

Third Party Notice – Civil Dispute

ACAT File Number: XD

Applicant Name:

Respondent Name:

THIRD PARTY DETAILS (You must provide correct details to ensure service)

Name:

Postal Address:

Preferred phone:

Alternate phone:

Email:

If a company:
ACN/ARBN and
address of
registered office

RESPONDENT DETAILS

Name:

Postal Address:

Preferred phone:

Alternate phone:

Email:

If a company:
ACN/ARBN
and address of
registered office

Details of claim against third party

The applicant has brought a claim against the respondent. In turn, the respondent *(select those which apply)*:

- claims against the named third party a contribution or indemnity
- claims against the named third party relief as stated in this notice
- requires an issue stated in this notice to be decided not only as between the applicant and respondent but also between either of them and the named third party.

Grounds of claim against third-party:

What is the dispute about?

Please set out a brief history of the dispute, including the reasons for the claim *(attach page if insufficient space)*.

Orders sought: (for counter claim)

Please describe the orders you want ACAT to make including the details of any amounts you want paid to you.

THE RESPONDENT APPLIES FOR THE FOLLOWING ORDERS (complete Part A and/or Part B):

Part A

- Monetary claim.** Details of amounts claimed are below:

DETAILS OF AMOUNTS CLAIMED

Amount

- Amount claimed
- ACAT filing fee
(fee for commencing proceedings)
- Search or hearing fees
- Any other amount claimed
(specify amounts sought and reasons claimed):

Particulars of Interest:

Please indicate the preferred method of interest calculation:

- Interest to be determined by the Tribunal is claimed in accordance with the *Court Procedures Rules 2006* and ACAT Procedural Directions.

Provide beginning date for interest calculation:

(or attach worksheet specifying amounts and dates relied upon).

OR

- Contractual Interest is claimed. Please **attach** interest schedule used to calculate interest. Include information on the period(s) for which interest is claimed. (Also attach contract or excerpt of contract that authorises contractual interest to be claimed).

Total amount of interest accrued to date:

It is important to provide as much information as you can. The Statement of Interest Claimed Worksheet (available from www.acat.act.gov.au) may be used and attached to your application if more space is required.

TOTAL AMOUNT OF CLAIM:

Part B

For any other orders sought:

- I am claiming the delivery of goods AND/OR
- Other orders are sought for the resolution of any other dispute (give details below – or attach details on a separate page where more space is required):

The respondent certifies that the third party's address details provided in this application are the most current available to the respondent and believes that service of documents to this address will most likely result in the third party receiving them.

Signature of respondent or respondent's representative:
(all respondents to sign).

Name of applicant or applicant's representative:

(Any representative who is not a lawyer must be properly authorised by an *Authority to Act for a Corporation* or *Power of Attorney*)

Date:

Checklist for Applicants

Lodgement of a Third Party Notice

- Third Party Notice* – Civil Dispute form (available at www.acat.act.gov.au) has been correctly filled out including:
 - Third party name and full contact details, including postal and email address are completed
 - Respondent names and full contact details are completed
 - ACAT reference number is quoted
 - The nature of the dispute is clearly identified
 - Form is signed and dated by all respondents or the respondent's authorised representative.

- A response has been filed with the ACAT by the respondent. The Third Party Notice and Response can be filed at the same time.

- If applicable, *Power of Attorney* to represent an individual, or *Authority to Act for a Corporation* to represent a corporation or incorporated association, has been completed (available at www.acat.act.gov.au) and to be filed with the response.

- Copies of relevant documents that you will rely on for your counter claim are attached. Examples may include:
 - Correspondence between parties
 - Receipts, invoices and/or quotes
 - Particulars of financial loss.

- Correct lodgement fee is ready to be provided with claim. The ACAT accepts cash, bank cheque and credit card payments over the counter, and bank cheque or credit card payments via post. Information on fees payable is available at www.acat.act.gov.au.

- Complete Request About Payment of Fees form if you believe that the payment of fees will cause hardship and you wish to apply for a waiver or deferral of fees. Information on fee waivers is available at www.acat.act.gov.au.