



About the Form F53 notice

Notice that a person:

- (a) has a lawyer or paid agent; or**
- (b) will seek permission for lawyer or paid agent to participate in a conference or hearing**

Notice that a person has a lawyer or paid agent

A party to a matter before the Fair Work Commission (the Commission) may want to give notice to the Commission and the other parties that they have a lawyer or paid agent acting for them. If notice is given the lawyer or paid agent can be copied into correspondence and documents lodged in the matter. It also puts the other parties on notice that costs are being incurred for which the other parties (or their lawyers or paid agents) could become liable if a cost order is made by the Commission.

A party who wants to inform the Commission that a lawyer or paid agent is acting for them in relation to a matter before the Commission, must give notice to the Commission either by:

- lodging this form; or
- identifying the lawyer or paid agent as their representative in another Commission form lodged in the matter (such as an application form or response form).

If a party has previously informed the Commission that a lawyer or paid agent is acting for them in relation to a matter before the Commission and the lawyer or paid agent has ceased to act for them, the party must give notice to the Commission by lodging a [Form F54 – Notice that lawyer or paid agent has ceased to act for a person](#).

Notice that a person will seek permission for a lawyer or paid agent to participate in a conference or hearing

Representation is where another person (such as lawyer or paid agent, or an employee of a union or employer organisation) speaks or acts on a person's behalf or assists a person in certain other ways in relation to a matter before the Commission. There is no requirement to be represented at the Commission.

There are some restrictions on representation by a lawyer or paid agent.

Generally, a person must give notice to the Commission (a [Form F53 – Notice that a person: \(a\) has a lawyer or paid agent; or \(b\) will seek permission for a lawyer or paid agent to participate in a conference or hearing](#)) and seek permission from the Commission Member dealing with the matter if they wish to have a lawyer or paid agent represent them by participating in a conference or a hearing.

Apart from participating in a conference or hearing, a person's lawyer or paid agent can represent them without permission, unless the Commission decides otherwise. For example, the lawyer or paid agent can prepare and lodge written applications, responses and submissions with the Commission, and communicate in writing with the Commission and other parties to the matter on the person's behalf.

The requirement to give notice and seek permission for a lawyer or paid agent to participate in a conference or hearing, does not apply if the lawyer or paid agent is:

- an employee or officer of the person or
- a bargaining representative that is representing the person or
- an employee or officer of an employee or employer organisation, or an association of employers or a peak council, that is representing the person.

Rule 13(2) of the [Fair Work Commission Rules 2024](#) sets out further exceptions to the requirement to give notice and seek permission.

For more information about representation by lawyers and paid agents, see section 596 of the [Fair Work Act 2009](#), rules 11, 12, 13 and 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

Who can use this form

Use this form if you want to inform the Commission that a lawyer or paid agent is acting for a party in relation to a matter before the Commission and the lawyer or paid agent has not already been identified as the representative of the party in an approved Commission form already lodged in the matter.

Also use this form if you want to give notice that a party will seek permission for a lawyer or paid agent to represent them by participating in a conference or hearing.

Lodging and serving your completed form

1. **Lodge this form** with the Commission.

You can lodge:

- by email to lodge@fwc.gov.au, or
- by post or in person at the [Commission's office](#) in your state or territory.

2. **As soon as practicable** after lodging this form, **serve** a copy on all other parties to the matter.

You can serve documents several ways, including by email, express post or registered post. An easy way to serve other parties is to copy them into the email you send to the Commission lodging this form.

Where to get help

Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- Commission processes
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website www.fwc.gov.au also contains a range of information that may assist.

Throughout this form



This icon appears throughout the form. It indicates information to help you complete the form.

Glossary of common terms

Applicant – This is the person or organisation that is making an application.

Lawyer – This is a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

Paid agent – In relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

Party – A party is an Applicant, Respondent, or another person or organisation involved in a matter or case that is brought to the Commission.

Respondent – The person or organisation responding to an application made by an Applicant.

Service – Serving a document means giving a copy of the document to a person or organisation, usually to the other party to the matter. You can serve a document in a number of ways, including by email, express or registered post, or in person. Part 5 of Chapter 1 and Schedule 1 of the [Fair Work Commission Rules 2024](#) deal with service.

Privacy

The Commission collects the information (including personal information) provided to it in this form in order to deal with the matter before it. The information will be included on the case file, and the Commission may disclose the information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the [Privacy notice](#) for this form, or ask for a hard copy to be provided to you.



Remove this cover sheet and keep it for future reference – it contains useful information

Form F53 – Notice that a person:

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Section 596 of the [Fair Work Act 2009](#), [Fair Work Commission Rules 2024](#), subrule 12(1), rule 14 and Schedule 1

This form can be used to give notice to the Fair Work Commission (Commission) that a lawyer or paid agent is acting for a party in a matter before the Commission.

This form can also be used to give notice that a party will seek permission for a lawyer or paid agent to represent the party in the matter by participating in a conference or hearing.

1. The matter before the Commission

What is the name and matter number of the matter before the Commission?

Matter name	
Matter number	

2. The party giving notice



These are the details of the party giving notice.

If the party is an individual, provide the following details:

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

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If the party is not an individual, provide the following details:

Legal name of party			
Party's ACN (if a company)			
Party's ABN (if applicable)			
Party's trading name or registered business name (if applicable)			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Which party is the party giving notice?

- Applicant
- Respondent
- Other

If you answered **other**—provide details below:

3. Notice that the party has a lawyer or paid agent

Is the party giving notice that a lawyer or paid agent acts for the party?

- Yes
- No

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If you answered **Yes**—provide details of the lawyer or paid agent below:

Name of lawyer or paid agent			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			
Please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent		

4. Are copies of correspondence and other documents in the matter to be sent to the lawyer or paid agent?

Yes

No

5. Notice that the party will seek permission for lawyer or paid agent to participate in a conference or hearing

Is the party giving notice that the party will seek permission for a lawyer or paid agent to participate in a conference or hearing?

Yes

No

If you answered **Yes**—either provide details below of the conference(s) or hearing(s) that the party wants a lawyer or paid agent to participate in (including date and time, if known), or indicate that permission will be sought for participation in all future conferences and hearings:

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Authority to sign and signature



For 'Authority to sign':

- If you are the party giving notice—insert 'Applicant', 'Respondent' or explain your role
- If you are an employee of a company or organisation that is giving notice—insert your position title and the company or organisation's role (eg. Director of the Respondent)
- If you are the representative of the party giving notice and have provided your details in this, or another, form—insert 'Representative' and the role of the party you represent (eg. 'Representative of the Applicant').

Authority to sign	
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Insert your signature, name and date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	
Name	
Date	

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS