



The Northern Territory of Australia

**Lands and Mining Tribunal**

**Practice Direction No 1 of 2002**

**General Matters**

As Chairperson of the Lands and Mining Tribunal, I make the following Practice Directions:

**1. Appearance on behalf of an Absent Party**

In the event that any party has difficulty in attending or does not wish to attend at a directions hearing, video or telephone conferencing facilities may be invoked. The Tribunal has no such facility available in the hearing rooms normally used by the Tribunal. A sufficient reason for requesting such facilities must be given to the Registrar and the following procedure should be observed:

(a) Teleconference

The absent party may request to appear at a directions hearing by telephone. This should be in the form of a written request **at least 5 days prior** to the scheduled date in the form of a letter addressed to the Registrar, requesting leave to attend by telephone. If such request is granted, the Registrar will inform the parties by written notice. The cost of the teleconference will be borne by the requesting party.

(b) Videoconferencing

If the absent party would rather appear at a directions hearing by video conferencing, this can be requested in appropriate form to the Registrar, **at least 5 days prior to the scheduled date**. The appropriate form shall be that employed by the Darwin Magistrates Court, available on the Courts website ([www.nt.gov.au/justice/oca](http://www.nt.gov.au/justice/oca)) as it will involve equipment from that Court. If such request is granted, the Registrar will inform the parties by written notice. The cost of video conferencing is to be borne by the requesting party.

**2. File and Serve**

To fulfil the obligation incumbent on a party to “file and serve” any document during the course of any proceeding it is to be noted that all documents prior to service must bear the seal of the Tribunal.

“Filing” is satisfied by attending at the Tribunal Registry and proffering an original and sufficient copies of all documents for sealing by the Registrar to ensure that only sealed documents are served. Additional documents for retention by the party will be sealed at the request of that party.

Documentation which does not embrace the need to “file and serve” e.g. communication whether by email, facsimile or prepaid mail, obviously does not require any sealing by the Tribunal and has been addressed in Practice Direction 2 of 2000.

### **3. Transcript**

It is the practice of the Tribunal to provide to each party, free of charge, one copy of transcript proceedings in short directions hearings and “mentions” (resolution of procedural matters). (The parties are reminded that it would be a breach of copyright for the party to copy all or part of any transcript provided by the Tribunal.)

The Tribunal will not be able to provide free of charge the transcript of any hearing or contested application. The parties would in each case have to arrange to listen to the tapes or order transcript at the appropriate rate (concomitant with the rate obtained by the Magistrates Court) prescribed from time to time. A Request For Transcript Form is available from the Registrar of the Tribunal.

### **4. Access to documents or files**

Copies of formal orders produced by the Tribunal are available to any party or non-party in a proceeding.

A party wishing to inspect or copy any document or part of the Tribunal file is required to obtain leave of the Tribunal.

A non-party in a proceeding wishing to inspect or copy any document or part of the Tribunal file, other than the formal orders, is required to make an application on Form 1, supported by affidavit, and to file and serve such application on all parties in the proceeding, the application to be formally heard by the Tribunal.

Fees and charges as set out in the Rules for inspection and photocopying will apply.

Dated: 4 November 2002

David Loadman, Chairperson