

Approved form AF2002-162

made under the

Workers Compensation Rules 1938

Workers Compensation Rules 1938— Form 37

(see r 47)

Notice of application for suspension of right to compensation or to take or prosecute proceedings in relation to compensation, or of right to weekly payments, under the Act, schedule 1, clause 5, 10 or 11 and rule 47

In the matter of a claim for compensation made by A.B.
of _____ against C.D. _____, of _____
[or, where an arbitration is pending,

In the matter of an arbitration between

A.B. _____ of _____
[address] _____ [description] Applicant.
and _____

C.D. _____ of _____
[address] _____ [description] Respondent.

[or, where application is made after weekly payment has been settled,

In the matter of an agreement [*or a decision or an award*] recorded in the Magistrates Court as to the weekly payment payable to A.B.
_____ of _____ by C.D. _____, of _____
.]

TAKE NOTICE, that I intend to apply to the Magistrates Court at Canberra on _____, [on behalf of C.D., of _____, etc _____,] for an order suspending your right to compensation in this matter and to take or prosecute any proceeding under the *Workers*

Compensation Act 1951 in relation to compensation [*or* suspending your right to weekly payments in this matter], on the ground that you refuse to submit yourself to medical examination as required by me [*or* by C.D.], in accordance with that Act, schedule 1, clause 5 [*or* clause 10] [*or* that you obstruct the medical examination required by me [*or* by C.D.], in accordance with that Act, schedule 1, clause 5 [*or* clause 10] [*or* on the ground that you refuse to submit yourself for examination by a medical referee as required under that Act, schedule 1, clause 11, or that you obstruct the medical referee to whom a matter has been referred under that Act, schedule 1, clause 11], and for consequential directions, and for costs.

Dated:

(Signed)

C.D.,

[*or* solicitor *or* agent for C.D.]

To A.B., of

and to

his or her solicitor *or* agent.

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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