**FOR CLAIMS UNDER $20,000 ONLY**

**MAGISTRATES’ COURT OF VICTORIA**

**AT MELBOURNE**

**INDUSTRIAL DIVISION**

**Court Case Number:**

**BETWEEN**

Employee

Of: *(address)*

**AND**

Employer

Of: *(address)*

**SMALL CLAIM**

**APPLICATION FOR ORDER IN DEFAULT OF RESPONSE**

1. The Employee applies for an order for the claim with interest and costs, to the date of this application, shown below.
2. The Employer has not provided a response to the Employee within 21 Days of service of the Employees Small Claim.
3. An Affidavit of Service of the Small Claim and an Affidavit of Verification has been filed with the Court.
4. A proper basis certificate and overarching obligations certificate has been filed with the Court.
5. An ASIC Search has been filed with the Court confirming that the Small Claim has been served at the registered address of the company (if this claim is against a company).
6. Details of the order sought are:

|  |  |
| --- | --- |
| **CLAIM** | |
| **Claim amount:**  Less amounts paid since claim:  **Total:** | **$**  **$**  **$** |
| **INTEREST** | |
| *Interest can be calculated from the date the court issued your small claim to the date you make this application*  **Total interest claimed:** | Date of issue of complaint:  Date of this application:  **Days @ applicable rate**  *(Please see the Magistrates’ Court website to confirm current interest rate).*  **$** |

|  |  |
| --- | --- |
| **COSTS** | |
| Fee on Small Claim Application:  Fee on this application:  ASIC search fee:  ***The following fees can be claimed if a process server has served your small claim***  Service fee:  Attempted service fee:  Distance fee:  ***The following fees can only be claimed by your legal representative***  Professional Costs:  Necessary Affidavit(s) (specify):  Other (specify):  **Total costs claimed:** | **$**  **$**  **$**  **$**  **$**  **$**  **$**  **$**  **$**  **$** |

|  |
| --- |
| **Total Amount being claimed: $** |

|  |  |
| --- | --- |
| **Signature of Employee**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Date:**  **\_\_\_/\_\_\_/\_\_\_** |