Form A37

Application for review of compliance notice (Fair Work)

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| **Case Number**(SAET use only) |  |

### About this form

* This is the approved form for an application to SAET for a review of a compliance notice under the Fair Work Act 1994 (SA) and Fair Work Act 2009 (Commonwealth)
* A copy of the compliance notice must be attached to this application.
* Submitting an incomplete form (including any relevant supporting documents) may result in delays.

# Compliance notice details

This application for review of a Compliance Notice issued by an Inspector is made by::

|  |  |
| --- | --- |
| Name of applicant |  |
| Name of inspector |  |
| Under | [ ]  S. 104A Fair Work Act 1994 (SA)[ ]  S. 717 Fair Work Act 2009 (Cth)  |

### Applicant to complete particulars of the application over the page.

#  (SAET to complete)

# Hearing details

All parties are directed to attend:

|  |  |
| --- | --- |
| Listing | Directions hearing (15 minute duration) |
| Date |  | Time |  |
| Member |  |
| Location | [ ]  Riverside Centre, North Terrace, Adelaide, 5000[ ]  Applicant by telephone (where applicant resides outside the metropolitan area) [ ]  Other, specify: |

If you do not attend, the Compliance Notice may be reviewed in your absence and orders made without further notice. If a party is unable to attend at this date and time for good and sufficient cause, written application to SAET can be made, with reasonable notice, to have the hearing relisted to another date and time (or at an alternative location should the parties reside outside the metropolitan area). SAET will subsequently advise the parties if a change is to be made.

|  |  |
| --- | --- |
| Registrar |  |
| Date |  |

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# Party details

## Applicant

|  |  |
| --- | --- |
| Title | [ ]  Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (specify): |
| First name  |  | Last name |  |
| Email |  |
| Telephone  |  | Mobile |  |
| Address Street 1 |  |
|  Street 2 |  |
| Suburb |  | State |  |
| Postcode |  | Country |  |
| Do you require an interpreter? | [ ]  No [ ]  Yes. Please specify language: |
| Do you haver any special requirements which will require assistance? | [ ]  No [ ]  Yes. Please specify: |
| Is anyone representing you? | [ ]  No [ ]  Yes. Please specify below: |

### Representative detail (if required)

|  |  |
| --- | --- |
| Organisation |  |
| Contact First name  |  | Last name |  |
| Email |  |
| Telephone  |  | Mobile |  |
| Address Street 1 |  |
|  Street 2 |  |
| Suburb |  | State |  |
| Postcode |  | Country |  |

## Respondent

|  |  |
| --- | --- |
| Organisation |  |
| Contact Title | [ ]  Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (specify): |
| First name  |  | Last name |  |
| Email |  |
| Telephone  |  | Mobile |  |
| Address Street 1 |  |
|  Street 2 |  |
| Suburb |  | State |  |
| Postcode |  | Country |  |

## Inspector

|  |  |
| --- | --- |
| Title | [ ]  Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (specify): |
| First name  |  | Last name |  |
| Email |  |
| Telephone  |  | Mobile |  |
| Address Street 1 |  |
|  Street 2 |  |
| Suburb |  | State |  |
| Postcode |  | Country |  |

# Grounds for making this application

|  |  |
| --- | --- |
| Is a copy of the compliance notice attached to this application? | [ ]  Yes [ ]  No - a copy must be attached |
| Select the appropriate grounds for making this application |  [ ]  The applicant has not committed a contravention set out in the notice; the employer has in fact complied with the Act, or the relevant Award/Agreement etc. *(SA s.104A(3)(a); or Cth s.717(1)(a)).* [ ]  The employer’s failure to comply with the Act, or an Award or Enterprise Agreement, is more extensive than stated in the notice *(SA s.104A(3)(b))*. [ ]  The notice does not comply with s.716(2) or (3) *(Cth s.717(1)(b))*. [ ]  Whether a stay of operation of the notice is sought *(Cth s.717(2))* |

In the space below, set out the details of your grounds for seeking SAET to review or stay the Notice and also any relevant background. Attach a separate sheet if necessary. Employees affected by the Compliance Notice should be named or described by reference to their work area, etc. Attach a separate sheet if necessary. If you seek that the Compliance Notice be modified, details of the specific modification sought are to be set out in PART 7.

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|  |

# Modification of Compliance Notice (if applicable)

If you seek that the Notice be varied, include details here of the specific variations sought:

|  |
| --- |
|  |

# LODGING YOUR COMPLETED FORM

The person lodging this form must send a copy to all other party/ies.

|  |  |
| --- | --- |
| Name of person lodging |  |
| Signature |  |
| Date |  |

Please lodge this form, together with any accompanying documents, with the South Australian Employment Tribunal:

Email: saet@sa.gov.au
Post: PO Box 3636, Rundle Mall, SA, 5000
In person: Level 6, Riverside Centre, North Terrace, Adelaide, 5000

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| --- |
| **PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS** |