

Practice Note 10

Consent Orders in Vocational Regulation Proceedings

What is this document?

1. This document is a practice note issued by the Rules Committee of the Tribunal under section 33 of the *State Administrative Tribunal Act 2004* (WA).
2. Parties requesting to settle Vocational Regulation proceedings must provide:
 - (a) A copy of the settlement terms which:
 - (i) complies with the 'Proposed Order' and 'Agreed Facts' templates.
 - (ii) has been signed by all parties.
 - (b) An editable electronic copy of the settlement terms for efficient processing by Tribunal staff.
3. The templates are on the following pages, and Microsoft Word versions of the templates are available from the Tribunal website.
4. If you need help in understanding this document please contact the Tribunal:
 - (a) By telephone at (08) 9219 3111 or 1300 306 017.
 - (b) By email at sat@justice.wa.gov.au.

[Act]

IN THE MATTER OF:

[Vocational Regulation Body]
-and-
[Licensee/Practitioner]

Applicant

Respondent

Matter Number: VR [] of []

Application Lodged: [date]

ORDER

On the application of the parties to settle the proceedings determined by [Name of Member(s)]:

The Tribunal notes:

The [Vocational Regulation Body] alleged that there is proper cause for disciplinary action against the [Licensee/Practitioner] under [Section] of [Act].

At the [Mediation/Hearing] conducted on [Date] the [Licensee/Practitioner] the parties agreed the terms upon which the proceedings could be settled.

The facts agreed by the parties are contained in Annexure A.

The Tribunal is satisfied that proper cause exists for disciplinary action against the [Licensee/Practitioner].

The Tribunal orders:

To give effect to the agreed terms of settlement, it is on [date] ordered that:

1.

(a)

(i)

(b)

2. etc

[Lengthy conditions or supervision requirements may be attached as Annexure B]

Annexure A

The parties have agreed the following relevant facts:

1.
 - (a)
 - (i)
 - (b)
2. Etc

[Licensee/Practitioner] submits and [Vocational Regulation Body] accepts the following matters in mitigation:

3.
 - (a)
 - (i)
 - (b)
4. etc

[Annexure B if required]

Name of **Licensee/Practitioner/Representative**

Signature

Date

Vocational Regulation Body/Representative

Name of person signing

Signature

Date