



New South Wales

Consumer, Trader and Tenancy Tribunal Amendment (Electronic Case Management System) Regulation 2010

under the

Consumer, Trader and Tenancy Tribunal Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer, Trader and Tenancy Tribunal Act 2001*.

VIRGINIA JUDGE, MP
Minister for Fair Trading

Explanatory note

The object of this Regulation is to regulate the use of the CTTT Online electronic case management system in relation to proceedings in the Consumer, Trader and Tenancy Tribunal. In particular, the Regulation makes provision in relation to the electronic lodgment and issuing of documents in proceedings by means of CTTT Online.

This Regulation is made under the *Consumer, Trader and Tenancy Tribunal Act 2001*, including section 86 (the general regulation-making power).

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Clause 1 Consumer, Trader and Tenancy Tribunal Amendment (Electronic Case Management System) Regulation 2010

**Consumer, Trader and Tenancy Tribunal Amendment
(Electronic Case Management System) Regulation 2010**

under the

Consumer, Trader and Tenancy Tribunal Act 2001

1 Name of Regulation

This Regulation is the *Consumer, Trader and Tenancy Tribunal Amendment (Electronic Case Management System) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Consumer, Trader and Tenancy Tribunal Regulation 2009

Part 7A

Insert after clause 36:

Part 7A Electronic case management

36A Definitions

In this Part:

ECM system means an electronic case management system established for the Tribunal under section 14B of the *Electronic Transactions Act 2000*.

36B Electronic lodging of documents

- (1) In any proceedings, a document may be lodged on behalf of a party, by means of the ECM system, by any of the following:
 - (a) the party,
 - (b) a person who is authorised to sign the document under clause 12,
 - (c) a person who has been directed to lodge the document by the party.
- (2) When lodged by means of the ECM system, a document that is required to be signed by a person is taken:
 - (a) to have been duly signed, and
 - (b) to have been duly authenticated for the purposes of section 14E of the *Electronic Transactions Act 2000*,
if the person's name is printed where his or her signature would otherwise appear.
- (3) A document that is lodged by means of the ECM system is so lodged as soon as it is received and accepted by the Registrar.
- (4) The Registrar must accept a document that is lodged by means of the ECM system unless the Registrar refuses to accept the document in accordance with any directions given under subclause (5).
- (5) The Chairperson may give directions in relation to the acceptance of documents lodged by means of the ECM system, either generally or for particular proceedings.

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Schedule 1

Amendment of Consumer, Trader and Tenancy Tribunal Regulation 2009

- (6) Notice, and the date, of the lodging and acceptance of a document is to be given, by means of the ECM system, to the person by whom the document was lodged.

36C Electronic issuing of documents

The Registrar may, by means of the ECM system, issue a document to any party who has agreed to use the ECM system for the proceedings.

36D Format of documents lodged or issued electronically

The Chairperson may, in the case of documents lodged with the Tribunal, or issued by the Tribunal, by means of the ECM system, approve the format in which such documents are to be lodged or issued.