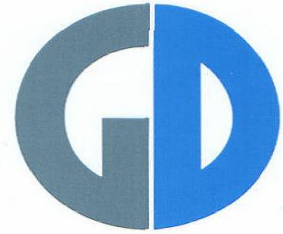


*Gun & Davey*

***Covered***



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Vol 1, Issue 24 – June 2001

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**COVERED CASES**

**Tid Bit**

**SELECT STAFF PTY LTD -v- HANNAGAN**

[2001] SAWCT 37

**(Full Tribunal)**

**(Jurisdiction)**

**CLIENTS BE WARNED:** Despite the fact no formal order pursuant to Section 88DA was made to expand the original claim, if the facts and behaviour of the parties demonstrate they have consented to the dispute being enlarged and the hearing has proceeded on that basis, the making of an order can be inferred. Form ought not override substance.

Note: this same approach was applied by the Full Tribunal more recently in *Hill v Monroe Australia Pty Ltd* [2001] SAWCT 51.