

Third Party Notice – Civil Dispute

ACAT file number

Applicant

Respondent

1. RESPONDENT

The respondent seeking to join a third party.

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. THIRD PARTY

You must lodge a Third Party Notice for *each* third party you seek to join.

Name

(if a company, include
ACN/ARBN)

Postal address

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

Email

Telephone

A copy of this notice will be provided to each third party, applicant and 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. WHAT IS YOUR CLAIM AGAINST THE 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

WHAT IS THE DISPUTE ABOUT?

Set out a brief history of the dispute between the respondent and the third party, including the reasons for the claim (attach a separate page if needed).

4. ORDERS

What order/s you want ACAT to make against the third party? Include 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

(i) DETAILS OF AMOUNTS CLAIMED

- **Amount claimed**
- **ACAT filing fee**
(fee for commencing proceedings)
- **Search fees**
(company and/or business name search)
- **Other amount claimed (if any)**
(specify amounts sought and reasons claimed)

(ii) **PARTICULARS OF INTEREST**

Please indicate the preferred method of interest calculation:

- Interest to be determined by the Tribunal** in accordance with the *ACT Civil and Administrative Tribunal Procedures Rules 2020* and the *Court Procedures Rules 2006*.

Provide beginning date for interest calculation

(if the third party has made any payment/s to you during the period interest is claimed, attach a worksheet specifying dates and amounts paid, and outstanding balance from time to time)

OR

- Contractual Interest is claimed.** Please attach:
- interest schedule used to calculate interest, including information on the period(s) for which interest is claimed; and
 - 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.

(iii) **TOTAL AMOUNT OF CLAIM**

Part B FOR ANY OTHER ORDERS SOUGHT

I am claiming the delivery of goods; AND / OR

I am seeking other orders for the resolution of the dispute

Give details below (attach details on a separate page if insufficient space).

5. SIGNATURE

By signing this form, you certify that the third party's contact details you have provided are the most current available to you and that service of documents to this address will most likely be received by the third party.

Signature of respondent /
respondent's representative
(all respondents to sign)

Name of person signing

Date

Complete the checklist on the next page before lodging this form with ACAT.

CHECKLIST

- Third Party Notice – Civil Dispute form** (available at www.acat.act.gov.au) is correctly filled out including:
- Respondent name and full contact details, including email address
 - Third party name and full current postal address
 - ACAT reference number is quoted
 - The nature of the dispute is clearly identified
 - Form is signed and dated by all respondent 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. Unless the ACAT makes a different order, a Third Party Notice cannot be lodged until a Response is lodged. A Third Party Notice must be lodged within 21 days of the Response being lodged.
- If applicable **Power of Attorney** (for an individual) or **Authority to Act for a Corporation** (for a corporation or a different legal entity) is attached (available at www.acat.act.gov.au).
- Documents to be relied on are attached.** Examples are:
- Correspondence between parties
 - Receipts, invoices and/or quotes
 - Particulars of financial loss
 - Contract
- Full company extract and/or business name search is provided** if the third party is a business or company.
- Correct number of copies of this form and attachments (at least 3) are provided.** An extra copy is needed for each additional applicant or respondent.
- Correct lodgement fee is ready to be paid.** The ACAT accepts cash, bank cheque and credit card payments over the counter, and bank cheque or credit card payments via post.
- OR**
- Complete a Request About Payment of Fees form** if payment of fees will cause hardship and you wish to apply for a waiver or deferral of fees. Information on fees payable is available at www.acat.act.gov.au.

Do you need assistance?

If the applicant, respondent or third party 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: Civil disputes
- Fees and forms
- Lodge and serve documents

Contact ACAT

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