



About the F93 form

Giving the Commission a copy of the consultation notice for a proposed collective agreement

About the consultation notice

A consultation notice initiates a consultation period for a proposed collective agreement. It is given by an organisation that is entitled to represent the industrial interests of regulated workers who will be covered by the proposed collective agreement to the regulated business that will be covered by the proposed collective agreement, or by the regulated business to the organisation. The consultation notice must be given on the same day to the Fair Work Commission (the Commission).

The Commission must publish a copy of the consultation notice on the Commission's website. The Commission can also deal with disputes about making a proposed collective agreement.

When to use this form

This form is used to give the Commission a copy of the consultation notice for a proposed collective agreement in accordance with section 536MM of the *Fair Work Act 2009*.

You must lodge a copy of the consultation notice with this form.

Who can use this form

This form can be used by the organisation or regulated business that gave the consultation notice to the other negotiating entity for the proposed collective agreement (the notifying entity).

Throughout this form



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

You will find further useful information in the Information Sheet at the end of this form.

Form F93 – Giving the Commission a copy of the consultation notice for a proposed collective agreement

[Fair Work Act 2009](#), section 536MM

This form is used to give a copy of the consultation notice for a proposed collective agreement to the Fair Work Commission under Part 3A-4 of the *Fair Work Act 2009*.

The Notifying Entity

Provide the details of the Notifying Entity



These are the details of the organisation or regulated business that gave the consultation notice to the other negotiating entity for the proposed collective agreement (the Notifying Entity).

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

What is the Notifying Entity?

- A digital labour platform operator that will be covered by the proposed collective agreement
- A road transport business that will be covered by the proposed collective agreement
- An organisation entitled to represent the industrial interests of one or more regulated workers who will be covered by the proposed collective agreement

Does the Notifying Entity have a representative?



A representative is a person or organisation that is representing the Notifying Entity. There is no requirement to have a representative.

- Yes – Provide representative’s details below
- No

Notifying Entity’s representative



These are the details of the person or organisation that is representing the Notifying Entity (if any).

Name of person			
Firm, organisation or company			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Is the representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. The regulated workers

1.1 What kind of regulated workers will be covered by the proposed collective agreement?

- Employee-like workers
- Regulated road transport contractors

1.2 What date was the consultation notice given to the other negotiating entity?



By giving the consultation notice to the other negotiating entity, the Notifying Entity initiates a consultation period for the proposed collective agreement under section 536ML(1).

2. The organisation

2.1 Provide the details of the organisation that is entitled to represent the industrial interests of one or more regulated workers who will be covered by the proposed collective agreement.



If the Notifying Entity is the organisation, you can just insert 'Notifying Entity' in the first space below (rather than giving the Notifying Entity's details again).

Name of organisation			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

3. The regulated business

3.1 Provide the details of the regulated business that will be covered by the proposed collective agreement.



If the Notifying Entity is the regulated business, you can just insert 'Notifying Entity' in the first space below (rather than giving the Notifying Entity's details again).

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

Authority to sign and signature



For 'Authority to sign':

- If you are the Notifying Entity – insert 'Notifying Entity'
- If you are an employee of a company or organisation that is the Notifying Entity – insert your position title
- If you are the Notifying Entity's representative and have provided your details in this form – insert 'Representative'.

Authority to sign



Insert your signature, name and the 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

Information sheet

Lodging your completed form

When the notifying entity has given a consultation notice to the other negotiating entity for a proposed collective agreement, the notifying entity must lodge the following with the Commission on the same day that the notice is given:

- This form, and
- A copy of the consultation notice.

You can lodge these documents by post or email, or in person at the [Commission office](#) in your state or territory.

What happens next

After you have lodged your completed form, the Commission will publish the consultation notice to our website.

Legal or other representation

Representation is where another person (such as a lawyer, paid agent, employee organisation 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 (by lodging 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
- a bargaining representative that is representing the person, or
- an employee or officer of an employee or employer organisation 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](#).

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.

For further information in relation to collective agreements, you can contact the Commission’s Agreements Team at member.assist@fwc.gov.au.

Privacy

The Commission collects the information (including personal information) provided to it in this form in order to deal with the consultation notice for a proposed collective agreement. 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 information sheet and keep it for future reference – it contains useful information.