

ANNOTATED EXAMPLE



NTCAT
Northern Territory
Civil and Administrative Tribunal

All of the example detail set out in this document is fictitious and intended to assist NTCAT users.

FORM 1

File No.

DO NOT IGNORE THESE DOCUMENTS

This **INITIATING APPLICATION** and the attached **NTCAT ORDERS** affect your legal rights. If you need legal advice, the following link contains details of legal services available in the Northern Territory.

<http://lawsocietynt.asn.au/index.php/other-nt-legal-links.html>

INITIATING APPLICATION

FOR COMMENCEMENT OF ALL NTCAT MATTERS - NTCAT rule 5

For further guidance, see NTCAT publication 'Annotated Initiating Application' - <http://www.ntcat.nt.gov.au>

PARTIES

APPLICANT/S:

*Your name

RESPONDENT/S:

* The person or entity you are seeking an order about or against.

APPLICANT/S INFORMATION

NAME/S: Name of applicant.

ADDRESS: Address of applicant (or applicant's representative if applicable). Postal address is preferable.

E-MAIL: Email address of applicant (or applicant's representative). NTCAT prefers to distribute orders and other notifications by email.

PHONE: Phone number of applicant (or applicant's representative).

MOBILE PHONE: Mobile number of applicant (or applicant's representative). Reminder texts may be sent the day before a compulsory conference or hearing.

Important: The use of electronic media for the exchange of documents and other important information in NTCAT proceedings is strongly encouraged. If you are able to provide an email address it will be used for the service of documents and notices. If you have provided a mobile phone number NTCAT may send you SMS text messages with notifications about your matter.

DETAILS OF APPLICATION

SUBJECT OF YOUR APPLICATION:

Briefly state what this application relates to, for example:

- 'Review of decision of [name] dated d/m/y to [summarise decision]';
- 'Dispute with [landlord name] over rental bond';*
- 'Termination of tenancy';*
- 'Disciplinary action for unprofessional conduct by [name]';
- (in a small claims matter) 'Breach of contract', 'Recovery of debt';*
- 'Application for internal review under section 140 of the NTCAT Act in relation to a decision of NTCAT under the Fences Act.'

*For *Residential Tenancies Act* matters please also identify the premises to which the application relates. For *Small Claims Act* matters please identify the date and place the claim arose.

DECISION YOU WANT NTCAT TO MAKE:

Briefly state the decision, remedy or order you are seeking.

For example, if the application is to review a decision (NTCAT Act s 50): 'Set aside the decision and substitute the following decision...'; or 'Vary the decision by [state variations sought]'.

If the application does not involve the review of a decision, the available remedy or order will depend on the legislation that applies, for example:

- (in a small claims matter) "Order that [respondent] pay the applicant debt/damages of \$xx";
- (in a residential tenancies matter) 'Return of bond' or 'Termination of tenancy';
- (in a guardianship matter) 'Order that [x] be appointed guardian of [y]';
- (in a disciplinary matter) 'Cancel/suspend the registration of [x].'

REASONS WHY NTCAT SHOULD MAKE THAT DECISION (*one page maximum*):

Provide a summary of the facts and circumstances relied upon.

The summary should not exceed one page. If there is a need for greater detail to be provided, NTCAT will deal with that by making directions at the compulsory conference.

RESPONDENT/S INFORMATION (*Applicant/s to provide as much detail as known*)

NAME/S: The person or entity you are seeking an order about or against.

ADDRESS: Address of respondent. Postal address is preferable.

E-MAIL: Email address of respondent. NTCAT prefers to distribute orders and other notifications by email.

PHONE: Phone number.

MOBILE PHONE: Mobile number of respondent. Reminder texts may be sent the day before a compulsory conference or hearing.

LATE APPLICATIONS

IS AN EXTENSION OF TIME NECESSARY IN ORDER TO MAKE THIS APPLICATION?

YES NO

IF 'YES' YOU MUST ATTACH TO THIS INITIATING APPLICATION A STATEMENT OF THE REASONS WHY NTCAT SHOULD GRANT AN EXTENSION OF TIME.

NTCAT Act s 94(3) sets a time limit for seeking the review of certain decisions. NTCAT Act s 94(6) provides that NTCAT may extend the time limit. NTCAT may invite submissions from the respondent(s) before deciding whether to grant an extension of time.

SIGNATURE

SIGNATURE OF APPLICANT OR APPLICANT'S REPRESENTATIVE: _____

A person signing as representative of a party warrants to NTCAT that he/she has the lawful authority to do so.

NAME:

DATE:

NTCAT USE ONLY	
Date Filed:	Accepted by Registrar: YES / NO Date Accepted:
Application Fee Processed: YES / NO	Receipt No.:

IMPORTANT NOTICE

THE ATTACHED NTCAT ORDERS AFFECT BOTH PARTIES