

NTCAT SERVICE GUIDELINES - HOW DO I SERVE DOCUMENTS FOR PROCEEDINGS IN NTCAT?

A person required to serve a document must take reasonable steps to bring the document to the attention of the other person and must do so as soon as possible. NTCAT may refuse to deal with a matter if it is not satisfied that a document has been served.

WHO AM I SERVING DOCUMENTS ON?	HOW DO I SERVE THEM?	WHAT DO I NEED TO PROVIDE NTCAT TO PROVE I HAVE SERVED THE DOCUMENTS?
<p>AN INDIVIDUAL PERSON (For example, John Smith)</p> <p>OR</p> <p>AN INDIVIDUAL TRADING AS A BUSINESS (For example, John Smith trading as Smith IT Service, note that a business will have an ABN, Australian Business Number)</p> <p>OR</p> <p>A LEGAL OR NON-LEGAL REPRESENTATIVE (For example, a lawyer)</p>	<p>A. BY PERSONAL SERVICE You may serve documents personally by handing the documents to the person or you can pay a professional process server to do this for you.</p> <p>OR</p>	<ul style="list-style-type: none"> Complete a Form 6 – Unattested Declaration advising when, where and how you provided the documents. A Form 6 can be found here
	<p>B. BY SENDING THE DOCUMENTS ELECTRONICALLY</p> <p>OR</p>	<ul style="list-style-type: none"> Complete a Form 6 – Unattested Declaration advising when, where and how you provided the documents. A Form 6 can be found here and you MUST attach: Either a read receipt or reply email from the Respondent showing the emailed documents have been received read or replied to OR If sent electronically by some other means for example text or social media platforms this should clearly show that the message was read and include the orders that were required to be served. <p>Note: A delivery receipt is not sufficient proof of service for email service</p>
	<p>C. BY POST (or delivery to a postal address) You may deliver or post the documents to the individuals address</p> <p>OR</p>	<ul style="list-style-type: none"> Complete a Form 6 – Unattested Declaration advising when, where and how you posted the documents. A Form 6 can be found here and you should attach: <ul style="list-style-type: none"> Proof of delivery – if via post – an Australia Post delivery Receipt / tracking receipt proving it has been delivered. If delivered to the individuals address, a video or photos of the delivery which clearly show the address
	<p>D. BY OTHER OR MULTIPLE WAYS For example, If you have used a combination of methods of service of the above but are unable to supply the specific documents as requested above.</p>	<ul style="list-style-type: none"> Complete a Form 6 – Unattested Declaration advising when, where and how you served the documents. A Form 6 can be found here and you should attach: All evidence showing what steps you have taken to bring the documents to the other person’s attention.

<p>A COMPANY (For example, Smith IT Pty Ltd, note that a company will have an ACN, Australian Company Number)</p> <p>To obtain a copy of the company's details including the Registered address or Directors details, you can do an ASIC search. The search can be done at www.asic.gov.au and the cost can be claimed in the proceedings.</p>	<p>E. BY POST - Leaving it at or posting it to the Registered Address of the company;</p> <p>OR</p> <p>F. BY PERSONAL SERVICE ON ONE OF THE COMPANY'S DIRECTORS</p>	<ul style="list-style-type: none"> • Complete a Form 6 – Unattested Declaration advising when and to what address this was posted. A Form 6 can be found here and you should attach: <ul style="list-style-type: none"> ○ proof of postage or delivery to this address, for example, a lodgement receipt, delivery receipt, photo of the envelope with address details, video or photos of delivery to the address; • You must provide a copy of the current company extract by ASIC extract to show the Registered Address of the company <p>Note: An email to a company is not sufficient service</p> <ul style="list-style-type: none"> • Complete a Form 6 – Unattested Declaration advising when, what and who was served. A Form 6 can be found here • You must provide a copy of the current company extract by ASIC extract to show the listed Director(s) of the company.
<p>AN INCORPORATED ASSOCIATION (For example, a Charity or Sporting Association or a Body Corporate) The Public Officer is the Associations legal representative and contact. To do a search of the public record you can do a search online public register. Licencingnt.gov.au</p>	<p>G. BY PERSONAL SERVICE ON THE PUBLIC OFFICER OF THE ASSOCIATION</p> <p>OR</p> <p>H. BY POST You may deliver or post the documents to the Public Officer's address.</p>	<ul style="list-style-type: none"> • Complete a Form 6 – Unattested Declaration advising when and to what address this was posted. A Form 6 can be found here • Complete a Form 6 – Unattested Declaration advising when, where and how you provided the documents. A Form 6 can be found here and you should attach <ul style="list-style-type: none"> ○ Provide proof of delivery – if via post – an Australia Post delivery Receipt / tracking receipt proving it has been delivered. ○ If delivered to the individuals address, a video or photos of the delivery which clearly show the address
<p>SERVICE OUTSIDE OF THE NORTHERN TERRITORY</p>	<p>Documents must be served with a form 4</p>	<ul style="list-style-type: none"> • Service of documents outside of the Northern Territory must be accompanied by a Form 4 under the <i>Service and Execution of Process Act 1992 (Cth)</i> This can be found here.
<p>SUBSTITUTED SERVICE</p>	<p>In the case of being unable to serve documents in accordance with service guidelines. This may be used when all other options have been exhausted.</p>	<ul style="list-style-type: none"> • The process to follow to obtain an order for substituted service can be found here