

File Number

ACT CIVIL AND ADMINISTRATIVE TRIBUNAL



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APPLICATION FOR INTERIM OR OTHER ORDERS – GENERAL *

*see attachment for when this application may be used

APPLICANT

Name

RESPONDENT

Name

THIS APPLICATION is made by the: (strike out what does not apply)

Applicant

Respondent

All Parties

Orders sought – interim or other orders (use an attachment if insufficient space and number each order separately)

Legislation under which orders are sought:

Grounds relied on *(use an attachment if insufficient space)*

Applicant's signature

Date

Applications for Interim or Other Orders

This form may be used when an application has already commenced before the tribunal and a party or someone else wishes to apply for an interim or other order in relation to that application. It should be used only when no other specific form exists for the application. It may only be used when the ACT Civil and Administrative Act 2008 (the Act) or some other law authorises the application.

Examples of applications that may be made include:

1. for an interim order under section 53 of the Act or to vary, revoke or extend such an order
2. to join a person as a new party to an application
3. for an order under section 35 of the Act referring a matter for mediation and requiring the parties to attend a mediation
4. for an order under section 39(3) of the Act relating to hearings in private or partly in private
5. to set aside a subpoena completely or partly under section 41(6) of the Act
6. for a direction to permit a person to take part or give evidence other than in person under section 45 of the Act
7. to amend a document under section 47 of the Act
8. for the tribunal to make an order in accordance with agreed terms under section 55 of the Act
9. for an order to hear an application jointly with another application under section 56 (a) of the Act
10. for orders to be made by consent under section 56(b) of the Act
11. to amend or set aside a tribunal order under section 56(c)
12. to extend the period for compliance stated in a direction made under section 67 of the Act
13. to remove an application to the Supreme Court under section 83 of the Act or for the referral of a question of law to the Supreme Court under section 84 of the Act

NOTE: This is not an exhaustive list of the applications for interim or other orders that may be made using this form.

Unless it is inconsistent with a provision in the Act or in an authorising law or rule, a person may apply to the tribunal for an interim or other order in an application by:

- (a) lodging an application in writing using this form or
- (b) by writing a letter to the tribunal or
- (c) by making an oral application to the tribunal.

A person who wishes to apply for an interim or other order in an application should ensure that every party to the application is aware of what orders are sought and when the application is going to be made.

In making a decision about how an application for an interim or other order should be made in a matter the tribunal will consider:

- (a) the need to observe natural justice and procedural fairness, and;
- (b) the requirement for procedures to be as simple, quick, inexpensive and informal as is consistent with achieving justice and
- (c) the needs of the particular matter