

Schedule 3.3—Forms relating to entry to premises

Note: See regulations 3.27, 3.28 and 3.29.

Form 2—Entry notice

(regulation 3.27)

Fair Work Regulations 2009, regulation 3.27

ENTRY NOTICE

I, [full name], of [name of organisation], and having been issued an entry permit under section 512 of the *Fair Work Act 2009*, give notice that I propose to enter [name and address of premises] on [date of proposed entry].

Delete each block of text below which is not appropriate

The suspected contravention, or contraventions, to which this notice relates are:

- [particulars of the suspected contravention or contraventions].

As the entry is authorised by section 481 of the *Fair Work Act 2009* (which deals with entry to investigate suspected contraventions), I declare that:

- [name of organisation], under [provision in organisation's rules], is entitled to represent the industrial interests of a member who performs work at the premises mentioned above; and
- the suspected contravention or contraventions relate to or affect that member.

The suspected contravention, or contraventions, to which this notice relates are:

- [particulars of the suspected contravention or contraventions].

As the entry is authorised by paragraph 483A(1)(a) of the *Fair Work Act 2009* (which deals with entry to investigate suspected contraventions relating to TCF outworkers), I declare that:

- [name of organisation], under [provision in organisation's rules], is entitled to represent the industrial interests of a TCF outworker who performs work at the premises mentioned above; and
- the suspected contravention or contraventions relate to or affect that TCF outworker.

As the entry is authorised by paragraph 483A(1)(b) of the *Fair Work Act 2009* (which deals with entry to investigate suspected contraventions of a designated outworker term), I declare that [name of organisation], under [provision in organisation's rules], is entitled to represent the industrial interests of TCF outworkers.

The suspected contravention, or contraventions, to which this notice relates are:

- [*particulars of the suspected contravention or contraventions*].

As the entry is authorised by section 483D of the *Fair Work Act 2009* (which deals with entry to other premises to investigate suspected contraventions relating to TCF outworkers), I declare that:

- [*name of organisation*], under [*provision in organisation's rules*], is entitled to represent the industrial interests of a TCF outworker who performs work at the premises mentioned above; and
- the suspected contravention or contraventions relate to or affect that TCF outworker.

As the entry is authorised by section 484 of the *Fair Work Act 2009* (which deals with entry to hold discussions), I declare that [*name of organisation*], under [*provision in organisation's rules*], is entitled to represent the industrial interests of an employee or TCF outworker who performs work on the premises mentioned above.

Given at [*time*]

Dated 20

Signature of permit holder

Do not delete this box

Obligations of permit holders, occupiers of premises and affected employers

A permit holder has various obligations under the *Fair Work Act 2009*. In general terms, these include (but are not limited to) the following:

- to produce the permit holder's entry permit for inspection on request and before requiring access to records and documents (see section 489);
- to comply with any reasonable request from the occupier of premises to comply with occupational health and safety requirements that apply to the premises (see section 491);
- not to intentionally hinder or obstruct any person, or act in an improper manner (see section 500);
- not to intentionally or recklessly misrepresent things the permit holder is authorised to do (see section 503).

An occupier of premises, an affected employer or other person has various obligations under the *Fair Work Act 2009*. In general terms, these include (but are not limited to) the following:

- not to refuse or unduly delay entry to a permit holder (see section 501);
- not to intentionally hinder or obstruct a permit holder (see section 502);
- not to intentionally or recklessly misrepresent things the occupier, employer or person is authorised to do (see section 503).

For further information about all the rights and obligations that apply in relation to entry rights, see Part 3-4 of the *Fair Work Act 2009* or contact the Fair Work Ombudsman (tel: 13 13 94).

Failure by a person to comply with an obligation under Part 3-4 of the *Fair Work Act 2009* may result in a court ordering the person to pay a pecuniary penalty (see section 546).