

## Purpose

1. This policy governs:
  - (a) electronic lodgement of documents at ACAT (for example, by email, USB or CD-ROM); and
  - (b) electronic production of documents in response to an ACAT subpoena.
2. The policy is designed to:
  - (a) give you information about electronic lodgement of documents at ACAT;
  - (b) ensure that ACAT's ICT system is protected from viruses;
  - (c) facilitate the lodgement of large numbers of documents.
3. The policy is subject to any order or direction of a presiding Member, case-managing Member or Registrar of ACAT, in relation to a particular matter.

## Policy

### *Emailing Documents*

4. ACAT **will** accept documents by email where:
  - (a) documents (including attachments) total less than 40 pages;
  - (b) there are less than three attachments total; and
  - (c) no lodgement fee is payable.
5. ACAT **will not** accept documents by email where:
  - (a) documents total more than 40 pages;
  - (b) there are more than three attachments;
  - (c) documents are contained in a Zip file;
  - (d) the documents are in colour (e.g. photographs); or
  - (e) a fee is required to lodge the document (for example, an application, counter claim or subpoena).
6. ACAT will not accept documents via Dropbox or similar file-sharing or collaboration programs. ACAT registry staff will notify you if documents cannot be accepted.

### ***Lodging documents on USB, CD or DVD***

7. Material which cannot be filed in hardcopy (for example videos or audio) may be lodged on a USB, CD or DVD.
8. An ACAT Member or Registrar might give permission for large numbers of documents to be lodged on a USB, CD or DVD (for example, documents that have thousands of pages). You will need to make a request in writing to be considered by ACAT for lodgement of documents in this format.
9. A USB, CD or DVD must be lodged in a sealed envelope with the following written on the outside of the envelope:
  - (a) that it contains a USB, CD or DVD;
  - (b) the matter name and number (ACAT case reference number);
  - (c) the name of the party lodging the device; and
  - (d) a brief description of what is on the device.
10. A USB, CD or DVD will be returned to you after one year of a final decision in this case, or as per ACAT's Procedural Directions.
11. If a party wants an ACAT Member to view the contents of a USB, CD or DVD during a hearing or conference, that party will need to:
  - (a) advise ACAT as soon as possible, at least five days before a conference or hearing; or
  - (b) bring a portable device on which to display the contents (for example, a laptop or tablet).

### ***Material produced in response to a subpoena***

12. If you are producing material in response to a subpoena, and you want to do this electronically, you must produce all the subpoenaed material on a USB, CD or DVD. You then need to provide the USB, CD or DVD to ACAT by the date stated in the subpoena (the return date).
13. The material produced on a USB, CD or DVD must be lodged at ACAT in a sealed envelope with the envelope clearly stating:
  - (a) that it contains a USB, CD or DVD;
  - (b) the matter name and number (ACAT case reference number);
  - (c) the name of the person/company lodging the USB, CD or DVD; and
  - (d) that it contains subpoena documents.
14. The USB, CD or DVD will be returned to you within one year of a final decision in the case, or as per ACAT's Procedural Directions.

## Policy: Giving material to ACAT electronically

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15. If a party in a case wants to use subpoenaed material as evidence, the party will be need to provide those specific documents to ACAT in hardcopy or ask permission for them to be viewed electronically at the hearing.

***Questions about this policy***

16. If you have any questions about this policy, please contact the ACAT at [tribunal@act.gov.au](mailto:tribunal@act.gov.au)