



New South Wales

Commercial Tribunal Rules 1996

under the

Commercial Tribunal Act 1984

The following Rules have been made under the *Commercial Tribunal Act 1984*.

REG L. CONNOLLY,

Registrar of the Commercial Tribunal.

Explanatory note

The object of these Rules is to repeal and remake the provisions of the *Commercial Tribunal Rules 1989*. The new Rules make provision for the practice and procedure of the Commercial Tribunal.

These Rules are made under the *Commercial Tribunal Act 1984*, including section 38 (the general rule making power).

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Commercial Tribunal Rules 1996

1 Name of Rules

These Rules are the *Commercial Tribunal Rules 1996*.

2 Definitions

In these Rules:

applicant includes appellant.

application includes appeal.

appropriate prescribed fee means the fee (if any) prescribed by the *Commercial Tribunal Regulation 1994* in relation to the matter in respect of which the expression is used.

registered office of a company means the company's registered office in New South Wales under the *Corporations Law*.

Registry means the office of the Registrar.

the Act means the *Commercial Tribunal Act 1984*.

working day means any day that is not a Saturday, Sunday or public holiday.

3 Notes

The explanatory note and table of contents do not form part of these Rules.

4 Filing

- (1) A document for filing is not duly filed unless it is accepted:
 - (a) if it is received at the Registry, by an officer of the Tribunal, or
 - (b) if it is received elsewhere than at the Registry, by the Chairman, Deputy Chairman or Registrar.
- (2) On a document's being filed, the date of filing must be recorded on the document and the document must be sealed with the seal of the Tribunal.
- (3) A document for filing may be posted to the Registry with a request that the document be filed.

5 Applications

- (1) An application is made by filing at the Registry the appropriate application form, duly completed and accompanied by the appropriate prescribed fee.
- (2) Except in the case of an application for the purposes of proceedings in which there is no other party, the applicant must furnish the Registry with as many additional copies of the application as are necessary for service on all of the other parties.
- (3) On being dated and sealed, the additional copies are to be returned to the applicant.

6 Service of documents

- (1) An application for the purposes of any proceedings must be served on each of the other parties within any time limit prescribed by or under any relevant Act or law.
- (2) If no such time limit is prescribed, service must be effected within a reasonable time before the return date endorsed on the application by the Registrar.
- (3) Service of an application or summons is to be effected:
 - (a) personally, or
 - (b) in the case of a company:
 - (i) by certified post addressed to the company's registered office, or
 - (ii) by leaving a copy with a person who is apparently of or above the age of 16 years at the company's registered office.
- (4) Service of any other document may be effected in any of the following ways:
 - (a) personally,
 - (b) if the person has an address for service on record with the Registry:
 - (i) by pre-paid ordinary post addressed to the person's address for service, or
 - (ii) if the person's address for service is a box in a document exchange, in New South Wales, of Australian Document Exchange Pty Limited, by leaving a copy in that exchange box or in another exchange box for transmission to that exchange box,

-
- (c) if the person has no such address for service:
 - (i) by pre-paid ordinary post addressed to the company's registered office (in the case of a company) or the person's place of business or residence last known to the applicant (in any other case), or
 - (ii) by leaving a copy with a person who is apparently of or above the age of 16 years at the company's registered office (in the case of a company) or at the person's place of business or residence last known to the applicant (in any other case),
 - (d) in such other manner as may be provided by any Act or law or directed by the Chairman, Deputy Chairman or Registrar in a particular case.
- (5) Service by post is prima facie taken to have been effected on a person at the end of the fourth working day after the date on which the document was posted to the person.
 - (6) Service by document exchange is prima facie taken to have been effected on a person at the end of the second working day after the date on which the document was left in the person's exchange box or, if the document is left at some other exchange box for transmission to the person's exchange box, in that other exchange box.
 - (7) The Chairman, Deputy Chairman or Registrar may, without hearing from the other parties, do any one or more of the following:
 - (a) direct a party to serve an application or any other document on a person who is not a party, and
 - (b) order substituted service to be effected in such manner as the Chairman, Deputy Chairman or Registrar considers appropriate, and
 - (c) extend or reduce (subject to any relevant Act or law) the time within which service must be effected.
 - (8) For the purposes of section 36 of the Act, service may be effected by any of the following persons:
 - (a) a party to the proceedings,

-
- (b) a legal representative of a party to the proceedings, including any partner or employee of that legal representative,
 - (c) a commercial agent licensed under the *Commercial Agents and Private Inquiry Agents Act 1963*,
 - (d) any agent appointed by the party to the proceedings for the purposes of effecting service.
- (9) Proof of service of any application or document may be given by oral evidence before the Tribunal or by affidavit.
- (10) Service of the following documents may be dispensed with if the Chairman, Deputy Chairman or Registrar so directs:
- (a) any application for the purposes of any proceedings,
 - (b) any other document for the purposes of any proceedings.

7 Appearance

- (1) Subject to any direction of the Chairman, Deputy Chairman or Registrar, a person is not entitled to take any step in, or be heard at the hearing of, any proceedings unless that person has filed a notice of appearance and has served a copy of the notice on each of the other parties.
- (2) A notice of appearance must state an address in New South Wales at which documents may be served on that person.
- (3) Subject to any direction of the Chairman, Deputy Chairman or Registrar, a party to any proceedings must file and serve on each of the other parties notice of any change of address or change of solicitor.

8 Directions hearings

- (1) The Chairman, Deputy Chairman or Registrar may direct that any proceedings be the subject of a directions hearing before the Chairman, Deputy Chairman or Registrar.
- (2) At a directions hearing, the Chairman, Deputy Chairman or Registrar may give directions as to the steps to be taken in the proceedings, including the following:
 - (a) a direction to a party to provide any other party or the Tribunal with further particulars of any claim made in the proceedings,

-
- (b) a direction to a party to file further documents,
 - (c) a direction to a party to make available to any other party a copy of a specified document (not being a document that is privileged from production),
 - (d) a direction revoking or varying any direction made at a previous directions hearing.
- (3) If the applicant in the proceedings does not appear at a directions hearing conducted by the Registrar, the Registrar:
- (a) must notify each of the parties of a further directions hearing to be conducted by the Registrar, and
 - (b) must notify the applicant that, if the applicant fails to appear, the Registrar will refer the proceedings to the Tribunal for dismissal.
- (4) If any party to proceedings seeks directions from the Tribunal, that party must file with the Tribunal, and if appropriate, serve on any other party:
- (a) drafts of the directions sought, and
 - (b) if appropriate, any affidavits in support,
- at least 3 working days (or such other period, if any, fixed by the Chairman, Deputy Chairman or Registrar in a particular case) before the date of the directions hearing at which those directions will be sought.

9 Pre-hearing conferences

- (1) The Chairman, Deputy Chairman or Registrar may direct that any proceedings be the subject of a pre-hearing conference before the Registrar.
- (2) At a pre-hearing conference, the Registrar may do any one or more of the following:
 - (a) fix a date for the hearing of the proceedings,
 - (b) adjourn the hearing of the proceedings for a further pre-hearing conference,
 - (c) assist the parties to reach agreement on the matters in dispute in the proceedings,
 - (d) assist the parties to reach agreement as to the issues to be determined in the proceedings,
 - (e) give directions of the kind referred to in Rule 8 (2).

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- (3) If the applicant in the proceedings does not appear at a pre-hearing conference conducted by the Registrar, the Registrar:
- (a) must notify each of the parties of a further pre-hearing conference to be conducted by the Registrar, and
 - (b) must notify the applicant that, if the applicant fails to appear, the Registrar will refer the proceedings to the Tribunal for dismissal.

10 Decisions and orders of the Tribunal

- (1) The Registrar must establish and maintain a record of all decisions and orders of the Tribunal that includes the following particulars:
- (a) the date of each decision or order,
 - (b) the constitution of the Tribunal when each decision or order was made,
 - (c) the terms of each decision or order,
 - (d) a copy of the Tribunal's reasons (if any) for each of its decisions,
 - (e) details of appearances made by or on behalf of the parties in the proceedings in which each decision or order was made.
- (2) On request by any person and payment of the appropriate prescribed fee, the Registrar must issue to the person:
- (a) a certified copy of a decision of the Tribunal, or
 - (b) a written copy of the reasons for a decision of the Tribunal,
or
 - (c) a written copy of an order of the Tribunal.
- as the person requires.
- (3) On request by any party to proceedings and payment of the appropriate prescribed fee, the Registrar must issue to the party a certified copy of any licence, registered instrument or document issued by the Tribunal in relation to the proceedings.

11 Withdrawal and discontinuance

- (1) A party in respect of whom an appearance has been noted by the Tribunal and who withdraws the appearance must file a notice of withdrawal.
- (2) If a party to proceedings on an application discontinues the application, the party:
 - (a) must file a notice of discontinuance, and
 - (b) on the day of filing or as soon as practicable after that day, must serve a copy of the notice on each other party.
- (3) A notice of discontinuance:
 - (a) must state the extent of the discontinuance, and
 - (b) if the discontinuance is by consent, must bear the consent of each consenting party.

12 Interlocutory and other applications

- (1) Except with the leave of the Chairman, Deputy Chairman or Registrar or by consent, a person must not move the Tribunal for any order unless the person:
 - (a) has filed a notice of motion in the form prescribed by these Rules, together with any supporting affidavits, and
 - (b) has served the notice of motion and any supporting affidavit on each interested person at least 5 working days before the return date of the notice of motion, and
 - (c) has filed an affidavit of service of the notice of motion and supporting affidavits by 12 noon on the working day prior to the return date.
- (2) The notice of motion should clearly and concisely state the nature of the orders sought, the name of each party affected by the orders sought (if appropriate) and the grounds that support the motion.
- (3) Affidavits in reply and otherwise by any person served with the notice of motion are to be filed and served in sufficient time before the hearing to enable the party filing the notice of motion to reply by affidavit.

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- (4) A notice of motion may be determined in the absence of any person if the notice has been duly served on that person in accordance with these Rules.

13 The Registry

- (1) The Registry is to be open to the public for business between the hours of 8.30 am and 5.00 pm of each working day.
- (2) The Registry may, at the discretion of the Registrar, and must, on the direction of the Chairman or Deputy Chairman, be opened at other times for urgent business.
- (3) A document must not be taken out of the Registry without the permission of the Chairman, Deputy Chairman or Registrar.
- (4) A person may not search for or inspect in the Registry any document or thing in any proceedings except with the leave of the Chairman, Deputy Chairman or Registrar.
- (5) A party to proceedings may not search for or inspect in the Registry any document relating to the proceedings if the Tribunal has ordered that the document not be disclosed without the consent of the Tribunal.

14 Proceedings in the absence of the public

Subject to any relevant Act or law, the Tribunal may order that proceedings be conducted in the absence of the public if, in the opinion of the Tribunal:

- (a) the presence of the public will not be in the interests of justice, or
- (b) the proceedings are formal or non-contentious, or
- (c) the proceedings do not involve the appearance before the Tribunal of any person, or
- (d) a party to the proceedings is under the age of 18 years.

15 Transfer of proceedings

If proceedings are transferred to the Tribunal from a court, whether under section 6 (3) of the *Credit Act 1984* or otherwise, the Registrar must serve on all of the parties, as soon as practicable after receipt of all documents relating to the proceedings, a notice fixing a date and time for the holding of a directions hearing in relation to the proceedings.

16 Practice notes

- (1) The Chairman may issue practice notes with respect to any matter relating to the practice and procedure of the Tribunal for which these Rules do not make provision.
- (2) Copies of any such practice notes are to be kept at the Registry and made available on request to members of the public.

17 Forms

- (1) The following Forms (as set out in Schedule 1) are to be used in proceedings before the Tribunal:

Heading/Footing of forms generally	Form 1
Application (General)	Form 2
Notice of Appeal	Form 3
Notice of Appearance	Form 3
Notice of Change of Address/Change of Solicitor	Form 5
Notice of Withdrawal	Form 6
Notice of Discontinuance of Proceedings	Form 7
Summons to Give Evidence	Form 8
Summons for Production and to Give Evidence	Form 9
Summons for Production	Form 10
Notice for Discovery	Form 11
Notice of Objection (section 23 (1) <i>Credit (Administration) Act 1984</i>)	Form 12
Notice of Objection (section 11 (1) <i>Credit (Administration) Act 1984</i>)	Form 13
Application (section 14 (3) <i>Credit (Administration) Act 1984</i>)	Form 14
Application (section 13 (1) <i>Credit (Administration) Act 1984</i>)	Form 15
Application (section 63 <i>Building Services Corporation Act 1989</i>)	Form 16
General Form of Order	Form 17
Notice of Motion	Form 18

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Clause 17 Commercial Tribunal Rules 1996

- (2) If a form for an application or other document for use in any proceedings is not set out in Schedule 1, the Registrar:
 - (a) may approve a form for use in the proceedings, and
 - (b) may make the form available to members of the public on request.
- (3) If no form is prescribed by these Rules, by any practice notes in force or by the Registrar, a party may use a form of their own devising, provided it bears the information set out in Form 1 in Schedule 1.

18 Tribunal may dispense with compliance with Rules

The Tribunal may dispense with compliance with any requirement of these Rules. either before or after the occasion for compliance arises.

19 Repeal

- (1) The *Commercial Tribunal Rules 1989* are repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Commercial Tribunal Rules 1989*, had effect under those Rules continues to have effect under these Rules.

Schedule 1 Forms

Form 1

Heading

In the Commercial Tribunal
of New South Wales at
Sydney

No _____ of 19 ____

IN THE MATTER of _____ (*name of Act*)

AND IN THE MATTER of _____
an _____ under
Section _____ thereof

BETWEEN:

*Applicant/Appellant

AND:

*Respondent/Intervener

Footings

Dated: _____

Filed by:
Address:
Solicitor's Address:
Telephone:
Facsimile:

(* Delete whichever is inappropriate)

Form 2

In the Commercial Tribunal
of New South Wales at
Sydney

No of 19

IN THE MATTER of (*name of Act*)

AND IN THE MATTER of
an under
Section thereof

BETWEEN:

Applicant

AND:

Respondent

Application

Application is made to the Tribunal on behalf of the Applicant for Orders that:

1.

on the following grounds:

1.

Dated:

(Applicant or
Applicant's Solicitor)

This Application has been set down for a directions hearing by the Tribunal at the time and place specified below:

- (1) to fix a date for the hearing of the proceedings. and
- (2) to enable the Tribunal to give such directions as are necessary to facilitate and achieve a prompt hearing of the matters in issue between the parties to the proceedings.

If there is no attendance before the Tribunal by you, or on your behalf, at that time the Tribunal may make such orders as it thinks fit in your absence.

Time & Date

Place:

Dated:

(Registrar)
Commercial Tribunal of New South Wales

This application is filed by:

Name of Applicant:

Address of Applicant:

Solicitor:

Address for service:

Telephone:

Facsimile:

NOTE TO RESPONDENT: If you have not already done so, before you attend at the time and place specified above, you must file a Notice of Appearance in accordance with the *Commercial Tribunal Rules 1996* and serve a copy of that notice on the other parties to the proceedings.

Form 3

In the Commercial Tribunal
of New South Wales at
Sydney

No of 19

IN THE MATTER of (*name of Act*)

AND IN THE MATTER of
an under
Section thereof

BETWEEN:

Appellant

AND:

Respondent

Notice of Appeal

The Appellant hereby gives Notice of Appeal against:

AND will rely on the following grounds:

1 .

Dated:

.....
(Appellant or
Appellant's Solicitor)

The Appeal has been set down for a directions hearing at the time and place specified below:

- (1) to fix a date for the hearing of the proceedings. and
- (2) to enable the Tribunal to give such directions as are necessary to facilitate and achieve a prompt hearing of the matters in issue between the parties to the proceedings.

If there is no attendance before the Tribunal by you, or on your behalf, at that time the Tribunal may make such orders as it thinks fit in your absence.

Time & Date:

Place:

Dated:

(Registrar)
Commercial Tribunal of New South Wales

This appeal is filed by:

Name of Appellant:

Address of Appellant:

Solicitor:

Address for service:

Telephone:

Facsimile:

NOTE TO RESPONDENT: If you have not already done so, before you attend at the time and place specified above, you must file a Notice of Appearance in accordance with the *Commercial Tribunal Rules 1996* and serve a copy of that notice on the other parties to the proceedings.

Form 4

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

*Respondent

Notice of Appearance

I (*name of Respondent*)

of (*address of Respondent*)

..... (*telephone number*)

..... (*facsimile number*)

intend to appear as a Respondent to this *application/appeal/show cause
notice:

*(a) in person

*(b) by Solicitor

.....
.....

(*name, address, telephone and facsimile of Solicitor*)

OR

*(c) by some other agent

.....

.....

(*name, address, telephone and facsimile of agent*)

Dated:

.....
(Respondent or
Respondent's Solicitor)

(* Delete whichever is inappropriate)

Form 5

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Notice of change of address/change of solicitor

- * Take notice that the address for service for *(name of party)* is *(address for party)*.
- * Take notice that *name of party* who formerly employed *(name of solicitor)* as his/her solicitor (or appeared in person) now employs *(new solicitor)* as his/her solicitor and his/her address for service is *(address for solicitor)*.

Dated:

.....
(Party or Party's Solicitor)

Name:
Address:
Solicitor:
Address for service:
Telephone:
Facsimile:

(* Delete whichever is inappropriate)

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Schedule 1 Forms

Form 6

In the Commercial Tribunal
of New South Wales at
Sydney

No of 19

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Notice of withdrawal

Take notice that (*name of party*) has on this day withdrawn the appearance
tiled by him/her in these proceedings.

Dated:

.....
(Party or Party's Solicitor)

Name:
Address:
Solicitor:
Address for service:
Telephone:
Facsimile:

(* *Delete whichever is inappropriate*)

Form 7

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

OF:

Respondent

Notice of discontinuance of proceedings

The *Applicant/Appellant discontinues these proceedings.

The *Applicant/Appellant does not seek any order as to costs.

.....
*(Appellant/Applicant or
Appellant's/Applicant's Solicitor)

If discontinuance is by consent:

The Respondent consents to the discontinuance.

The Respondent does not seek any order as to costs.

.....
(Respondent or
Respondent's Solicitor)

Dated:

Name:
Address:
Solicitor:
Address for service:
Telephone:
Facsimile:

(* Delete whichever is inappropriate)

Form 8

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN

*Applicant/Appellant

AND:

Respondent

Summons to give evidence

TO:

OF:

The Tribunal orders that you must attend for the purpose of giving evidence:

- before the Tribunal.
- at
- on 19 at am and until you are excused from further attending, but:

You need not attend on any day unless:

- reasonable expenses have been paid or tendered to cover the reasonable costs of travel from your home or place of business to the Tribunal and return, and
- this summons is served not later than

The issuing party or that party's solicitor may, by written notice to you, alter the day for attendance to a later date or excuse you from compliance with the summons altogether.

Dated:

(Registrar)

Commercial Tribunal of New South Wales

NOTE: Failure to comply with this summons may result in your arrest.

(* Delete whichever is inappropriate)

Issuing Party:
Name:
Solicitor:
Address:
Telephone:
Facsimile:

Inquiries about this summons should be directed to (*Issuing party/Solicitor for issuing party*).

Authorisation to reduce time for service

This Summons may be served no later than am/pm on
19

Chairman/Deputy Chairman/Registrar

Form 9

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Summons for production and to give evidence

TO:

OF:

The Tribunal orders that you must attend and produce this Summons and the documents and things described in the Schedule and also attend for the purpose of giving evidence:

- before the Tribunal,
- at
- on 19 , at am and until you are excused from further attending, but:

You need not attend on any day unless:

- reasonable expenses have been paid or tendered to cover the reasonable costs of travel from your home or place of business to the Tribunal and return, and
- this summons is served not later than

If this summons is served on a corporation and the corporation is unable to produce all or any of the documents or things called for, its proper officer must attend on the date referred to in the summons. The officer will make enquiries for the purposes of answering and on attending answer such questions as the Tribunal requires concerning the possession or custody of these documents and things.

The issuing party or that party's solicitor may, by written notice to you, alter the day for production or attendance to a later date or excuse you from compliance with the summons altogether.

(* Delete whichever is inappropriate)

Schedule

Dated:

(Registrar)
Commercial Tribunal of New South Wales

NOTE: Failure to comply with this summons may result in your arrest.

Issuing Party:
Name:
Solicitor:
Address:
Telephone:
Facsimile:

Inquiries about this summons should be directed to *(Issuing party/Solicitor for issuing party)*.

Authorisation to reduce time for service

This Summons may be served no later than am/pm on.....
19

Chairman/Deputy Chairman/Registrar

Form 10

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Summons for production

TO:

OF:

The Tribunal orders that you must attend and produce this Summons and documents and things described in the Schedule:

- before the Tribunal.
- at
- on 19, at am and until you are excused from further attending. but:

You need not attend. or produce any document or thing on any day unless:

- reasonable expenses have been paid or tendered to cover the reasonable costs of travel from your home or place of business to the Tribunal and return. and
- this summons is served not later than

If you are not a party to these proceedings, instead of so attending. you may produce this Summons and the documents and things described in the Schedule to the Registrar of the Tribunal at the above place. not later than 2 working days before the first day on which you are required to attend.

If this summons is served on a corporation and the corporation is unable to produce all or any of the documents or things called for. its proper officer must attend on the date referred to in the summons. The officer will make enquiries for the purposes of answering and on attending answer such questions as the Tribunal requires concerning the possession or custody of these documents and things.

(* Delete whichever is inappropriate)

Schedule

Dated:

(Registrar)
Commercial Tribunal of New South Wales

NOTE: Failure to comply with this summons may result in your arrest.

Issuing Party:

Name:
Solicitor:
Address:
Telephone:
Facsimile:

Inquiries about this summons should be directed to *(Issuing party/Solicitor for issuing party)*.

Authorisation to reduce time for service

This Summons may be served no later than a m / p m on
19

Chairman/Deputy Chairman/Registrar

Form 11

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

*Respondent/Intervener

Notice for discovery

To the *Applicant/Appellant/Respondent/Intervener:

The *Applicant/Appellant/Respondent/Intervener requires you to give
discovery of documents *with/without verification within 15 days after
service of this notice on you.

Dated:

.....
(*Applicant/Appellant/Respondent/
Intervener or Solicitor)

Name:
Solicitor:
Address:
Telephone:
Facsimile:

(* Delete whichever is inappropriate)

In the Commercial Tribunal of New South Wales at Sydney

IN THE MATTER of the *Credit*
(Administration) Act 1984. Section 23
(1)

AND IN THE MATTER of
Licence No

AND IN THE MATTER of an objection
lodged by

Notice of objection

TAKE NOTICE that _____ (*Name*),

of (Address).

OBJECTS to _____ (Licensee)

being the holder of Licence No _____
on the following grounds:

I.

Dated:

.....
(Objector or Objector's Solicitor)

TO: *(Insert name and Address of Licensee)*

Filed by:
Name:
Address:
Solicitor:
Address:
Telephone:
Facsimile:

Form 13

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

IN THE MATTER of the *Credit*
(*Administration*) Act 1984, Section 11
(1)

AND IN THE MATTER of an
application by

for a Licence

AND IN THE MATTER of an objection
lodged by

Notice of objection

TAKE NOTICE that (Name),
of (Address).
OBJECTS to (Applicant)
being granted a Licence on the following grounds:
1 .

Dated:

.....
(Objector or Objector's Solicitor)

TO: (*Insert name and address of Applicant*)

Filed by:
Name:
Address:
Solicitor:
Address:
Telephone:
Facsimile:

Form 14

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

IN THE MATTER of the *Credit*
(*Administration*) Act 1983

AND IN THE MATTER of an
application under Section 14 (3) thereof

AND IN THE MATTER of
who is the holder of
Licence No

Application

Application is made to the Tribunal for authorisation for
who is the holder of Licence No
to carry on business under a name or names in addition to, or in substitution
for, the name of the licensee.

The name or names submitted for authorisation are:
(*list names*)

The name or names are *in addition to/in substitution for the name of the
licensee.

A copy of the Certificate of Registration of Business Name for each name
or names is attached.

Dated:

.....
(Applicant or Applicant's Solicitor)

Name:
Address:
Solicitor:
Address:
Telephone:
Facsimile:

(* *Delete whichever is inappropriate*)

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Schedule 1 Forms

Form 15

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

IN THE MATTER of the *Credit*
(Administration) Act 1984

AND IN THE MATTER of an
application under Section 13 (1) thereof

AND IN THE MATTER of
who is the holder of
Licence No

Application

Application is made to the Tribunal to *vary/revoke the *conditions/
restrictions subject to which (*licensee*) holds *credit provider's/finance
broker's licence number

Dated:

.....
(Applicant or Applicant's Solicitor)

Filed by:
Name:
Address:
Solicitor:
Address:
Telephone:
Facsimile:

(* *Delete whichever is inappropriate*)

Form 16

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

IN THE MATTER of the *Building
Services Corporation Act 1989*

AND IN THE MATTER of a Notice to
Show Cause under section 63 thereof

BETWEEN:

Applicant

AND:

Respondent

Notice to show cause

TO:

OF:

Take Notice that you are required to appear before the Tribunal to show
cause why you should not be dealt with under Part 4 of the *Building
Services Corporation Act 1989* on the grounds set out below:

1.

Dated:

.....
(Applicant or Applicant's Solicitor)

This matter has been set down for a directions hearing before the Tribunal at
the time and place specified below:

- (1) to fix a date for the Show Cause Hearing. and
- (2) to enable the Tribunal to give such directions as are necessary to
facilitate and achieve a prompt hearing of the matters in issue
between the parties to the proceedings.

1996 No 498

Commercial Tribunal Rules 1996

Schedule 1 Forms

If there is no attendance before the Tribunal by you, or on your behalf at that time, the Tribunal may make such orders as it thinks fit in your absence.

Time & Date:

Place:

Dated:

(Registrar)
Commercial Tribunal of New South Wales

This Show Cause Notice is filed by:

Name:

Solicitor for the Applicant:

Address:

Telephone:

Facsimile:

NOTE TO RESPONDENT: If you have not already done so, before you attend at the time and place specified above, you must file a Notice of Appearance in accordance with the *Commercial Tribunal Rules 1996* and serve a copy of that notice on the Applicant.

Form 17

In the Commercial Tribunal
of New South Wales at
Sydney

No _____ of 19 _____

IN THE MATTER of _____ (*name of Act*)

AND IN THE MATTER of _____
an _____ under
Section _____ thereof

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Order/s

The Tribunal orders that:

1. _____

Dated: _____

Chairman/Deputy Chairman/Registrar
Commercial Tribunal of New South Wales

(* *Delete whichever is inappropriate*)

1996 No 498

Commercial Tribunal Rules 1996

Schedule 1 Forms

Form 18

In the Commercial Tribunal No of 19
of New South Wales at
Sydney

BETWEEN:

*Applicant/Appellant

AND:

Respondent

Notice of Motion

(Name of Person) will at

Date & Time: 9.30 am on 19 , at

Place:

move the Tribunal for Orders that:

1.

on the following grounds (or on the grounds set out in the affidavit of
(name) sworn and filed):

1.

*TO: *(name each person affected by any orders sought)*
(address)

OR

*It is not intended to serve this notice on any person.

Dated:

.....
(Party or Party's Solicitor)

Filed by:

Name:

Address:

Solicitor:

Address:

Telephone:

Facsimile:

(* Delete whichever is inappropriate)