## Approved form AF2002-168

made under the

**Workers Compensation Rules 1938** 

## Workers Compensation Rules 1938— Form 43

(see r 51)

Præcipe for payment into court under the Act, schedule 1, clause 6 and rule 51, where liability to pay compensation is denied, but the employer is willing to pay a sum in settlement

In the matter of a claim for compensation made by the dependants of A.B. late of , deceased, against C.D. , of

## TAKE NOTICE—

- That a claim has been made under the *Workers Compensation Act* 1951, by [or on behalf of] the dependants of A.B., late of , deceased against C.D. of , for compensation relation to the injury caused to such dependants by the death of A.B., who died on .
- The dependants allege that the death of the A.B. resulted from personal injury arising out of and in the course of his or her employment sustained by A.B. on at [state address where injury was sustained] while he or she was employed as a worker by C.D. [or by E.F. , a contractor with C.D. for the execution of work undertaken by them.]

[or, in the case of industrial disease.]

[2	last or emp	e dependants allege that the death of A.B.  sed by  , a disease coming within the rkers Compensation Act 1951, section 9, and that the disease was to the nature of the employment of A.B.  [describe employment], and that he or she was employed in such employment within the 12 months before his her disablement [or suspension from his or her usual ployment] [or, if the worker died without having obtained a difficate of disablement, or was not at the time of his or her death receipt of a weekly payment on account of disablement, within 12 months before his or her death] by C.D.  ].					
3	C.D. denies his or her liability compensation under the <i>Workers Compensation Act 19</i> dependants of A.B. , but to avoid limit willing to pay the sum of in full settail claims to such compensation, and such of the dependant as are not under disability are accept such sum in settlement.						
4	C.E C.E in b C.E lette	O. of, [or, , solicitor or agent for on solicitor or agent for on solicitor or agent, add, at the request and by the authority of					
5	(a)	A.B. was at the date of the injury [or disablement or suspension or death] years of age.					
	(b)	(b) He or she was employed as , an his or her earnings in the employment of C.D. durin the 3 years before the injury [or disablement or suspension of death] [or his or her average weekly earnings during the perio of his or her employment under C.D. ] were					
	(c)	To the best of the knowledge and belief of C.D. the persons interested as dependants of A.B.					

are [state dependants, with their ages and relationship to deceased, so far as known].

6 The grounds on which C.D. denies his or her liability to pay compensation are as follows:

Dated:

(Signed)

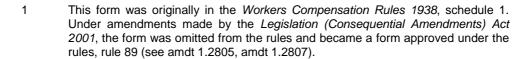
[or solicitor or agent for

].

To the Registrar of the Magistrates Court.

Note A receipt for the money paid in with this præcipe is to be given on the usual form used by the Registrar with the following addition:— 'being the amount paid in, with denial of liability, by C.D. in settlement of the claim of the dependants of A.B. for compensation in respect of an injury resulting in his or her death.'

## **Endnotes**



2	This republication	includes	amendments	made	under	the	Legislation	Act	2001
	part 11.3 (Editorial	changes)	).						

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