

# INFORMATION SHEET

## FORM 3 ORDINARY APPLICATION

For any application other than an Initiating Application, a party should file a Form 3 Ordinary Application. Please note that this information sheet does not apply to adult guardianship matters.

You might need to submit a Form 3 Ordinary Application for these types of matters:

- Applying for a substituted service order;
- Request to reopen a proceeding;
- Applying to adjourn (postpone) a hearing or a compulsory conference;
- Seeking to withdraw (finalise) a proceeding;
- Requesting permission to appear with a legal representative (in Small Claims Act matters);
- Requesting permission to appear by telephone or via TEAMS at a hearing or conference;
- Applying for a time extension to comply with NTCAT orders;
- Applying to substitute, add, or remove a party in a proceeding

## HOW TO COMPLETE A FORM 3

### PART A - Parties

The parties should be listed in the same manner as in the Initiating Application.

### PART B - Details of Application

When you file a Form 3 Ordinary Application, you must identify whether you are the Applicant or Respondent in the proceeding.

By selecting the relevant check box, you must clearly state what decision you want NTCAT to make. Examples are:

Order	Details to Include and Further Information
<b>Order for Substituted Service</b>	Please see the Information Sheet: <a href="#">Substituted Service</a> . Ensure you provide all the material relevant to your efforts in serving the Initiating Application.
<b>Reopening a Proceeding</b>	Please see Information Sheet: <a href="#">Challenging an NTCAT Decision</a>
<b>Adjourning a matter</b>	Please include the dates you would be available to attend a hearing/conference
<b>Leave to withdraw an Initiating application or referral</b>	Please advise if you have served the other party with the Initiating Application
<b>Leave to appear by Legal Practitioner.</b>	This is only required if your matter is under the Small Claims Act 2016. Please include the name of the Legal Practitioner who will represent you
<b>Leave to appear by a person who is not a Legal Practitioner</b>	Please see the Information Sheet: <a href="#">Support Persons</a> Please include the name of the non-legal practitioner who will represent you.
<b>Leave to appear by remote means.</b>	Please outline if you will appear by Teams (preferred) or Phone, and include all requested details on the application. Please see the Information Sheet: <a href="#">Appearing remotely at NTCAT</a> .
<b>Extension of time to comply with NTCAT Orders</b>	Please specify what extension you are seeking, including any extension of other deadlines that may be necessary.
<b>Stay of NTCAT Orders</b>	A Stay of NTCAT Orders is only available in certain circumstances. You should seek legal advice on this. Please refer to the Information Sheet: <a href="#">Legal Advice</a> .

<b>Substitute, add, or remove a party to a proceeding</b>	Identify the changes you are seeking
<b>Other</b>	If you are seeking an order not listed on the application, please specify the order in detail.

### What are your reasons?

Please share a simple summary explaining why you are asking NTCAT to make the orders. Your summary should be straightforward and include enough detail for NTCAT and other party to understand the basis of your application.

### PART C – Consent

Where possible, you should email the other party and seek their views on the application you are lodging and get them to agree to it; their response can be included with your application, and if they agree, it will generally speed up the process.

If the other party has not provided their views, NTCAT will email them to obtain their feedback.

### What Happens Next?

Once received, the application will be considered by a Member or the Registrar for a decision. It should not be assumed that if the other party agrees to an application, NTCAT will automatically grant that order. NTCAT will determine the matter, taking into account all circumstances.