including an order for judgment, against you. Unless you can establish that there were good reasons why you did not respond, you may not be able to have the judgment set aside.

Response:

In responding to this claim you have three options. They are:

Option 1

If you wholly deny the claim and oppose the court making the order or orders sought in the claim, you should tick the box on the Form 2A, which states:

"The respondent wholly denies the claim and opposes the court granting any order sought in this claim."

You should then sign and date the Form 2A and ensure that it is lodged with the court before the due date together with the appropriate lodgement fee.

Option 2

If you admit part of the claim and consent to the court making some but not all of the orders sought in the claim, you should tick the box on the Form 2A, which states:

"The respondent admits part of the claim and consents to the court making the following order/s but denies the balance of the claim."

You should complete the Form 2A at the appropriate place to indicate which part or parts of the claim you admit and which orders you consent to being made. You should then sign and date the Form 2A and ensure that it is lodged with the court before the due date.

Option 3

If you wholly admit the claim and consent to the court making the orders sought in the claim, you should tick the box on the Form 2A, which states:

"The respondent wholly admits the claim and consents to the court making the orders sought in this claim."

You should then sign and date the Form 2A and ensure that it is lodged with the court before the due date together with the appropriate lodgement fee. The court may then, in your absence, make the orders sought in the claim. Should you feel it appropriate, you may appear at the initial hearing and/or write a letter to the Court in mitigation of the claim. In the event that you do not attend the initial hearing, the Court will notify you of the outcome.

What happens next if the Claim or any part of it is denied?

If you choose to respond to this claim by denying the whole or part of the claim, you will be required at a later stage to participate in the court's procedures for dealing with this claim. The Court will notify you of what you may be required to do prior to the trial, and the date of the trial.
