

Form 2.4 Statement of claim—employment death or personal injury

Court Procedures Rules 2006

(see r 50 (Originating claim—content etc), r 53 (Originating claim—statement of claim for employment death and personal injury claims) and r 303 (Third-party notice—content etc))

In the *[Supreme/Magistrates] Court of the Australian Capital Territory

No *[SC/MC] of (year) (*Court to complete*)

(name)
Plaintiff

(name)
Defendant

The plaintiff claims damages for *[death/personal injury] in relation to an employer's negligence as follows:

- *1 If the cause of action is based on negligence—
- (a) time, date, place, circumstances of the negligence:
 - (i) (*time and date*)
 - (ii) (*details of plaintiff's employment*)
 - (iii) (*where negligence happened or death/injury suffered*)

Filed for the plaintiff by:
(*the plaintiff's address for service and telephone number (if any) or, if the plaintiff is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

- (iv) *(circumstances)*
- (b) particulars of the negligence:
 - (particulars)*
- *2 If the cause of action is based on the defendant's vicarious liability:
 - (a) *(name and address of each person for whose negligence the defendant is vicariously liable)*
 - (b) *(particulars of the claim for vicarious liability)*
- *3 If the cause of action is based on breach of statutory duty:
 - (a) *(name and provision of the statute)*
 - (b) *(acts or omissions making up the breach)*
- 4 Injuries and disabilities suffered by the plaintiff:
 - (a) *(injuries)*
 - (b) *(disabilities)*
- 5 Health professionals who have treated the plaintiff for injuries/disabilities:
 - (name and address of each health professional)*
- *6 Claims for economic loss:
 - (a) *(particulars of past economic loss)*
 - (b) *(particulars of future economic loss)*
- *7 Particulars of employment:
 - (a) *(name and address of each of plaintiff's employers during a reasonable period before plaintiff's death or injury)*
 - (b) *(name and address of each of plaintiff's employers since plaintiff's injury).*

*8 The Territory or State that the plaintiff claims is the Territory or State of connection for the *Workers Compensation Act 1951*, section 182D:

(name of Territory or State)

*9 Other material facts relied on in support of claim:

(particulars)

Date:

(signature of plaintiff or plaintiff's solicitor)

(name of plaintiff or plaintiff's solicitor)

**omit if, or whichever is, inapplicable*