

## Form 3.65

## Notice by respondent admitting liability or paying money into court (deceased worker)

*Court Procedures Rules 2006*

(see r 3956 (Arbitration—admission of liability to claim for deceased worker) and r 3957 (Arbitration—denial and submission to award or payment by employer))

In the Magistrates Court of the Australian Capital Territory

No WC                      of (year)

(name)  
Applicant

(name)  
Respondent

TO:                      Registrar

AND TO:              (name and address of applicant)

AND TO:              (name and address of third-party respondent(s))

*(if liability is admitted)*

**\*TAKE NOTICE** that the respondent admits liability to pay compensation and pays into court the amount of (*amount*) as sufficient to cover the respondent's liability on the claim.

*(if liability is not admitted)*

**\*TAKE NOTICE** that the respondent does not admit to liability on the claim and pays into court the amount of (amount) as sufficient to cover the liability the respondent would have on the claim if the respondent did not deny liability.

**AND TAKE NOTICE** that the address of the respondent is (*address*).

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Filed for the respondent by:

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

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**Notice to dependant applicant and each respondent other than employer:**

If you are willing to accept the amount paid into court you must give written notice to the employer, the Registrar and each other party (see r 3959 (Arbitration—acceptance of payment for deceased worker)).

If you and each other respondent (other than the employer) give notice and agree about the apportionment and application of the amount, the court will make an award for the apportionment and application (see r 3961 (Arbitration—payment on dependant’s etc acceptance)).

If you and each other respondent (other than the employer) give notice and do not agree about the apportionment and application of the amount, the claim may proceed to arbitration (see r 3961).

If you do not give notice within a reasonable time after receiving this notice, the court may make an order for costs against you for costs reasonably incurred by the respondent employer after the day the employer filed this notice or made the payment into Court (see r 3962 (Arbitration—no prompt acceptance of submission or payment)).

If you do not accept the amount of compensation stated in this notice and the award on arbitration is not more than the amount of compensation stated in the notice, the Court may order that any costs incurred by the employer after giving notice be paid by you, and order that the costs be set off against any costs payable to you or deducted from any amount awarded to you (see r 3963 (Arbitration—award not greater than submission or payment)).

Date:

*(signature of respondent or respondent’s solicitor)*

*(name of respondent or respondent’s solicitor)*

*\*omit if, or whichever is, inapplicable*