



### **Protocol: Inquiries about reserved decisions**

Many decisions of the Tribunal are delivered orally immediately at the end of a hearing or after a short period to allow the Tribunal member to prepare brief reasons for decision. Some decisions are delivered orally within a few days of the end of the hearing. Written orders are sent to the parties by post.

If it takes some days to hear a matter, or the matter is complex, the Tribunal member (or members) might reserve the decision and provide written reasons to be sent to the parties.

The Tribunal aims to deliver each reserved decision within three months from the date on which the decision was reserved, unless the Tribunal member has indicated otherwise. For interlocutory matters or urgent matters, the appropriate time frame may be shorter.

If a **legal practitioner** wishes to inquire about a delay in the delivery of a decision in a case in which he or she is acting:

- the practitioner may write to the President of the ACT Bar Association or the President of the ACT Law Society;
- if the relevant President is satisfied that the decision has been outstanding for at least three months or is required urgently, the President will write to the Registrar of the Tribunal;
- the Registrar will refer the inquiry to the President of the Tribunal without disclosing the identity of the practitioner who has made the inquiry;
- the President will inform the Registrar of the date when it is anticipated that the reserved decision will be delivered; and
- the Registrar will write to the inquiring legal practitioner and the other party to the litigation (or their legal representative) advising them of the anticipated date.

If an **unrepresented litigant** is concerned about a delay in the delivery of a reserved decision in a case in which he or she is a party:

- the litigant may write directly to the Registrar of the Tribunal;
- the Registrar will refer the inquiry to the President without disclosing the identity of inquirer;
- the President will inform the Registrar of the date when it is anticipated that the reserved decision will be delivered; and
- the Registrar will write to the inquirer and the other party to the litigation the litigation (or their legal representative) advising them of the anticipated date.

A practitioner or litigant who wishes to make a complaint (not merely an inquiry) about a reserved decision should follow the complaint procedure set out at

[https://www.acat.act.gov.au/about\\_acat/complaints](https://www.acat.act.gov.au/about_acat/complaints).