

Approved form AF2002-142

made under the

Workers Compensation Rules 1938

Workers Compensation Rules 1938— Form 17

(see r 32)

Award

Note These forms are intended for use in ordinary cases only. The award in any special case must be settled under rule 32, in accordance with the directions given by the Court.

(i) IN CASE OF APPLICATION BY WORKER

[Heading as in Request for arbitration.]

Having duly considered the matters submitted, the Court hereby orders and awards as follows:

[Here insert any introductory recitals of findings on which the award is made which the Court may direct.]

- 1 That the respondent, C.D. _____, do pay to the applicant, A.B., _____, the weekly sum of _____ as compensation for personal injury to A.B. _____ arising out of and in the course of his or her employment as a worker employed by the respondent, such weekly payment to commence as from the _____ day of _____, and to continue during the total or partial incapacity of A.B. _____ for work, or until the same shall be ended, diminished, increased, or redeemed in accordance with the provisions of the *Workers Compensation Act 1951*.

2 That C.D. do forthwith pay to A.B.
the sum of being the amount of such
weekly payments calculated from the day of
until the day of
[*first Friday or other usual pay day after date of award*] and do
afterwards pay the said sum of to A.B.
on Friday [*or other usual pay day*] in every week.

3 That C.D. do pay to the Registrar of this Court,
for the use of the applicant, the sum of being his or her
costs of and incident to this arbitration, such costs to be taxed by the
Registrar in the prescribed manner and to be paid by C.D.
to the Registrar within days from [*or forthwith*
after] the date of such taxation.

Dated:

J.S.

Magistrate.

(ii) IN CASE OF APPLICATION BY DEPENDANTS

[*Heading as in Request for arbitration.*]

Having duly considered the matter submitted, the Court hereby orders and
awards as follows:

[*Here insert any introductory recitals of findings on which the award is
made which the Court may direct.*]

1 That the respondent, C.D. , do pay the sum of
to the dependants of A.B. , late of ,
deceased, as compensation for the injury resulting to such
dependants from the death of A.B. , which took
place on the day of
from injury to A.B. arising out of and in the
course of his or her employment as a worker employed by the said
respondent.

2 That the following persons are entitled to share in such
compensation as dependants of A.B. , that is to say
J.B. , the widow of A.B.
, and [*name the other persons.*]

- 3 [Add, if so found.] That the respondent, G.H.,
the of A.B., is not
entitled to share in such compensation as a dependant of A.B.
- 4 That the said sum of be apportioned between J.B.
and [name the other persons] in the following
proportions:
The sum of to or for the benefit of J.B., and
the sum of to or for the benefit of [specify the
persons entitled and the sums apportioned to them.]
- 5 That C.D. do pay the said sum of to the
Registrar of this Court within days from [or forthwith after]
the date of this award.
- 6 That on payment to the Registrar of the sum of
the Registrar do forthwith pay to J.B. the sum of
apportioned to her, [or the sum of out of
the sum of apportioned to her], and that the balance of
the lastmentioned sum (less any court fees payable by her be
invested by the Registrar in his or her name in the Commonwealth
Savings Bank of Australia for the benefit of J.B.,
and that out of the sum so invested and the accruing interest
the Registrar do from time to time until further order pay to J.B.
the weekly sum of , the first
payment to be made on the day of
, and afterwards every fortnight [or every four weeks, or as the case
may be].
- 7 That on payment to the Registrar of the sum of
the sums of and hereby
apportioned to or for the benefit of
respectively (less any Court fees payable by them) be invested by
the Registrar in his or her name in the Commonwealth Savings
Bank for the benefit of and
respectively, and that interest arising from such
investments be from time to time until further order paid to J.B.,
to be by her applied for the maintenance,
education, or benefit of and
respectively.

8 That J.B. and or any of them be at liberty to apply to the Court from time to time as they may be advised for any further or other order as to the application of any of the sums so ordered to be invested and the accruing interest.

9 That C.D. do pay to the Registrar of this Court, for the use of the applicants, the sum of being their costs of and incident to this arbitration, such costs to be taxed by the Registrar in the prescribed manner and to be paid by C.D. to the Registrar within days from [or forthwith after] the date of such taxation.

[Add directions (if any given) as to costs occasioned by claim of person claiming as a dependant whose claim is disallowed.]

Dated:

J.S.

Magistrate.

(iii) IN CASE OF APPLICATION BY PERSON TO WHOM EXPENSES OF MEDICAL TREATMENT OR BURIAL ARE DUE

[Heading as in Request for arbitration.]

Having duly considered the matters submitted, the Court hereby orders and awards as follows:

[Here insert any introductory recitals of findings on which the award is made which the Court may direct.]

1 That the respondent, C.D., do pay the sum of for or towards the expenses of medical treatment on and the burial of A.B., late of , deceased, who died on the day of from injury arising out of and in the course of the employment of A.B. as a worker employed by C.D.

2 That the following persons are entitled to share in such compensation:

The applicant, E.F., in relation to charges amounting to due to (or payable by) him or her for medical treatment on A.B.,

and the respondent, G.H., in relation to charges amounting to due to him or her for the burial of A.B.

3 That the respondent, C.D., do pay that sum of to the Registrar of this Court within days from the date of this award, and that the sum of be apportioned between and paid to E.F. and G.H. in proportion to the amounts due to them respectively.

4 That C.D. do pay to the Registrar of this Court for the use of the applicant, E.F., and the respondent, G.H., the sum of being their respective costs of and incident to this arbitration; such costs to be taxed by the Registrar in the prescribed manner and to be paid by C.D. within days from (*or* forthwith after) the date of such taxation.

Dated:

J.S.

Magistrate.

Note The above forms will serve as guides for framing awards in other cases.

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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