

How we can and cannot assist

NCAT Registry provides information and services to parties and the public in a way that is fair and impartial. This fact sheet explains what information and assistance NCAT Registry staff can and cannot provide.

About the NCAT Registry

The NSW Civil and Administrative Tribunal (NCAT) is an independent tribunal that resolves disputes and issues enforceable orders. The resolution of disputes may involve a range of processes such as mediation, conciliation, case conferences or hearings.

The Registry's role is to provide information about NCAT's practices and procedures, to support the dispute resolution functions and to manage NCAT's resources. All of these roles must be performed in a way that ensures the integrity of the tribunal system is maintained.

The services offered by NCAT Registry staff are similar to those that generally operate in all Australian courts and tribunals. NCAT's systems and practices ensure the administrative activities of Registry staff are distinct from the independent decision-making role of Tribunal Members.

While NCAT Registry staff do their best to provide accurate information, they are unable to provide legal advice or to assist one party in a way that would give them an advantage over another party.

What can Registry staff do?

Our Registry staff can provide you with general information about NCAT's practice and procedures.

We can explain how NCAT works

For example, we can:

- Tell you which application form you need to lodge and any fee that might be payable based on the information you provide.
- Advise if you are eligible for a reduced application fee or fee waiver.
- Tell you how your case will be managed and the application processing timeframes we aim to achieve.

- Explain the various steps in the application process.
- Explain NCAT's measures to ensure personal safety, including security arrangements at proceedings.
- Arrange for an interpreter to be available free-of-charge where requested.
- Provide information about assistance available if you have any special needs such as wheelchair access or hearing loop.
- Explain how to apply for an adjournment, urgent hearing or an appeal.
- Give you information on how to arrange for the issue of a summons to attend and give evidence or produce documents.

We can assist with the application process

For example, we can:

- Give you application forms and other materials.
- Refer you to the NCAT website to download application forms and supporting information.
- Tell you about our online lodgement system.
- Tell you whether your form is missing necessary items, such as signatures, names and addresses of parties and required documents.
- Direct you to organisations that may assist you in correctly identifying the other party.
- Explain the necessary steps to inform the other party about the matter.
- List your matter at the appropriate time in accordance with NCAT procedures and ensure your information is available to the relevant Tribunal officer or Member.
- Make reasonable adjustments for people with disability.
- Direct you to other services that can provide you with further assistance.



We can provide information on the progress of your application

For example, we can:

- Refer you to the NCAT website for information including hearing lists.
- Outline the process to follow if you want to view your file, obtain a sound recording or transcript of your hearing.
- Tell you how to provide feedback about NCAT's services, including comments, compliments or complaints.
- Tell you the process you need to follow to enforce an NCAT order.

The nature of matters dealt with in the Guardianship Division of NCAT may involve other assistance being available

What can't Registry staff do?

Our Registry staff cannot provide legal advice or take any action that will compromise our impartiality. This ensures that both parties receive a fair process before NCAT.

We cannot help bring your matter to NCAT

For example, we cannot:

- Tell you what should go on the form.
- Tell you whether NCAT has jurisdiction to hear your matter.
- Recommend a certain lawyer to act on your behalf.
- Confirm if you have correctly identified the other party.
- Tell you what words to use in your application, whether you have given NCAT enough information or what evidence you require to support your case.
- Advise you whether or not you should bring your case to NCAT or what orders you should seek.
- Provide an opinion on the merits of your application or what the decision of NCAT might be.

If you are unsure of how to bring your matter to NCAT seek independent legal advice or assistance. You may need to seek further assistance as your application progresses.

We cannot give certain types of assistance while your case is being heard

For example, we cannot:

- Tell you what to say at the hearing.
- Relay information or ask the Tribunal Member any questions on your behalf.
- Allow you or anyone on your behalf to communicate directly with a Tribunal Member (verbally or in writing) other than at the hearing or through the formal submission process. This allows all parties to have the opportunity to attend, hear and respond to any information or evidence about the matter.
- Disclose a Tribunal Member's orders until the Member formally issues the decision.

We cannot give certain types of assistance following the hearing

For example, our Registry staff cannot:

- Change an order once it is made by a Tribunal Member (Visit the NCAT website for set aside and appeal information).
- Enforce an NCAT order.

Contact NCAT

1300 006 228 | www.ncat.nsw.gov.au

For more information and assistance visit the NCAT website www.ncat.nsw.gov.au or contact NCAT on **1300 006 228**.