

Approved form AF2002-133

made under the

Workers Compensation Rules 1938

Workers Compensation Rules 1938—Form 9

(see r 18)

Notice to respondent of day when arbitration will be proceeded with

[Heading as in Request for Arbitration.]

TAKE NOTICE that the Court will proceed with the arbitration applied for in the request and particulars, a sealed copy of which is served herewith, at
on the
day of at ; and
that if you do not attend either in person or by your solicitor (*or*, agent) at that time and place such order will be made and proceedings taken as the Court thinks just and expedient.

*Under rule 19A you must—

- (a) within 14 days after the date of the receipt of this notice, serve a copy of the applicant's request and particulars, and the form, on the insurer with whom you maintain, or maintained at the relevant time, a policy of insurance or indemnity in relation to the subject matter of the arbitration; and
- (b) within 7 days after the date of services under paragraph (a), file with me a certificate of service in accordance with form 10A.

**Delete if inapplicable*

And further take notice that if you wish to disclaim any interest in the subject matter of the arbitration, or consider that the applicant's particulars are in any respect inaccurate or incomplete, or desire to bring any fact or

document to the notice of the Court, or intend to rely on any fact, or to deny (wholly or partially) your liability to pay compensation under the Act, you must file with me an answer, stating your name and address and the name and address of your solicitor (*or*, agent) (if any), and stating that you disclaim any interest in the subject matter of the arbitration, or stating in what respect the applicant's particulars are inaccurate or incomplete, or stating concisely any fact or document which you desire to bring to the notice of the Court, or on which you intend to rely, or the grounds on and extent to which you deny liability to pay compensation.

Such answer, together with a copy of it for the Court and a copy for the applicant and for each of the other respondents, must be filed with me seven (7) clear days at least before the day of .

If no answer is filed, and subject to such answer, if any, the applicant's particulars and your liability to pay compensation will be taken to be admitted.

Dated:

To of
Registrar of the Magistrates Court.

Endnotes

- 1 This form was originally in the *Workers Compensation Rules 1938*, schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the rules and became a form approved under the rules, rule 89 (see amdt 1.2805, amdt 1.2807).
- 2 This republication includes amendments made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

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