

Independent Pricing and Regulatory Tribunal Regulation 1996

[1996-455]



New South Wales

Status Information

Currency of version

Repealed version for 27 October 2000 to 31 August 2002 (accessed 28 December 2024 at 17:42)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Regulation was repealed by the [Subordinate Legislation Act 1989 No 146](#), sec 10 (2) with effect from 1.9.2002.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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New South Wales

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Independent Pricing and Regulatory Tribunal Regulation 1996*.

2 Definitions

In this Regulation:

dispute means a dispute under Part 4A of the Act.

the Act means the *Independent Pricing and Regulatory Tribunal Act 1992*.

3 Notes

The explanatory note and table of contents do not form part of this Regulation.

Part 2 Application of **Commercial Arbitration Act 1984**

4 Object of Part

The object of this Part is, in accordance with section 24A (2) of the Act, to modify the application of the *Commercial Arbitration Act 1984* to the arbitration of a dispute.

5 Appearance of legal practitioners

- (1) A party to a dispute may be represented in proceedings before an arbitrator by a legal practitioner only by leave granted by the arbitrator.
- (2) An arbitrator may grant leave only if the arbitrator is of the opinion:
 - (a) that representation of the party by a legal practitioner is likely to shorten the hearing of the dispute or to reduce the costs of the dispute, or
 - (b) that the party would be unfairly disadvantaged if the party was not represented by a legal practitioner.

(3) This clause has effect instead of section 20 (1) of the *Commercial Arbitration Act 1984*.

6 Private hearing of disputes

A dispute is to be heard in private, unless the arbitrator otherwise directs.

7 Costs of arbitration

For the purposes of section 34 (1) of the *Commercial Arbitration Act 1984*, and without limiting the fees and expenses of the arbitrator as referred to in that subsection, the fees and expenses of the arbitrator are taken to include all costs incurred by the arbitrator and by the Independent Pricing and Regulatory Tribunal in relation to the arbitration of a dispute, including administrative costs, costs incurred in engaging consultants and expert witnesses, and witnesses' expenses.

Part 3 Savings and transitional

8 References to Licence Compliance Advisory Board

A reference in any Act, in any instrument made under any Act or in any other instrument of any kind to the Licence Compliance Advisory Board is taken to be a reference to the Tribunal.