

# 1987 年澳洲消費者申訴仲裁庭條例— 施行細則

(1995 年消費者申訴仲裁庭施行細則)

經行政委員會之建議及依一九八七年消費者申訴仲裁庭條例，省長茲訂定細則如下。

FAYE LO PO' MP  
消費者事務局局長

## 第 1 部份—法例

### 名稱

1. 本細則得稱為一九九五年消費者申訴仲裁庭施行細則。

### 施行生效

2. 本細則自一九九五年九月一日起生效。

### 定義

3. (1) 本細則中

#### 「主管官員」指：

- (a) 於書記處者，指書記長或經書記長依規定明示之目的而授權之書記處職員；
- (b) 於地區法院者，指地區法院書記或經地區法院書記依規定明示之目的而授權之地區法院職員；

# CONSUMER CLAIMS TRIBUNALS ACT 1987—REGULATION

(Consumer Claims Tribunals Regulation 1995)

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Consumer Claims Tribunals Act 1987, has been pleased to make the Regulation set forth hereunder.

FAYE LO PO' MP  
Minister for Consumer Affairs.

## PART 1 —PRELIMINARY

### Citation

1. This Regulation may be cited as the Consumer Claims Tribunals Regulation 1995.

### Commencement

2. This Regulation commences on 1 September 1995.

### Definitions

3. (1) In this Regulation:

#### “authorised officer” means:

- (a) in relation to the registry, the registrar or a member of staff of the registry authorised by the registrar for the purposes of the provision in which the expression occurs;
- (b) in relation to a Local Court, the Clerk of the Local Court or a member of staff of the Local Court authorised by the Clerk

「BSC」指依 BSC 條例組織之營建服務公會。

「BSC 條例」指一九八九年營建服務公會條例。

「適格聲請人」指：

(a) 依聯邦一九九一年社會福利法第 2 章規定領有退休金、福利或津貼之人或聯邦一九八六年榮民權利授與法第 III 部份之軍人及由聯邦政府發給之年金授與卡之持有人。

(b) 因下列身份而自聯邦政府榮民事務部受領退休金者：

(i) 澳洲國防或和平維持部隊人員之寡妻或鰥夫。

(ii) 上述二部隊之一已死亡單身未婚人員之單身未婚之母。

(iii) 上述二部隊之一已死亡單身未婚人員之寡母，而無使該人喪失被授與年金授與卡之資格之收入及資產者。

(c) 依聯邦一九八六年榮民權利授與法第 24 條規定領取退休金之特別比例之人。

(d) 持有老年卡之人（由新南威爾斯政府發行者）。

「適格學生」指於學校、專校或大學受全天教育之人且為聯邦政府教

for the purposes of the provision in which the expression occurs;

“BSC” means the Building Services Corporation constituted by the BSC Act;

“BSC Act” means the Building Services Corporation Act 1989;

“eligible pensioner” means:

(a) a person who receives a pension, benefit or allowance under Chapter 2 of the Social Security Act 1991 of the Commonwealth, or a service pension under Part III of the Veterans’ Entitlements Act 1986 of the Commonwealth, and who is the holder of a pensioner concession card issued by or on behalf of the Commonwealth Government; or

(b) a person who receives a pension from the Commonwealth Department of Veterans’ Affairs as:

(i) the widow or widower of a member of the Australian Defence or Peacekeeping Forces; or

(ii) the unmarried mother of a deceased unmarried member of either of those Forces; or

(iii) the widowed mother of a deceased unmarried member of either of those Forces,

and who does not have income and assets that would prevent the person from being granted a pensioner concession card if the person were eligible for such a card; or

(c) a person who receives a special rate of pension under section 24 of the Veterans’ Entitlements Act 1986 of the Commonwealth; or

(d) a person who holds a Senior’s Card (being a card of that name issued by the New South Wales Government);

“eligible student” means a person who is receiving full-time

育主管機關發給之學生補助津貼之受領人者。

**一非法入團體之「官員」指**

- (a) 一團體之秘書或總務。
- (b) 由該團體之會員大會正當選出之團體行政或管理委員會之成員。

「本條例」乃指一九八七年消費者申訴仲裁庭條例。

- (2) 於本施行細則中，「表格」者乃指附則 1 所列之表格。

**第 2 部份 仲裁庭之管轄權**

**仲裁庭就一九八四年信用法之若干規定有管轄權：第 10 條**

- 4. 關於本條例第 10 條第(4)項規定之目的，仲裁庭有管轄權之一九八四年信用法之規定為第 21 條、第 23 條、第 24 條、第 25 條、第 26 條、第 37 條、第 47 條、第 62 條、第 76 條、第 93 條、第 103 條、第 104 條及第 114 條。

**其他法院管轄權之一般排除之例外：第 11 條**

- 5. 關於本條例第 11 條第(1)項第(d)款之目的，BSC 為一管轄權不因本條例第 11 條規定排除之團體。

**命令之數額之限制：第 32 條**

- 6. (1) 關於本條例第 32 條規定之目的，仲裁庭無權為一金額超過貳萬伍仟元之命令。

education at a school. College or university and is a recipient of a student assistance allowance from a Commonwealth government authority in respect of that education;

“officer” of an unincorporated body means:

- (a) a secretary or treasurer of the body; or
- (b) a member of the executive or management committee of the body who has been duly elected at a general meeting of members of the body;

“the Act” means the Consumer Claims Tribunals Act 1987.

- (2) In this Regulation, a reference to a Form is a reference to a Form set out in Schedule 1.

**PART 2—JURISDICTION OF TRIBUNALS**

**Tribunals to have jurisdiction in respect of certain provisions of the Credit Act 1984: sec. 10**

- 4. For the purposes of section 10 (4) of the Act, the prescribed provisions of the Credit Act 1984 in respect of which a tribunal has jurisdiction are sections 21, 23, 24, 25, 26, 37, 47, 62, 76, 93, 103, 104 and 114.

**Exceptions from general exclusion of jurisdiction of other courts: sec. 11**

- 5. For the purposes of section 11 (1) (d) of the Act, the BSC is a prescribed body whose jurisdiction is not excluded by section 11 of the Act.

**Limitation of amount of order: sec. 32**

- 6. (1) For the purposes of section 32 of the Act. The prescribed amount above which a tribunal has no jurisdiction to make an order is

- (2) 於第(1)項規定之金額有變更者，於該變生效前提起之請求案件之規定金額，為該申訴提起時該項規定之金額。
- (3) 於本施行細則施行前提起之申訴之規定金額，為於該申訴提起時本條例第 32 條之規定金額。

### 第 3 部份 營建糾紛

#### 營建貨物或服務之定義：第 12A 條

7. 關於本條例第 12A 條「營建貨物或服務」之定義第(b)款之目的，該規定之情形為貨品或服務為：

- (a) 提供予依契約進行居住用建築工程或專業工程之人。
- (b) 與上述工程進行有關而提供者。

#### 非屬營建糾紛之申訴：第 12C 條

8. 關於本條例第 12C 條之目的，一申訴不被認為係營建申訴：

- (a) 如該申訴係由一就營建貨品或服務之提供依 bsc 條例不須持有執照之貨品或服務提供人所提起者。
- (b) 如該申訴係關於專業工程者（非屬於與居住用營建工程相關之專業工程）。

#### 不須向 BSC 提起之申訴：第 12F 條

\$25,000.

- (2) In the event that the amount prescribed by subclause (1) is varied, the prescribed amount for a claim lodged before the variation takes effect is the amount prescribed by that subclause, as at the time when the claim was lodged.
- (3) The prescribed amount for a claim lodged before the commencement of this Regulation is the amount prescribed under section 32 of the Act, as at the time when the claim was lodged.

### PART 3—BUILDING DISPUTES

#### Definition of building goods or services: sec. 12A

7. For the purposes of paragraph (b) of the definition of “building goods or services” in section 12A of the Act, the prescribed circumstances are circumstances in which the goods or services:

- (a) are supplied to the person who contracts to do residential building work or specialist work; and
- (b) are supplied in connection with the carrying out of that work.

#### Claims not to be building claims: sec. 12C

8. For the purposes of section 12C of the Act, a claim is not to be considered to be a building claim:

- (a) if it is made by a supplier of building goods or services who is not required to hold a licence under the BSC Act for the supply of those goods or services; or
- (b) if it relates to specialist work (other than specialist work carried out in connection with residential building work).

#### Claims not to be referred to BSC: sec. 12F

9. 下列營建糾紛請求不受本條例第 12F 條之拘束：

- (a) 就營建貨品或服務之提供之契約而對一人提起申訴，而被申訴之人於契約訂定之時非依 BSC 條例就該契約工程之履行持有執照之人。
- (b) 由一依 BSC 條例之執照持有人對一消費者提起之金錢申訴。
- (c) 由一依 BSC 條例之執照持有人對另一執照持有人提起之金錢申訴。
- (d) 以向 BSC 提起或已由 BSC 進行調查之請求案件。

#### 公證命令

10. (1) 做成、審理、判斷及其他處理公證命令聲請之行為，及於公證命令做成後就該命令應採行之程序，除本條另有規定外，應與就營建糾紛（依本法第 3A 部份之定義）及與該申訴有關之命令者相同。
- (2) 由 BSC 就一公證命令之聲請之提出，不應收取任何規費。
  - (3) 本條例第 10 條第(3)項規定就公證命令不適用之。
  - (4) 一公證命令之聲請應以資深仲裁人隨時許可之格式為之。

9. The following building claims are prescribed as being exempt from section 12F of the Act:

- (a) claims against a person under a contract for the supply of building goods or services, where the person against whom the claim is made was not, when the contract was entered into, the holder of a licence under the BSC Act for the performance of work under the contract;
- (b) claims for money only that are made by a holder of a licence under the BSC Act against a consumer;
- (c) claims for money only that are made by a holder of a licence under the BSC Act against another person who is the holder of such a licence;
- (d) claims that have already been referred to or investigated by the BSC.

#### **Rectification orders**

- 10.(1) The manner of making, hearing, determining and otherwise dealing with applications for rectification orders, and the procedure to be adopted with respect to rectification orders after they have been made, are to be the same as for building claims (within the meaning of Part 3A of the Act) and orders made in relation to those claims, except as provided by this clause.
- (2) No fee is payable for the making of an application by the BSC for a rectification order.
  - (3) Section 10 (3) of the Act does not apply in respect of rectification orders.
  - (4) An application for a rectification order is to be made in the form approved for the time being by the senior referee.

## 第 4 部份 消費者申訴之提起、更新及撤回

### 消費者申訴之提起：第 13 條

11. (1) 關於本條例第 13 條第(1)項之目的，消費者申訴之規費（由適格退休人或適格學生提起之請求案件除外）如下：

- (a) 表面金額少於貳仟元之請求案件為拾元。
- (b) 表面金額為貳仟元或貳仟元以上肆仟元以下之申訴為貳拾元。
- (c) 表面金額為肆仟元或肆仟元以上陸仟元以下之申訴為參拾元。
- (d) 表面金額為陸仟元或陸仟元以上壹萬元以下之申訴為肆拾元。
- (e) 表面金額為壹萬元或以上者為壹佰元。

(2) 關於本條例第 13 條第(1)項之目的，由一適格退休人或適格學生提起之消費者申訴之規費如下：

- (a) 表面金額少於陸仟元以下之申訴為貳元。
- (b) 表面金額為陸仟元或陸仟元以上之申訴為伍元。

(3) 為第(1)項及第(2)項之目的，一申訴之表面金額為：

- (a) 於一金錢申訴之情形，為於申訴中特定為請求金額之金額。
- (b) 於其他任何情形，由申訴人計算之做為申訴表面金額之金額。

## PART 4—LODGMET, RENEWAL AND WITHDRAWAL OF CONSUMER CLAIMS

### Lodgment of consumer claims: sec. 13

11.(1) For the purposes of section 13 (1) of the Act, the prescribed fee for a consumer claim (other than a claim made by an eligible pensioner or eligible student) is as follows:

- (a) \$10 for a claim for a nominal amount of less than \$2,000;
- (b) \$20 for a claim for a nominal amount of \$2,000 or more but less than \$4,000;
- (c) \$30 for a claim for a nominal amount of \$4,000 or more but less than \$6,000;
- (d) \$40 for a claim for a nominal amount of \$6,000 or more but less than \$10,000;
- (e) \$100 for a claim for a nominal amount of \$10,000 or more.

(2) For the purposes of section 13 (1) of the Act, the prescribed fee for a consumer claim made by an eligible pensioner or eligible student is as follows:

- (a) \$2 for a claim for a nominal amount of less than \$6,000;
- (b) \$5 for a claim for a nominal amount of \$6,000 or more.

(3) For the purposes of subclauses (1) and (2), the nominal amount of a claim is:

- (a) in the case of a liquidated claim, the amount specified in the claim as the amount claimed; or
- (b) in any other case, the amount estimated by the claimant as the nominal amount of the claim.

- (4) 關於本條例第 13 條第(1)項之目的，提出消費者申訴之規定表格為表格 1。

**消費者申訴之撤回：第 16 條**

12. 依本條例第 16 條所為之消費者申訴之撤回，應於書面標明該申訴之撤回通知提出於書記長時發生效力。

**消費者申訴之更新：第 36 條**

13. 關於本條例第 36 條第(4)項之目的，於該項規定之通知之規定表格為表格 2。

**第 5 部份 消費者申訴之審理**

**消費者申訴當事人代理之聲請**

14. (1) 欲於審理程序中受代理之消費者申訴仲裁庭程序之當事人，應以下列方式聲請受代理：
- (a) 於預定審理期日前向書記長提出一聲請。
  - (b) 於審理時向到庭仲裁人提出一聲請。
- (2) 聲請須符合下列要件：
- (a) 須為書面。
  - (b) 須標明其所屬程序。
  - (c) 須載明當事人欲受代理之理由。
  - (d) 須載明該預定代理人之姓名及職業。

- (4) For the purposes of section 13 (1) of the Act, the prescribed form for making a consumer claim is Form 1.

**Withdrawal of a consumer claim: sec. 16**

12. The withdrawal of a consumer claim under section 16 of the Act is to be effected by lodging with the registrar a notice in writing of the withdrawal that identifies the claim.

**Renewal of a consumer claim: sec. 36**

13. For the purposes of section 36 (4) of the Act, the prescribed form for a notification referred to in that subsection is Form 2.

**PART 5—HEARINGS OF CONSUMER CLAIMS**

**Application for representation of a party to a consumer claim**

- 14.(1) A party to a proceeding before a consumer claims tribunal who wishes to be represented at the hearing of the proceeding must apply for representation by means of:
- (a) an application lodged with the registrar before the scheduled date of the hearing; or
  - (b) an application lodged with the presiding referee at the hearing.
- (2) The application must comply with the following requirements:
- (a) it must be in writing;
  - (b) it must identify the proceeding;
  - (c) it must specify the reasons why the party wishes to be represented;
  - (d) it must specify the name and occupation of the proposed representative;

(e) 須載明該預定代理就該案爭點具足夠個人知識而使該預定代理人得已有效地為代理。

(f) 須載明該預定代理人經充分授權以拘束聲請人。

#### 非法人團體於消費者申訴程序中之代理

15. 如申訴係由一非法人團體之職員依本條例提起者，該團體之各會員視為已同意由該職員或其他得受准許於審理中代理該團體之人於該請求案件審理中為代理。

#### 消費者申訴重新審理之聲請

16. 關於本條例第 25 條第(1)項之目的，消費者申訴重新審理之聲請之規定表格為表格 3。

### 第 6 部份 其他

#### 記錄之費用：第 9 條

17. (1) 關於本條例第 9 條第(2)項第(b)款之目的，正式記錄之全部或任何一部或若干部份備份之規費為：

(a) 一般（非適格退休人或適格學生者）為貳拾元。

(b) 適格退休人或適格學生為伍元。

(2) 但消費者申訴程序之當事人有權取得任何由仲裁庭就該申訴做成之命令及由該仲裁庭就該命令而做成之書面理由之免費副本

(e) it must state that the proposed representative has sufficient personal knowledge of the issue in dispute to enable the proposed representative to represent the applicant effectively;

(f) it must state that the proposed representative is vested with sufficient authority to bind the applicant.

#### **Representation of unincorporated body in consumer claims proceedings**

15. If a claim is lodged under the Act by an officer of an unincorporated body, each of the members of the body is taken to have agreed to be represented at the hearing of the claim by that officer or by such other person as may be permitted to represent the body at that hearing.

#### **Application for rehearing of a consumer claim: sec. 25**

16. For the purposes of section 25 (1) of the Act, the prescribed form for an application for the rehearing of a consumer claim is Form 3.

### **PART 6 – MISCELLANEOUS**

#### **Fee for copy of record: sec. 9**

17. (1) For the purposes of section 9 (2) (b) of the Act, the prescribed fee payable by a person for a copy of the official record, or any part or parts of that record, is:

(a) \$20 for a person (other than an eligible pensioner or eligible student);

(b) \$5 for an eligible pensioner or eligible student.

(2) However, a party to proceedings on a consumer claim is entitled to a single free copy of any order made by the tribunal in respect

乙份。

**費用之免除**

18. 主管官員認為有下列情形時，得免除任何費用之支付（全部或部分）：

- (a) 若該消費者為收入微薄者。
- (b) 若要求支付該費用者對該消費者而言顯有困難。
- (c) 基於任何理由，若該消費者須支付該費用者屬不公平或不合理者。

**執行命令之傳送：第 38 條**

19. 為本條例第 35 條第(2)項第(b)款第(ii)點之目的，該點規定之資料，得由地區法院之書記以郵遞、電傳或電子資料傳輸器傳送之。

**不合格提供人名單：第 42 條**

21. (1) 關於本條例第 42 條第(2)項之目的，規定記載事項為：

- (a) 該提供人執行業務之住址。
- (b) 將該提供人姓名計入不合格提供人名單之理由。

(2) 關於本條例第 42 條第(4)項之目的：

- (a) 規定情事為提供人於局長通知其之期間內，遵行仲裁庭之命令。
- (b) 規定條件為提供人須使局長認為提供人不合格之行為將不

of the claim and of the written reasons given by the tribunal in relation to that order.

**Waiver of fees**

18. An authorised officer may waive payment of any fee (either in whole or in part) if satisfied:

- (a) that the consumer is a person of small means; or
- (b) that the consumer would suffer hardship if required to pay the fee; or
- (c) that, for any other reason, it would be unfair or unreasonable for the consumer to have to pay the fee.

**Transmission of orders for enforcement**

19. For the purposes of section 35 (2) (b) (ii) of the Act, the information referred to in that subparagraph may be transmitted to the Clerk of a Local Court by post, by facsimile transmission or by electronic data transfer.

**Informant in contempt proceedings: sec. 38**

20. For the purposes of section 38 (5) of the Act, the office of the Commissioner is a prescribed office.

**List of unsatisfactory suppliers: sec. 42**

21. (1) For the purposes of section 42 (2) of the Act, the prescribed particulars are:

- (a) the address at which the supplier carries on business; and
- (b) the reason for inclusion of the supplier's name on the unsatisfactory suppliers list.

(2) For the purposes of section 42 (4) of the Act:

- (a) the prescribed event is the supplier's compliance with a specified order or specified orders of a tribunal within the period notified to the supplier by the Commissioner, and
- (b) the prescribed condition is that the supplier must satisfy the

在繼續。

**對非法人團體為通知送達**

22. (1) 若書記長依本條例應將依通知或其他文件送達一非法人團體者，以預付郵資方式將該通知或文件寄至書記長知悉之該團體職員之一之最後地址予該職員者，依本法之目的即為適當之送達。
- (2) 依本條為送達之通知，視為已送達於該非法人團體之各會員。

**廢止**

23. (1) 一九八八年消費者申訴仲裁庭條例施行細則，茲廢止之。
- (2) 於一九八八年消費者申訴仲裁庭條例施行細則廢止前，依該施行細則具有效力之任何行為、事項或情事，仍應依本條例而具有效力。

Commissioner that the unsatisfactory conduct of the supplier will be discontinued.

**Service of notices on unincorporated bodies**

- 22.(1) If, by or under the Act, the registrar is required to serve a notice or other document on an unincorporated body, the posting of the notice or document by pre-paid mail to an officer of that body at the address of that officer last known to the registrar is taken to be sufficient service for the purposes of the Act.
- (2) A notice served in accordance with this clause is taken to have been served on each of the members of the unincorporated body concerned.

**Repeal**

- 23.(1) The Consumer Claims Tribunals Regulation 1988 is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the Consumer Claims Tribunals Regulation 1988, had effect under that Regulation continues to have effect under this Regulation.

## NOTES TABLE OF PROVISIONS

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- 3.Definitions

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### PART 3—BUILDING DISPUTES

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- 23.Repeal

#### SCHEDULE 1—FORMS

## EXPLANATORY NOTE

The objects of this Regulation are to repeal and remake, with various changes, the provisions of the Consumer Claims Tribunals Regulation 1988. The new Regulation deals with the following matters:

- (a) the jurisdiction of tribunals (Part 2);
- (b) building disputes (Part 3);
- (c) the lodgment, renewal and withdrawal of consumer claims (Part 4);
- (d) hearings of consumer claims (Part 5);
- (e) other matters of a minor, consequential or ancillary nature (Parts 1 and 6).

This Regulation is made under the Consumer Claims Tribunals Act 1987, including section 48 (the general regulation making power) and sections 9, 10, 11, 12A, 12C, 12F, 13, 16, 25, 32, 35, 36, 38 and 42.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.

SCHEDULE 1—FORMS

Form 1

(Cl. 11)

**CONSUMER CLAIMS TRIBUNALS ACT 1987  
CLAIM FORM**

Before Completing this Claim Form Please Read Information Provided

1. Indicate  **TYPE OF CLAIM**

Consumer Claim <input type="checkbox"/>	Building Claim <input type="checkbox"/> Address of Lot No ..... Street No ..... Building Work Street ..... Suburb ..... Council .....
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**PARTICULARS OF CLAIMANT**

2. Indicate  **NAME AND ADDRESS OF CLAIMANT**

Consumer  Building/Trade Contractor

3. Please complete in block letters and leave space between names

Name: \_\_\_\_\_

(Please Read Information Brochure)

Address for Service of Notices \_\_\_\_\_

Post Code \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
STD STD

Fax No.: \_\_\_\_\_  
STD

If you are a contractor, provide details of your Contractor Licence held under Building Services Corporation Act 1989

Contractor Licence No. \_\_\_\_\_ Expiry Date \_\_\_\_\_

4. Do you need an interpreter at the hearing Yes  No

If yes, indicate language required \_\_\_\_\_

**SIGNATURE OF CLAIMANT**

5. Signature of Claimant: \_\_\_\_\_ Date: \_\_\_\_\_

Position (where appropriate): \_\_\_\_\_

**PARTICULARS OF RESPONDENT/S**

6. Indicate  **NAME AND ADDRESS OF RESPONDENT/S**

Building/Trade Contractor   
  Consumer   
  Other Supplier

7. Please complete in block letters and leave space between names

(i) Name: \_\_\_\_\_

(Please Read Information Brochure)

Address for Service of Notices \_\_\_\_\_

Post Code \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
STD STD

Fax No.: \_\_\_\_\_  
STD

If applicable, provide details of Respondent Contractor's Licence held under Building Services Corporation Act 1989

Respondent Contractor's Licence No. \_\_\_\_\_ Expiry Date \_\_\_\_\_

(ii) Name: \_\_\_\_\_

(Please Read Information Brochure)

Address for Service of Notices \_\_\_\_\_

Post Code \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
STD STD

Fax No.: \_\_\_\_\_  
STD

If applicable, provide details of Respondent Contractor's Licence held under Building Services Corporation Act 1989

Respondent Contractor's Licence No. \_\_\_\_\_ Expiry Date \_\_\_\_\_



Form 2

(Cl. 13)

CONSUMER CLAIMS TRIBUNALS  
RENEWAL OF CLAIM

1. Your Name?

2. Your present address?

3. Who was the order made against?

4. Place of original hearing?

5. Date of original hearing?

6. Tribunal's Reference Number?

7. In what way has the order not been obeyed?

8. What order do you want? (tick the appropriate boxes)

- Money order for \$
- An order to rectify faulty goods or provide services
- An order to provide specified services
- An order that I do not have to pay \$
- An order to deliver goods
- An order to replace goods or services and
- An order to return goods to me

9. I ask that the claim be relisted

Signature  Date

\* You can post this form or bring it in person to any of the places listed on the back

For office use only  
Original order

Form 3

(Cl. 16)

CONSUMER CLAIMS TRIBUNALS  
NOTICE OF ORDER

Tribunal's Reference No.

Claimant's name

Respondent's name

At a hearing held at  on (date of hearing)

the following orders were made:—

If you were not present or represented at the hearing and if you did not submit your evidence by affidavit or statutory declaration, you may apply for a rehearing. To apply, you must complete the affidavit on the bottom of this form, tear it off and get it to the office shown above WITHIN 14 DAYS of receiving this notice. The affidavit must be signed by you in front of a Justice of the Peace. If a Referee considers that you had a good reason for not attending the hearing, your claim MAY be reheard. Registrar, Consumer Claims Tribunal

AFFIDAVIT TO APPLY FOR REHEARING

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_ Applicant  
of (address) \_\_\_\_\_

make oath and say as follows:

1. I wish to apply for a rehearing of Tribunal reference number \_\_\_\_\_
2. This claim was heard at (place) \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_
3. On (date) \_\_\_\_\_ I received notification of the Tribunal's order.
4. I was not present at the hearing  
and  
I was not represented by anyone  
my case was not presented by affidavit or statutory declaration.
5. I did not attend the hearing because:

\_\_\_\_\_

\_\_\_\_\_

Sworn by the Applicant at \_\_\_\_\_ )  
on \_\_\_\_\_ )  
before me: \_\_\_\_\_ )  
Signature \_\_\_\_\_

(Justice of the Peace)

You can post this affidavit or bring it to any of the places listed on the back.