



## NCAT Procedural Direction 4

### REGISTRARS' POWERS DIRECTIONS

<b>This Procedural Direction applies to:</b>	All Tribunal proceedings
<b>Effective Date:</b>	29 April 2021
<b>Replaces Procedural Direction:</b>	NCAT Procedural Direction 4 (7 February 2014)
<b>Notes:</b>	You should ensure that you are using the current version of this Procedural Direction. A complete set of Procedural Directions and Guidelines is available on the Tribunal website at <a href="http://www.ncat.nsw.gov.au">www.ncat.nsw.gov.au</a>

#### Introduction

1. Under cl 8 of Schedule 6 to the Act, a registrar may, at the direction of the President, exercise certain Guardianship Division functions. Similarly, under rule 41 of the NCAT Rules, a registrar may, at the direction of the President or a Division Head, make certain interlocutory decisions on behalf of the Tribunal.
2. This Procedural Direction sets out how the directions referred to in cl 8 and rule 41:
  - (a) are to be given; and
  - (b) are to be recorded and publicised.
3. This Procedural Direction is made by the President under s 26 of the *Civil and Administrative Tribunal Act 2013*.

#### Definitions

<b>Word</b>	<b>Definition</b>
Act	<i>Civil and Administrative Tribunal Act 2013</i>
Registrars' Powers Direction	A direction by the President or a Division Head under cl 8 of Schedule 6 to the Act or under rule 41 of the NCAT Rules.
NCAT Rules	<i>Civil and Administrative Tribunal Rules 2014</i>

<b>Word</b>	<b>Definition</b>
registrar	The principal registrar or any other person employed as a registrar of the Tribunal.

4. Words used in this Procedural Direction have the same meaning as defined in the Act and the Rules.

### The Giving of a Direction

5. A Registrars' Power Direction is:
- (a) to be in writing;
  - (b) to be signed by the President or Division Head, as the case may be;
  - (c) to identify the function or functions being conferred on the registrar or the interlocutory decision or decisions the registrar is being empowered to make; and
  - (d) to provide that the direction is to take effect from a date specified in the direction until such time as the direction is:
    - (i) in the case of any Registrars' Powers Direction given by the President; and
    - (ii) in the case of a Registrars' Power Direction given by a Division Head, by the President or the Division Head of the relevant Division.

### The Recording and Publicising of a Direction

6. A copy of each Registrars' Powers Direction given by the President or a Division Head is to be:
- (a) held in the Principal Registry;
  - (b) published on the Tribunal website.
7. A table listing all Registrars' Powers Directions given by the President or a Division Head and setting out relevant details is to be published on the NCAT website.

**Armstrong J**  
President  
29 April 2021