

INFORMATION SHEET

TRIBUNAL PROCEEDINGS

Information about NTCAT and the process and procedures can be found on NTCAT's website at www.ntcat.nt.gov.au. The below information outlines some information and FAQs that may arise during the proceedings.

Communication with NTCAT should include all parties

The Tribunal is always required to remain completely independent. To do this, any correspondence sent to NTCAT must also be sent to all other parties in the proceeding.

If you want to submit materials that are not disclosed to other parties, you will need to apply for an order prohibiting or restricting the disclosure of correspondence to the other parties. NTCAT registry staff can assist you with further information about this process.

Communication with Tribunal members and staff

Parties must not contact, or attempt to contact, Tribunal members about proceedings. This includes communicating or attempting to communicate in person by telephone, email, social media or any other way.

If you wish to make a submission or seek to raise an issue with a Tribunal member, this should be communicated to the NTCAT registry.

Can NTCAT give me legal advice?

No, NTCAT staff and members cannot give any legal advice.

While staff can assist you in explaining the process and procedures at NTCAT, they cannot advise you what you should do in a particular case or advise you of the potential legal outcomes.

Do I need legal representation?

No, the majority of NTCAT's proceedings are between parties who are self-represented. NTCAT's rules and procedures have been designed with this in consideration.

However, parties can have a lawyer represent them if they choose, except for Small Claims where leave is required by the Tribunal. The decision to have a lawyer is a matter for each party. Parties are encouraged to consider:

- the costs involved with engaging a lawyer in the context of the amount being claimed;
- the complexity of the matter; and
- that the usual rule in NTCAT proceedings is that the parties bear their own costs in a proceeding before the Tribunal.

Are there costs in NTCAT proceedings?

Except in some limited circumstances, the usual rule in NTCAT proceedings is that the parties bear their own costs, including legal costs. Please see the NTCAT Information Sheet on Costs at www.ntcat.nt.gov.au/after-ntcat/costs

How do I provide my evidence to NTCAT?

NTCAT has electronic case files. Physical or hard copies of evidence, including data storage devices (i.e. flash drives/memory sticks) that are given to the Tribunal prior to, or during a proceeding, will be copied/scanned and stored electronically in the electronic case file.

Unless the party that has given hard copy evidence to the Tribunal requests immediate return of evidence, it will be destroyed immediately after being stored electronically in the electronic case file.

It is NTCAT's preference that evidence be filed by email to agd.ntcat.gov.au