

Response to Third Party Notice – Civil Dispute

ACAT File Number:

XD

Applicant Name:

Respondent Name:

Third Party Name:

THIRD PARTY CONTACT DETAILS

Name:

Postal Address:

Preferred phone number:

Alternate phone number:

Email:

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

THIRD PARTY REPRESENTATIVE DETAILS (IF ANY)

(any representative who is not a lawyer should file an *Authority to Act for a Corporation* or *Power of Attorney* providing authorisation to represent the respondent)

Name:

Address:

Preferred phone number:

Alternate phone number:

Email:

Admission of liability

I admit liability (in whole or in part) and agree to the entry of judgment on the following terms:

**Judgment is to be entered
in the amount of:**

**The amount of the judgment
is to be paid on or before:**

The amount of the judgment is to be paid by instalments on the following terms:

The following orders are to be made:

If liability is not admitted

Disputed claim

I dispute the respondent's claim on the following grounds: *(attach page if insufficient space)*

Third Party counter claim (note a filing fee is payable for a counter claim)

The following counter claim is made: (attach page if insufficient space)

Grounds of counter claim:

Orders sought (for counter claim)

(Please describe here the details of any orders you are seeking and also below the details of any amounts that you are seeking for compensation)

THE THIRD PARTY 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 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)

**Signature of third party or
third party's representative:**

**Name of third party or
third party'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 Respondents

- Response to Third Party Notice – Civil Dispute* form (available at www.acat.act.gov.au) has been correctly filled out including:
 - Respondent's name and full contact details, including postal and email address are completed
 - Form is signed and dated by all respondents or the respondent's authorised representative. Where there is more than one respondent:
 - Third party name and full contact details, including postal and email address are completed
 - ACAT reference number is quoted
 - Form is signed and dated by all third parties or the third party's authorised representative.
 - ACAT reference number is quoted. This can be found at the top right hand of your Notice to Respondent of Dispute and will start with the letters "XD"
 - If applicable, acceptance of liability is indicated and the orders agreed to are outlined
 - If applicable, grounds for disputing the claims made against you are outlined.
- 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.
- If a counter claim is being lodged:
 - The nature of the dispute is clearly identified
 - 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 counter 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