

# About the notice of termination of workplace non-disclosure agreement

*Restricting Non-disclosure Agreements (Sexual Harassment at Work) Act 2025, section 19*

## About this notice

In Victoria, there are rules about the use of non-disclosure agreements (**NDA**s) in workplace sexual harassment matters. These rules apply to NDAs entered into on or after 1 July 2026 and are intended to protect workers who have experienced sexual harassment at work or in connection with work (including people who work as volunteers).

A person:

- who has experienced workplace sexual harassment (a **complainant**), and
- signed an NDA that prevents them from talking about their experience of workplace sexual harassment or who harassed them (if that person was 18 years or older at the time) (**respondent**)

may choose to end the NDA at any time after 12 months from the date the agreement was entered into by completing this form.

## Who may use this notice

Use this notice if:

- you are someone who experienced workplace sexual harassment
- you have signed an NDA that prevents you from talking about:
  - details of the workplace sexual harassment, and/or
  - who harassed you (if they were 18 years or older at the time of the sexual harassment)
- the NDA was entered into on or after 1 July 2026
- 12 months or more has passed since the date you signed the NDA
- you want to end the NDA.

This guidance is not legal advice. Please seek legal advice if you are unsure about ending an NDA or need help completing this notice. For further information about how to find legal advice please visit [vic.gov.au/nda](https://vic.gov.au/nda).

## How to use this notice

If you want to end the NDA, you must give a completed copy of this written notice to each other party to the agreement (such as your employer and/or the person who harassed you if they are a party to the agreement). You can remove the explanatory notes on pages 1 and 2 before providing the notice to them.

The notice must be given at least seven days before you want the NDA to end.

You can give the notice to the other party/parties by hand, email or registered post. If one of the parties is your employer, you should give the notice to:

- (a) the person nominated in your NDA to accept the notice on behalf of the employer, or
- (b) if no one is nominated to accept the notice, it should be sent via registered post to the company's usual or last known registered address or primary place of business, addressed to the Proper Officer.

## What happens when this notice is sent

If you give the other party/parties a copy of this notice, the NDA will no longer apply from the date you nominate in the notice (at section 4). This date must be at least seven days after the notice is given.

This means that, from that nominated date, any requirement to keep confidential details about the workplace sexual harassment and identity of the person who harassed you, will end for all parties.

However, if you agreed in the NDA to keep anything else confidential, you will continue to be required to keep this information confidential.

For example, if you have agreed to keep confidential:

- the amount of any financial compensation paid to you (e.g. settlement money), and/or
- the name of the person who harassed you if they were under 18 at the time of the sexual harassment

you will be required to keep this information confidential even if you end the NDA.

If an NDA is part of a broader agreement (such as a settlement or separation agreement), the rest of the agreement will continue to apply if you end the NDA.

If you choose to end your NDA, you:

- do not have to repay any financial compensation (e.g. settlement money) that was paid to you
- cannot be asked to pay an amount of money to another party as compensation for ending the NDA.

## Further information

For more information about how the law applies to the use of NDAs in workplace sexual harassment matters, see [vic.gov.au/nda](https://vic.gov.au/nda).

## Translating and interpreting service



Call 131 450 to translate this information in your language.

For more information about this free service, visit [tisnational.gov.au](https://tisnational.gov.au).

If you are deaf or find it hard hearing or speaking with people who use a phone, you can contact the National Relay Service at [accesshub.gov.au](https://accesshub.gov.au).

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### *Restricting Non-disclosure Agreements*

*(Sexual Harassment at Work) Act 2025, section 19*

## Part A – Information for the employer/respondent

This is a notice in accordance with section 19 of the *Restricting Non-disclosure Agreements (Sexual Harassment at Work) Act 2025* (the **Act**). This notice tells you that the complainant intends to terminate the workplace non-disclosure agreement (**workplace NDA**) entered into with you.

The means that:

- Any obligation on the complainant, you and any other parties to the workplace NDA to keep confidential: details about the workplace sexual harassment and/or the identity of the respondent (if they were 18 or over at the time of the conduct), **will end** on and from the nominated date.
- Any obligation on the complainant, you and any other parties to the workplace NDA to keep confidential: the identity of the respondent if they were under 18 years at the time of the conduct, the amount of any financial compensation paid in respect of the workplace sexual harassment, and any other confidentiality obligations, **will continue to apply**.

The complainant may terminate the workplace NDA at any time 12 months from the date it was entered into. The complainant must give you this notice at least seven days before they want the workplace NDA to end.

If the workplace NDA is part of a broader agreement (such as a settlement agreement), the rest of the agreement will continue to apply.

A complainant cannot be required to pay you any amount of compensation for terminating the workplace NDA agreement in accordance with the Act, and any clause to that effect in an agreement is unenforceable.

Please seek legal advice if you are unsure about what this notice means for you.

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### Part B – Notice (to be completed by complainant)

#### **1. TO THE EMPLOYER** *(Name of employer to whom this notice is being served (if applicable))*

Name

Address

Email

#### **2. TO THE RESPONDENT** *(Name of respondent(s) to whom this notice is being served (if applicable))*

Name

Address

Email

#### **3. NOTICE GIVEN BY** *(Name of complainant who is serving the notice)*

Name

Email

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### 4. NOTICE OF TERMINATION

I, *[insert name]*

advise the above party/parties that I intend to terminate the workplace non-disclosure agreement

entered into on  *[Insert date of the workplace NDA]*

A copy of the agreement is attached to this notice

The termination will come into effect on  *[insert date when  
you want the NDA to end, which must be at least seven days from the date you send the notice]*

### Signature of complainant

Signature

Name

Date

**This notice was sent on:**

**This notice has been delivered:**

Personally, for example, by hand

By post

*Registered post tracking number (if applicable):*

By email

*Email/postal address:*

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