



New South Wales

# Civil and Administrative Tribunal (Amendment No 7) Rule 2020

under the

Civil and Administrative Tribunal Act 2013

The Rule Committee of the Civil and Administrative Tribunal has made the following Tribunal rule under the *Civil and Administrative Tribunal Act 2013*.

C SZCZYGIELSKI  
Secretary of the Rule Committee

## Explanatory note

The object of this Rule is to extend the circumstances in which a hearing is not required to include hearings for the purpose of making an ancillary or interlocutory decision if—

- (a) the parties consent to the making of the decision, or
- (b) in the case of an order staying or otherwise affecting the operation of a decision that is the subject of a pending review or appeal—the Tribunal determines that it is not appropriate to hold a hearing due to the urgency of the matter.

## **Civil and Administrative Tribunal (Amendment No 7) Rule 2020**

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Civil and Administrative Tribunal Act 2013

### **1 Name of Rule**

This Rule is the *Civil and Administrative Tribunal (Amendment No 7) Rule 2020*.

### **2 Commencement**

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

### **3 Amendment of Civil and Administrative Tribunal Rules 2014**

#### **Rule 36A**

Insert after rule 36—

#### **36A Hearings not required in certain circumstances**

Proceedings for an interlocutory or ancillary decision are prescribed for the purposes of section 50(1)(d) of the Act if—

- (a) the parties consent to the making of the decision, or
- (b) in the case of an order made under section 43(3) of the Act—the Tribunal determines, on application by a party to proceedings or on its own motion, that it is not appropriate to hold a hearing due to the urgency of the matter.

**Note.** Section 50(1)(d) of the Act enables the Tribunal rules to prescribe circumstances in which hearings are not required for proceedings in the Tribunal.