## FORM 13B - Response

Position:

Rule 13.03(1)	
RES	PONSE
IN THE MAGISTRATES' COURT	Court Number:
OF VICTORIA AT MELBOURNE	
INDUSTRIAL DIVISION	
BETWEEN	Plaintiff
OF	
and	
	Defendant
OF	
TO THE PLAINTIFF	
AND	
TO THE REGISTRAR OF THE MAGISTF	RATES' COURT AT MELBOURNE
TAKE NOTICE that the defendant's responsitached.	onse to a claim made by the plaintiff is
RESPONSE TO A CLAIM	MADE BY THE PLAINTIFF
DEFENDA	NT DETAILS
Is the defendant correctly identified in the	complaint?
☐ Yes (Go to "Contact person details")	☐ No (Go to next question)
What is the correct name?	
Registered office or trading address:	
Contact person details:	
Name:	

Address:		
Phone:		
Email address:		
REPRESENTATIVE DETAILS		
Is anyone representing the defen	dant?	
☐ Yes (Go to next question)	☐ No (Go to next section)	
Who is representing the defenda	nt?	
☐ Australian lawyer ☐ Ot	her	
Representative contact person d	etails:	
Name:		
Address:		
Phone:		
Email address:		
A DI		
ADDRESS FOR SERVICE		
Court documents and notice to the defendant must be sent to:		
defendant directly de	fendant's representative	
INDUSTRIAL INSTRUMENT		
Does the defendant agree that the complaint is correct?	e award, agreement or order (if any) referred to in	
☐ Yes ☐ No		
If No, state the award, agreemen under which the plaintiff is or was	t, Australian workplace agreement or other order semployed:	
RE	ESPONSE TO CLAIM	
The defendant opposes each of the following claims made in the complaint (tick as appropriate and attach further sheets if necessary):		
Wages:	\$	
This element of the claim is:		
☐ admitted ☐ not admit	ted	

denied for the fo	llowing reasons:	
Commission:		\$
This element of the claim is:		
admitted	not admitted	
denied for the fo	llowing reasons:	
Leave entitlements:		\$
This element of the	claim is:	
admitted	not admitted	
denied for the fo	llowing reasons:	
Penalty rates:		\$
This element of the	claim is:	
admitted	not admitted	
denied for the fo	llowing reasons:	
Allowances:		\$
This element of the	claim is:	
admitted	not admitted	
denied for the fo	llowing reasons:	
Notice of termination:		\$
This element of the	claim is:	
admitted	not admitted	
denied for the fo	llowing reasons:	
Unauthorised deduction from wages:		\$
This element of the	claim is:	
admitted	not admitted	
denied for the fo	llowing reasons:	
Response to any ot	her alleged breach:	
This element of the	claim is:	
admitted		
not admitted		
denied for the following reasons:		

## NOTICE OF INTENTION TO COUNTERCLAIM BY DEFENDANT

The defendant may counterclaim against the plaintiff in the proceeding only with leave of the Court. This section is to be completed if the defendant intends to make a counterclaim against the plaintiff in the proceeding.

The defendant intends to make a counterclaim against the plaintiff as follows (provide details of the nature of the breaches, applicable legislation if known, and any amounts claimed):

## **SMALL CLAIMS PROCEDURE**

Only applicable if the matter is a small claim under the Fair Work Act 2009 of the Commonwealth.
The small claims procedure does not allow a party to be represented by a legal practitioner unless the Court grants permission.
Do you intend to seek to be represented?
☐ Yes ☐ No
If you intend to seek leave to be represented, please provide the representative details in the "Representative Details" section above.
Signed by the defendant or defendant's representative
Name:
Date: