Form P57

Pre-Action Claim (Civil Actions)

### About this form

* This is the approved form for a Pre-Action Claim to a civil action in the South Australian Employment Court.
* Pursuant to Rule 7 of the *South Australian Employment Tribunal Rules 2022*, this form must generally accord with the practice of the *Uniform Civil Rules 2020* as amended, varied, substituted, replaced and adopted by the District Court from time to time for preparing such statements (see Rule 61.7 of the *Uniform Civil Rules 2020* for further guidance).
* A statement of loss must be filed—

 (a) within 28 calendar days after service of the defence; and

 (b) if more than 6 months have elapsed since the last statement was filed and the respondent files a request for a further statement—within 28 calendar days after the date of the request.

# Existing Case details

|  |  |
| --- | --- |
| SAET Case number |  |
|  |  |
| Applicant(s) name (as per SAET correspondence) |
|  |
| Respondent(s) name (as per SAET correspondence) |
|  |
| Other Party(s) name (as per SAET correspondence) |
|  |

# Oath or Affirmation

|  |  |
| --- | --- |
|  | Full name |
| I, |  |
|  | Address |
| Of |  |

Do solemnly and sincerely:

#### [ ]  Declare and affirm; or

#### [ ]  Make oath to say

Set out in numbered paragraphs the information specified by Rule 61.7(2) of the *Uniform Civil Rules 2020*. Attach additional pages if required.

|  |
| --- |
| 1. …
 |

### Sworn / Affirmed

This Pre-Action Claim is sworn or affirmed:

|  |  |
| --- | --- |
| Before me | [ ]  Justice of the Peace [ ]  Commissioner for taking affidavits |
|  | Full name |
|  |  |
|  | Address |
| At |  |
|  | Date |  | Signature |
| On |  |  |  |

LODGING YOUR COMPLETED FORM

The person lodging this form must send a copy to all other parties to the case.

|  |  |  |
| --- | --- | --- |
| Name of person lodging the application |  | Date |
|  |  |  |

To lodge your completed form and any supporting attachments:

1. **Save the form and any supporting attachments to your computer** (Note – SAET does not require a signed version so there is no need to print and scan)
2. **Lodge the form and any supporting attachments:**
	* **Online** at[www.saet.sa.gov.au/existingcase](http://www.saet.sa.gov.au/existingcase) (preferred); or
	* **By email** to saet@sa.gov.au