

Application for orders about a fair trading conciliation agreement

ACAT file number

GEN

1. APPLICANT

For more than one applicant, attach a separate page.

Name

(if a company include
ACN/ARBN)

Postal address

(if a company, address should
be the registered office)

Email

(preferred contact)

Telephone

ACAT will use these details to communicate with you.

2. APPLICANT'S AUTHORISED REPRESENTATIVE (IF ANY)

A representative who is not a lawyer must also lodge a *Power of Attorney* (for an individual) or an *Authority to Act for a Corporation* (for any other legal entity).

Name

Postal address

Email address

(preferred contact)

Telephone

ACAT will use these details to communicate with your authorised representative.

A copy of this application form will be provided to the respondent. ACAT hearings are usually open to the public and information provided to ACAT may be publicly available. If you have concerns about your information being made public please contact the Registry.

3. RESPONDENT

For more than one respondent, attach a separate page.

Name
(if a company, include
ACN/ARBN)

Postal address
(if a company, address should be
the registered office)

Email
(preferred contact)

Telephone

ACAT will use these details to communicate with the respondent until the respondent gives ACAT other details.

4. FAIR TRADING CONCILIATION AGREEMENT

A copy of the signed fair trading conciliation agreement is attached.

5. WHY ARE YOU APPLYING TO ACAT?

6. WHAT ORDERS DO YOU WANT TO GIVE EFFECT TO THE FAIR TRADING CONCILIATION AGREEMENT?

ACAT can make orders to give effect to the conciliation agreement but cannot change the agreement.

7. HEARING

List any dates in the next 4 weeks that you are **not** available to attend ACAT.

Do you need an interpreter? No Yes (language and dialect)

Do you need assistance when you attend ACAT? for example, a hearing loop

A list of assistance ACAT can provide is available on the *Accessibility* page of our website www.acat.act.gov.au.

No Yes (provide details)

8. CERTIFICATION AND SIGNATURE

By signing this form, I certify that:

- a true copy of the fair trading conciliation agreement is attached; and
- the respondent's address is the most current available to the applicant and service of documents to this address will most likely be received by the respondent.

**Signature of applicant
or applicant's
representative**

(all applicants to sign)

**Name of person/s
signing**

Date

Please read the attached information sheet on the next page prior to lodgment with ACAT

Information about applications for orders to give effect to a fair trading conciliation agreement

When is this form used?

This form should be used to apply for orders under section 55B of the *ACT Civil and Administrative Tribunal Act 2008* to give effect to a fair trading conciliation agreement made under the *Fair Trading (Australian Consumer Law) Act 1992*. The Acts can be found at www.legislation.act.gov.au.

What can ACAT do?

ACAT can make any order it considers appropriate to give effect to the conciliation agreement. ACAT cannot change the terms of the agreement. If you want to seek a different outcome, you should obtain legal advice. A list of free legal advice providers is available on the ACAT's website (www.acat.act.gov.au).

Who is the correct applicant and respondent?

The consumer and business are the parties to the fair trading conciliation agreement. Either the consumer or the business can apply to ACAT for orders using this form. The party who applies for the order is the applicant.

Authorised representative

A representative who is not a lawyer must be correctly authorised. If the party being represented is:

- an **individual**, a *Power of Attorney* for the representative is required; and
- a **corporation** or a **different legal entity**, an *Authority to Act for a Corporation* is required.

These forms are available on the ACAT's website (www.acat.act.gov.au). If the application is signed by the representative the authorisation should be provided to the ACAT when the application is lodged.

What happens next?

Once you have lodged this application, it will be listed for a directions hearing at ACAT in about 3 weeks. ACAT will give each party a copy of this application with attachments, and a notice with the time and date of the directions hearing. If you do not attend the directions hearing, orders may be made without hearing from you.

Do you need assistance?

If the applicant or respondent need assistance (for example, an interpreter or hearing loop), please let ACAT know as soon as possible. A list of services ACAT can provide is available on the *Accessibility* page of our website (www.acat.act.gov.au).

More information

Visit our website www.acat.act.gov.au for information about:

- What to expect
- Case types: fair trading conciliation agreements
- Fees and forms
- Lodge and serve documents
- Directions hearing

Contact ACAT

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