

## APPLICATION FOR REVIEW/APPEAL UNDER POLICE ACT 1990

### COMMISSION DETAILS

Industrial Relations Commission of New South Wales

Case number

### TITLE OF PROCEEDINGS

Applicant/Appellant [name]

Respondent **Commissioner of Police**

### TYPE OF PROCEEDINGS

What is the application or appeal that you are making?

Application under s 174 of the *Police Act 1990* seeking review of an Order under s 173 of that Act

Application under s 181E of the *Police Act 1990* seeking review of an Order under s 181D of that Act

Appeal under s 186 of the *Police Act 1990* relating to a Hurt on Duty Decision

### FILING DETAILS

Filed for **[Applicant/Appellant]**

Status of [Applicant/Appellant]  (Former) Police officer, subject of the Decision/Order under appeal/review

Industrial Organisation of Employees on behalf of the (former) police officer, subject of the Decision/Order under appeal/review

#Representative [Name of representative] [organisation or firm]

Contact name and telephone [name] [telephone]

Contact email [email address]

### LISTING DETAILS

The parties will be advised of the date time and place when the Commission will hear this Application. Any enquiries should be made to the Industrial Relations Commission Registry, telephone 02 8688 3516.

If you do not enter an appearance when this matter is listed before the Commission, or if there is no attendance by you or your counsel, solicitor or agent at the time and place as notified to you, the proceedings may be heard in your absence and an order may be made against you.

### DETAILS OF EMPLOYMENT

Date appointed as a police officer in NSW [date]

Rank and Grade attained pre-Order (e.g. Senior Constable, Level 6) [rank and grade]

Salary at date of Order \$[salary]

Last place of attachment [police station], [police area, district or section]

Last day at work [date]

Last day of service, if different to last day at work [date]

### ORDER/DECISION DETAILS

Who made the Order/Decision under review/appeal? [rank] [given names] [family name]

On what date was the Order/Decision served on or given to the police officer? [date]

**Please attach to this application a copy of the relevant Order/Decision and any Statement of Reasons provided.**

### GROUND AND REASONS IN SUPPORT OF APPLICATION/APPEAL

If your application relates to an order under either s 173 or s 181D, state why you say the Order the subject of the review is harsh, unjust or unreasonable, or beyond power.

If your application relates to a Hurt on Duty leave decision, state why you say the leave should be recognised as Hurt on Duty.

Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation conference and during any arbitration.

1 [ ]

2 [ ]

### SIGNATURE

#Signature of or on behalf of Applicant/Appellant

Capacity [eg self, solicitor, authorised officer, role of party]

Date of signature

### NOTES

1. This form is to be used by police officers or former police officers who wish to bring an application under ss 174 or 181E of the *Police Act 1990* for the review of an Order under Part 9 of that Act, or who wish to appeal a decision of the Commissioner to grant or refuse hurt on duty leave pursuant to s 186 of the *Police Act 1990*.
2. If your application for review is brought under s 174 of the *Police Act 1990* and seeks a review of an Order under s 173 of that Act, the application must be made **within 21 days** of the date on which written notice of the Order was served.
3. If your application for review is brought under s 181E of the *Police Act 1990* -and seeks a review of an Order under s 181D of that Act removing you from the NSW Police Force, the application must be made **within 14 days** of the date

on which written notice of the Order was given to you.

4. If your application relates to a Hurt on Duty leave decision by the Commissioner of Police, your appeal must be lodged within **28 days** of the date you were notified of the decision.
5. Please ensure that you have completed all of the details in this form carefully. The information you provide in this form must be true and correct to the best of your knowledge and belief.
6. Forms may be filed with the Industrial Relations Commission in person, by mail, or by your solicitor / agent or union representative.

#### COMPLIANCE WITH PRACTICE NOTES

**Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website: <https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>**

#### REGISTRY ADDRESS

Street address	Industrial Relations Commission Level 10, 10 Smith Street Parramatta NSW 2150
Postal address	PO Box 927 Parramatta NSW 2124
Telephone	02 8688 3516