

# AAT direction

The following practice will apply from 1/1/93 in regard to orders made by the Administrative Appeals Tribunal under s 67 of the *Commonwealth Employees' Rehabilitation and Compensation Act 1988* (the Compensation Act).

## **Powers to Make Costs Orders**

The Tribunal has power to order that: (i) the costs or a part of the costs of a person who has claimed compensation under the Compensation Act paid by Comcare or an administering authority where the claimant is successful in proceedings instituted in the Tribunal; and (ii) the costs of a person who has claimed compensation under the Compensation Act be paid by Comcare, an administering authority or the Commonwealth where the Commonwealth institutes proceedings in the Tribunal.

## **Orders**

Where the Tribunal orders that Comcare, an administering authority or the Commonwealth (the payer) is to pay the costs or a part of the costs of a claimant then, unless a contrary indication appears in the orders, the order shall be read as meaning: (i) that the payer is to pay the claimant's costs of the application for review or, if the order indicates that only part of the costs of the claimant are to be paid, then that part of the claimant's costs of the application for review as indicated in the order; (ii) that the costs payable are to be: (a) witness expenses at rate prescribed by the AAT Regulations; (b) all reasonable and proper disbursements incurred; (c) 75 per cent of all costs, including counsel's fees but excluding witness expenses and disbursements, which would be allowable under the Federal Court Rules.

(iii) the costs to be paid are to be assessed on a party and party basis;

(iv) the amount of costs to be paid is to be as agreed between the claimant and the payer or, in the absence of such agreement, as taxed by the Tribunal, the Registrar or a Deputy Reg-

istrar of the Tribunal; and

(v) On any taxation by the Registrar or a Deputy Registrar: (i) the Registrar or a Deputy Registrar has the powers of a taxing officer under the Federal Court Rules; (ii) the Registrar or a Deputy Registrar of the Tribunal may refer any question arising in the taxation for the direction of the Tribunal; and (iii) the claimant or the payer may apply to the Tribunal for direction on any question of costs.

## **Taxation of Costs**

Where the Tribunal has made an order for the payment of costs and the amount has not been agreed, on the claimant lodging in the Tribunal a Bill of Costs the Registrar or Deputy Registrar will set a time and place for taxation of the bill and cause notice of that time and place to be served on the claimant. The Registrar or Deputy Registrar will cause a copy of the Bill of Costs and notice of the time and place fixed for its taxation to be served on the payer.

At least ten days prior to the date set for the taxation, the payer will lodge with the Tribunal and serve on the claimant a list of the items in the bill which are objected to, whether in whole or in part, and a short statement of the nature and grounds of objection to each. On taxation of the bill any item not objected to may, at the discretion of the Tribunal, the Registrar or the Deputy Registrar conducting the taxation, be allowed.

On completion of the taxation the Tribunal, the Registrar or the Deputy Registrar conducting the taxation will issue a certificate of taxation and cause a copy to be served on each of the claimant and the payer.

## **Discretion**

This Practice Direction will not fetter the discretion of a Tribunal hearing an application to depart from these directions where the circumstances so require.

Signed by the President of the AAT, 23/12/92. Effective 1/2/93.

# Supreme Court direction

## **Court Boxes, Alice Springs**

On the recommendation of the Law Society of the Northern Territory and pursuant to Rule 6.06(5) of the Supreme Court Rules and Rule 5.05(4) of the Local Court Rules I approve the mail boxes installed in the Law Courts Building at Alice Springs as a document exchange for the purposes of the Supreme Court Rules and the Local Court Rules.

Dated this 17th day of February 1993. Signed by the Chief Justice.

**ATTORNEY-GENERAL'S  
DEPARTMENT  
Australian Government  
Solicitor**

Please note that from Monday 1 March 1993 our telephone and facsimile numbers will change to:

**Telephone: 431444  
Facsimile: 431420**

## **SERVICE OF DOCUMENTS ON AOTC LTD**

**As from 1 February 1993 the Office of the Australian Government Solicitor is authorized to accept service of documents on behalf of the Australian and Overseas Telecommunications Corporation Limited (AOTC Ltd) ACN 051 775 556.**

**J Holmes  
Corporate Secretary  
AOTC Ltd**