

Notice of Common Law Action

You must apply for compensation under the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011* and receive a determination by the Asbestos Compensation Commissioner before you can commence an action for common law damages. You must notify the Asbestos Compensation Commissioner within 20 business days of lodging this action.

If you receive damages, a judgement or settlement at common law in relation to the asbestos-related disease you have received compensation for, you must notify the Asbestos Compensation Commissioner within 20 business days of receipt.

Failure to notify may result in a penalty being imposed.

WORKER OR MEMBER OF THE FAMILY

Title (Mr/Ms/Miss/Other) Last name

Given name(s)

Date of birth

Postal address

Postcode

Telephone numbers Home Work

Mobile

WORKER'S NAME AND DATE OF BIRTH (IF NOTIFICATION MADE BY MEMBER OF THE FAMILY)

Asbestos Compensation Commissioner claim number

Has an action for damages commenced? YES NO

If yes, provide details of the action including the applicant and respondent's name, date of commencement of the action, court reference number; type of asbestos-related disease to which the action for damages relates, and current status of the action.

Has a judgment or settlement been given or made? YES NO

If yes, provide all details of the judgment or settlement.



Has an amount of damages been received? YES NO

If yes, provide details of the amount received and the disease to which the damages relate.

Where money has been received, what proportion of the money relates to legal costs, if any?

Has the full amount of money owed been received? YES NO

If no, what is the amount of money that is owed and why has the amount not been paid? Is it expected that the outstanding amount will be paid?

Please provide the names of appellant and respondent on court documents, if different from worker, and detail their relationship to the worker:



I,

(name, address and occupation of worker/member of the family)

do solemnly and sincerely declare that the contents of this declaration are true. I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 2001*.

(Signature of worker/member of the family)

Declared at on

(place)

(date)

before me,

(Signature)

(Name and occupation of commissioner for declarations or justice of the peace)

You must sign the statutory declaration before a justice of the peace or a commissioner for declarations (a list of occupations that can act as a commissioner for declarations is available at:

http://www.justice.tas.gov.au/legislationreview/commissioners_for_declarations and includes medical practitioners, dentists, legal practitioners, nurses, pharmacists, optometrists, police officers).

SUBMIT COMPLETED FORM



BY post to:
The Asbestos Compensation Commissioner
PO Box 56
ROSNY PARK TAS 7018

OFFICE USE ONLY

Actioned _____ Initials _____ Date _____