

Standard orders

<u>Extension of time for commencement of proceeding</u>	3
<u>Proceeding commenced under incorrect enabling Act</u>	3
<u>Representation by agent</u>	3
<u>Stay (review proceeding)</u>	3
<u>Invitation to original decision-maker to reconsider its decision (review proceeding)</u>	3
<u>Joinder, intervention and third party submissions</u>	3
<u>Identification of issues in dispute and relevant documents (review proceeding)</u>	3
<u>Identification of issues in dispute and relevant documents (original proceeding)</u>	4
<u>Production of documents or material by third parties</u>	4
<u>Agreed statement of issues and facts</u>	4
<u>Mediation and compulsory conference</u>	4
<u>Determination of preliminary issue</u>	5
<u>Determination on documents</u>	5
<u>Documents</u>	5
<u>Expert evidence</u>	6
<u>Final hearing – witness statements</u>	6
<u>Final hearing – conferral and joint statement of expert witnesses</u>	6
<u>Final hearing – concurrent evidence of expert witnesses</u>	7
<u>Final hearing – review proceeding – refusal or deemed refusal – draft conditions</u>	7
<u>Final hearing – proceedings to be heard and determined together</u>	7
<u>Final hearing date</u>	7
<u>Withdrawal of proceeding</u>	8
<u>Dismissal for want of prosecution</u>	8
<u>Adjournment to further directions hearing</u>	8
<u>Strata Titles matters</u>	8
<u>Strata Titles matters – short form of orders</u>	9
<u>Building matters referred by Building Commissioner</u>	9
<u>Consolidation order</u>	9
<u>Simple response to complaint</u>	10
<u>Simple identification of issues/ Withdrawal of matters not pursued</u>	10
<u>Scott Schedule</u>	10
<u>Inspection reports</u>	12
<u>Documents in simple cases</u>	13
<u>Summary of evidence and identification of witnesses</u>	13
<u>Hearing book</u>	13
<u>Building Commission review matters</u>	13
<u>Stay application / application for leave (heard prior to the application for review)</u>	13
<u>Section 58 – Building internal review matters</u>	14
<u>Stay application / application for leave (heard prior to the application for review)</u>	14
<u>Application for review (when the leave application has been granted or when the leave application and the application for leave are heard together)</u>	14
<u>Guardianship and administration matters</u>	15
<u>Hearing date</u>	15
<u>Attendance by telephone or video link</u>	15
<u>Notice of hearing</u>	15
<u>Service by the applicant</u>	16
<u>Shortened service</u>	16
<u>Dispensing with notice</u>	16

Inspection of documents	16
Public Advocate	16
Section 65 – Emergency provision	17
Section 87 – Leave for review	18
Withdrawal of proceeding	18
Vacating and relisting hearing	18
Adjournment of proceeding	18
Mediation	18
Enduring power of attorney matters	18
Enduring power of guardianship matters	19
Gifting	19
Attendance of witnesses at hearing	19
Filing of documents	20
Documents to be sought by Executive Officer	20
Production of documents or material by third parties	20
Conferral and evidence of expert witnesses	20
Section 17A – Review by Full Tribunal	21
Preambles	22

Extension of time for commencement of proceeding

1. Pursuant to r 10 of the State Administrative Tribunal Rules 2004 (WA) the time for commencement of this proceeding is extended until [date application filed].

Proceeding commenced under incorrect enabling Act

2. This proceeding is taken to have been commenced under s [] of [correct enabling Act] rather than s [] of [incorrect enabling Act] as stated on the application.

Representation by agent

3. Pursuant to s 39(1)(e) of the State Administrative Tribunal Act 2004 (WA) [name of agent] may represent the [applicant / respondent] at [this hearing / the hearing on [date]] [on condition that [name of agent] does not charge for the representation].

Stay (review proceeding)

4. Pursuant to s 25(2) of the State Administrative Tribunal Act 2004 (WA) the [decision / direction / notice] the subject of the application for review is stayed until further order.

Invitation to original decision-maker to reconsider its decision (review proceeding)

5. Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision [at its meeting on /on or before].

Joinder, intervention and third party submissions

6. Pursuant to s 38(1) of the State Administrative Tribunal Act 2004 (WA) [name] of [address] is joined as [second applicant / second respondent] to this proceeding.
7. Pursuant to s 37(3) of the State Administrative Tribunal Act 2004 (WA) [name] of [address] has leave to intervene in this proceeding [in relation to / subject to the following condition(s):].
8. Pursuant to s 242 of the Planning and Development Act 2005 (WA) [name] of [address] has leave to make [written] submissions in respect of the application [in relation to] [and must file two copies of its submissions with the Tribunal and give one copy to each of the parties by [date]].

Identification of issues in dispute and relevant documents (review proceeding)

9. By [specified date usually in 14 days] the respondent must file with the Tribunal and give to the applicant the following documents:
 - (a) a statement of issues, facts and contentions it says arise in relation to the decision under review; and
 - (b) an indexed and paginated bundle in chronological or other logical order of the documents it is required to file under s 24 of the State Administrative Tribunal Act 2004 (WA) namely:
 - (i). a statement of the reasons for the decision; and
 - (ii). documents and other material in its possession or under its control which are relevant to the Tribunal's review of the decision.

[In appropriate cases, the Tribunal may vary this order to allow the internet address of a document to be provided in place of the document.]

10. If the applicant does not have ready access to the internet it may require the respondent to provide it within seven days of request with a hard copy of any document for which only an internet address is provided in the respondent's bundle.
11. By [specified date usually 14 days after respondent's statement] the applicant must file with the Tribunal and give to the respondent its own statement of issues, facts and contentions setting out:

- (a) by reference to each paragraph number in the respondent's statement whether the applicant accepts or rejects the issue, fact or contention identified by the respondent; and
 - (b) any other issues, facts and contentions it says are relevant to the decision under review.
12. The applicant must at the time it files and gives its statement of issues, facts and contentions file with the Tribunal and give to the respondent an indexed and paginated bundle in chronological or other logical order of the documents on which it proposes to rely in the proceeding not in the respondent's bundle.

[In appropriate cases, the Tribunal may vary this order to allow the internet address of a document to be provided in place of the document.]

Identification of issues in dispute and relevant documents (original proceeding)

13. By [specified date usually in 14 days] the applicant must file with the Tribunal and give to the respondent the following documents:
- (a) a statement of issues, facts and contentions it says arise in the proceeding; and
 - (b) an indexed and paginated bundle in chronological or other logical order of the documents on which it proposes to rely in the proceeding.
14. By [specified date usually 14 days after applicant's statement] the respondent must file with the Tribunal and give to the applicant its own statement of issues, facts and contentions setting out:
- (a) by reference to each paragraph number in the applicant's statement whether the respondent accepts or rejects the issue, fact or contention identified by the applicant; and
 - (b) any other issues, facts and contentions it says arise in the proceeding.
15. The respondent must at the time it files and gives its statement of issues, facts and contentions file with the Tribunal and give to the applicant an indexed and paginated bundle in chronological or other logical order of any documents on which it proposes to rely in the proceeding not in the applicant's bundle.

Production of documents or material by third parties

16. Pursuant to s 35(1) of the State Administrative Tribunal Act 2004 (WA) [specify name] must by [specify date] produce [specify document(s) or material] to the [Tribunal / applicant / respondent]. The [applicant / respondent] must pay [specify name]'s reasonable costs of complying with this order.
17. Prior to the date for production specified in the previous order [specify name] may apply to the Tribunal to discharge or vary that order or to limit access to any document or material required to be produced by that order.

Agreed statement of issues and facts

18. By [specified date usually in 14 days] the parties must file with the Tribunal an agreed statement of issues and facts, identifying any material facts not agreed.

Mediation and compulsory conference

19. The matter is referred to [mediation / compulsory conference] to commence at on for a duration of hours/day(s).
20. The first directions hearing is vacated and the matter is referred directly to [mediation / compulsory conference] to commence at on for a duration of hours/day(s).
21. By [specified date] the [applicant / respondent / parties] must file with the Tribunal [and give to the [applicant / respondent]] [a statement of issues / points] for the purposes of mediation.
22. By [specified date] the applicant must file with the Tribunal and give to the respondent a statement of any alternative conditions it would accept in place of any disputed conditions for the purposes of mediation.
23. The [Mayor / President] of the respondent is invited to attend and/or nominate one or more councillors and/or the chief executive officer of the respondent to attend the [mediation / compulsory conference].

24. The presiding member of the Development Assessment Panel is invited to attend and/or nominate one or more members of the Development Assessment Panel to attend the [mediation / compulsory conference].
25. The chair of the vocational regulatory body is invited to attend and/or nominate one or more members of the vocational regulatory body to attend the [mediation / compulsory conference].
26. Relevant officers of [name of authority] are invited to attend the [mediation / compulsory conference] and the respondent is to convey this invitation to [name of authority] by [specified date].
27. At least [] days before the [mediation / compulsory conference] the parties must exchange any documents to be relied on which have not already been provided.
28. The matter is adjourned to a further [mediation / compulsory conference] to commence at on [] for a duration of [] hours/day(s).
29. [Specify name] may attend the [mediation / compulsory conference] by telephone using a telephone number provided to the Tribunal in writing at least 48 hours prior to the [mediation / compulsory conference].

Determination of preliminary issue

30. The following issue is to be determined by the Tribunal as a preliminary issue:
[state preliminary issue].
31. By [] the parties must file with the Tribunal an agreed statement of facts and an agreed bundle of documents in relation to the preliminary issue.
32. By [] the parties must each file with the Tribunal written submissions and any decided cases on which it relies in relation to the preliminary issue and exchange written submissions and a list of decided cases on which it relies.
33. By [] the parties must each file with the Tribunal and exchange written submissions in reply to the other party's submissions.
34. Subject to any further order the preliminary issue is to be determined entirely on the documents pursuant to s 60(2) of the State Administrative Tribunal Act 2004 (WA).
35. The preliminary issue is listed for hearing to commence at [] on [] for a duration of [] hours/day(s).

Determination on documents

36. By [] the parties must file with the Tribunal an agreed statement of facts and an agreed bundle of documents for the determination of the matter.
37. By [] the parties must each file with the Tribunal written submissions and any decided cases on which it relies and exchange written submissions and a list of decided cases on which it relies.
38. By [] the parties must each file with the Tribunal and exchange written submissions in reply to the other party's submissions.
39. Subject to any further order the matter is to be determined entirely on the documents pursuant to s 60(2) of the State Administrative Tribunal Act 2004 (WA).

Documents

40. Where a party or expert witnesses are required by these orders to file a document with the Tribunal [] copies of the document must be filed.
41. Every document required by these orders to be filed with the Tribunal must:
 - (a) identify, on the first page, the SAT application number, the names of the parties, each party's reference (if known), the title of the document and, except where the document is filed jointly by expert witnesses, the name of the party by whom or on whose behalf the document is filed;
 - (b) contain a table of contents on the first page if the document exceeds 10 pages;
 - (c) be paginated consecutively including annexures;

- (d) contain consecutively numbered paragraphs irrespective of headings; and
- (e) in any statement of issues, facts and contentions or written submissions drafted by a party's legal representative or agent, identify the responsible draftsman.

Expert evidence

42. If a party engages an expert to attend a mediation or compulsory conference or to give evidence in the proceeding the party must give the expert within seven days of this order or of the engagement (whichever is the later):
- (a) the Tribunal's pamphlet entitled A guide for experts giving evidence in the State Administrative Tribunal, unless the party has already given the expert a copy of the pamphlet; and
 - (b) a copy of these orders.
43. An expert witness must acknowledge in his or her statement of evidence that he or she has read the Tribunal's pamphlet entitled A guide for experts giving evidence in the State Administrative Tribunal and agrees to be bound by the expert's obligations stated in that document.

Final hearing – witness statements

44. If any party proposes to give evidence or call any witness, including any expert, to give evidence at the hearing it must by [specified date usually 14 days before the hearing date] file with the Tribunal a signed statement of the witness' evidence and give a copy of the statement to the other parties.
45. Any document referred to in a witness statement that is contained in a bundle of documents filed by any party must be identified by reference to the relevant bundle and page number in the bundle and must not be attached to the witness statement. Any document referred to in a witness statement that is not contained in a bundle of documents filed by any party must be attached to the witness statement.
46. If a party does not wish to ask any questions at the hearing of a witness whose witness statement has been given to the party, then it must advise the Tribunal and each other party in writing of that position at least 48 hours prior to the hearing, and the witness does not then have to attend the hearing, unless required to do so by the Tribunal.

[In exceptional cases, the following alternative order might be made:

If a party wishes to ask any questions at the hearing of a witness whose witness statement has been given to the party, then it must advise the Tribunal and each other party in writing of that position at least 48 hours prior to the hearing, and the witness must then attend the hearing.]

Final hearing – conferral and joint statement of expert witnesses

47. By [specified date usually seven days before the hearing date] the expert witnesses in [each field of expertise/the field of [state expertise]] must confer with one another in the absence of the parties and their representatives and must prepare a joint statement of:
- (a) the issues arising in the proceeding which are within their expertise;
 - (b) the matters upon which they agree in relation to those issues;
 - (c) the matters upon which they disagree in relation to those issues; and
 - (d) the reasons for any disagreement.
48. The expert witnesses in [each field of expertise/the field of [state expertise]] must confer with one another in the absence of the parties and their representatives before [name of member] [(noting the parties' agreement under s 54(10) of the State Administrative Tribunal Act 2004 (WA))] at _____ on _____ for a duration of _____ hours/day(s) and must prepare a joint statement of:
- (a) the issues arising in the proceeding which are within their expertise;
 - (b) the matters upon which they agree in relation to those issues;

- (c) the matters upon which they disagree in relation to those issues; and
- (d) the reasons for any disagreement.

[The agreement of the parties is required for a member who mediated the matter to take any further part in dealing with the proceeding after the mediation: s 54(10) of the State Administrative Tribunal Act 2004 (WA)]

49. The expert witnesses must each sign the joint statement at the conclusion of their conference. If the statement is in handwriting the expert witnesses must appoint one of them to generate a typed version of it and each must sign the typed document. The expert witnesses must file the joint statement with the Tribunal and give copies of it to the parties by [specified date usually five days before the hearing date].

Final hearing – concurrent evidence of expert witnesses

50. Subject to any further order the evidence of expert witnesses must be given concurrently at the hearing in each field of expertise. The expert witnesses will be:
- (a) called to give evidence together;
 - (b) asked questions by the Tribunal;
 - (c) given the opportunity by the Tribunal to respond directly to each other's evidence;
 - (d) given the opportunity by the Tribunal to ask each other any questions which they consider might assist the Tribunal; and
 - (e) asked questions by the parties or their representatives.

Final hearing – review proceeding – refusal or deemed refusal – draft conditions

51. By [specified date usually same day as witness statements are to be filed] the respondent must file with the Tribunal and give to the applicant in hard and electronic form, without prejudice to its final position in the proceeding, a set of all of the conditions which it will contend at the hearing should be imposed if the Tribunal considers that approval of the application subject to conditions is appropriate (draft conditions).
52. By [specified date] the applicant must file with the Tribunal and give to the respondent in hard and (where it can do so) electronic form a document which:
- (a) identifies any of the draft conditions which it objects to;
 - (b) gives brief reasons for each objection; and
 - (c) sets out any alternative or additional conditions it will contend at the hearing should be imposed if the Tribunal considers that approval of the application subject to conditions is appropriate.

Final hearing – proceedings to be heard and determined together

53. Pursuant to s 51(1) of the State Administrative Tribunal Act 2004 (WA) proceeding [] and [] are [consolidated into one proceeding / to remain as separate proceedings but heard and determined together / and evidence in one proceeding is to be evidence in the other proceeding].

[This order can only be made by a legally qualified member: s 51(2) of the State Administrative Tribunal Act 2004 (WA)]

Final hearing date

54. The matter is listed for a final hearing to commence at _____ on _____ for a duration of _____ hours/day(s).

Withdrawal of proceeding

55. Pursuant to s 46(1) of the State Administrative Tribunal Act 2004 (WA) the applicant has leave to withdraw this proceeding and the proceeding is [hereby withdrawn.] [dismissed / struck out pursuant to s 46(2) of the State Administrative Tribunal Act 2004 (WA).]

Dismissal for want of prosecution

56. Pursuant to s 46(3) of the State Administrative Tribunal Act 2004 (WA) the proceeding is [dismissed / struck out] for want of prosecution.

Adjournment to further directions hearing

57. The proceeding is adjourned to a further directions hearing at _____ on _____ in order to _____.
58. [Specify name] may attend the directions hearing by telephone using a telephone number provided to the Tribunal in writing at least 48 hours prior to the directions hearing.

Strata Titles matters

59. (If the strata company is not the applicant or respondent) By [specified date usually in seven days] the applicant must give a copy of the application, the supporting documents and these orders to [the strata company].
60. By [specified date usually in 14 days] [the strata company] must give a copy of the application, the supporting documents and these orders to the persons referred to in s 79(2) of the Strata Titles Act 1985 (WA) (Notified person(s)).
61. (If the strata company is the applicant) By [specified date usually in seven days] the applicant must give a copy of the application, the supporting documents and these orders to the persons referred to in s 79(2) of the Strata Titles Act 1985 (WA) (Notified person(s)).
62. By [specified date usually in ten days] the applicant must provide the following documents to the Tribunal:
- (a) a copy of the strata roll; and
 - (b) a declaration of service in accordance with the previous order.
63. By [specified date usually in 14 days] the respondent(s) must file with the Tribunal and give to the applicant any response to the application that it wishes the Tribunal to take into account in its determination of the proceeding.
64. By [specified date usually in seven days] a Notified person may either:
- (a) file a written submission which the Notified person wishes the Tribunal to take into account in its determination of the proceeding, on the basis that the Notified Person will thereafter take no further part in the proceeding; or
 - (b) notify the Tribunal in writing, with a copy to the applicant(s) and respondent(s), that the Notified person wishes to be joined in the proceeding as an applicant or respondent, in order to participate fully in the proceeding.
65. By [specified date usually in 28 days]:
- (a) the applicant(s) may:
 - (i). inspect any submissions filed by any Notified Person in the Tribunal and at its expense obtain copies; and
 - (ii). file with the Tribunal and give to the respondent(s) a written reply to the response of the respondent(s) and to the submission of any Notified Person identifying the document or documents to which it replies; and
 - (b) the respondent(s) may:
 - (iii). inspect any submissions filed in the Tribunal and at its expense obtain copies; and
 - (iv). file with the Tribunal and give to the applicant(s) a written response to the submission of any Notified Person(s) and any reply to any such submission, identifying the document or documents to which it responds.

66. The Tribunal shall thereafter review the matter and issue such further directions as it may consider necessary to enable the proceeding to be determined, including listing the matter for final hearing, referring it to mediation or compulsory conference, or directing that the proceeding be determined entirely on the documents. If any Notified Person has given notice that the person wishes to be joined as a party to the proceeding, or if for any other reason the Tribunal considers it desirable, the matter shall be listed for a further directions hearing.
67. (Following order for joinder of Notified Person(s) – see standard order 6) By [specified date usually in 14 days] [name(s) of joined party or parties]:
- (a) shall inspect any documents filed by the parties and Notified Persons with the Tribunal, and at its expense obtain copies; and
 - (b) file with the Tribunal and give to all parties a submission in support of/opposition to the application.
68. By [specified date usually in 28 days] each party may file with the Tribunal and give to all other parties any submission in response to the submissions filed in accordance with the previous order.
- [See above for mediation, compulsory conference and hearing standard orders]*

Strata Titles matters – short form of orders

69. By [specified date usually in seven days] the respondent must file with the Tribunal and give to the applicant a written response to the application together with copies of all documents on which the respondent proposes to rely.
70. By [specified date usually in 14 days] [the strata company] must give a copy of this order together with written notice of the application to each of the persons referred to in s 79(2) of the Strata Titles Act 1985 (WA) (Notified Person(s)), which notice must advise that a copy of the application, all supporting documents, the respondent's response and the documents relied on by the respondent may be inspected, subject to reasonable prior oral notice, at [insert address], on any week day between the hours of 9 am and 4 pm on or before [specified date usually in 24 days].
71. [The strata company] shall provide a copy of any document inspected in accordance with the previous order to any Notified Person who requests such a copy on or before [specified date usually in 24 days] subject to the Notified Person making payment of [the strata company's] photocopying costs.
72. By [specified date usually in 21 days] [the strata company] must provide the following documents to the Tribunal:
- (a) a copy of the strata roll; and
 - (b) a declaration of service in accordance with the second last order.
73. Any Notified Person wishing to participate in the proceeding must:
- (a) by [specified date usually in 31 days] file a written notice with the Tribunal stating that the Notified Person wishes to participate in the proceeding and providing a street address for service of documents (a Post Office Box is not acceptable) and give a copy of the notice to the applicant and respondent; and
 - (b) attend the directions hearing referred to in the following order either in person or by a representative, or, subject to prior arrangement with the Tribunal made not less than five business days prior to the hearing, by way of telephone conference.
74. The matter is adjourned to a further directions hearing on [specified date usually in 38 days] in order to address any written notice from Notified Persons in accordance with the previous order and, in consequence, any further steps which might be required in preparation for the final hearing of the matter.
75. Subject to any further order the matter is listed for a final hearing to commence at on [specified date in at least 52 days] for a duration of _____ hours/day(s).

Building matters referred by Building Commissioner

Consolidation order

76. Proceeding [_____] is consolidated with proceeding [_____] with proceeding [_____] being the lead matter.

77. (Where both parties have made complaints referred to SAT) Proceeding [] is consolidated with proceeding [] with proceeding [] being the lead matter. [Party's name] shall be referred to as the applicant and [other party's name] shall be referred to as the respondent.

Simple response to complaint

78. On or before [insert date] the respondent must provide to the Tribunal and give to the applicant a response to each of the complaints set out in the complaint filed by the applicant with the Building Disputes Tribunal / Building Commission on [insert date].

or

79. On or before [insert date] the respondent must provide to the Tribunal and give to the applicant a response to each of the complaint items set out in the Building Commission Inspector's report dated [insert date].

Simple identification of issues/ Withdrawal of matters not pursued

80. The matters in issue are items [set out relevant item numbers] in the Building Commission Inspector's report dated [insert date].
81. Complaint items [set out relevant item numbers] as set out in the said report are not pursued, leave is granted to withdraw those complaint items and they are withdrawn.

Scott Schedule

Claims seeking remedial work order – Workmanship and/or contractual – General

82. On or before [insert date] the applicant must file with the Tribunal a hard copy of a Scott Schedule in the form described in order/s [insert numbers of one or two succeeding orders as applicable] below, and provide both a hard copy and electronic copy thereof to the respondent.
83. The Scott Schedule is to set out:
- (a) a column describing each separate claim item, and the basis upon which it is alleged that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner; and
 - (b) a column for the respondent's response to each item of claim, stating whether or not it is admitted or denied that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner, and if denied, the basis for such denial.
84. The applicant's claims for breach of contract must be set out in the Scott Schedule after all workmanship complaint items under a separate heading, and thereafter the Scott Schedule shall provide:
- (a) a column setting out separately each claim and the basis upon which it is alleged that the respondent is in breach of contract;
 - (b) a column setting out the loss or damage alleged to have been suffered as a result of each breach of contract claim and showing how the amount has been calculated; and
 - (c) a column for the respondent's response to each item of claim stating whether or not the alleged breach of contract and the loss or damage claimed is admitted, or denied, and if denied the basis for such denial.
85. On or before [insert date] the respondent must file with the Tribunal a hard copy of its response to each claim by proper completion of the Scott Schedule in accordance with the preceding order, and provide both a hard copy and electronic copy thereof to the applicant.

Claims seeking remedial work order – Workmanship and/or contractual – Strata and survey-strata schemes

86. On or before [insert date] the applicants must file with the Tribunal a hard copy of a Scott Schedule in the form described in order/s [insert numbers of one or two succeeding orders as applicable] below, and provide both a hard copy and electronic copy thereof to the respondent.

87. The Scott Schedule is to set out separately the claim items forming part of [the strata company]'s claim and those claim items forming part of the claim of [the individual owner(s)] and is to provide:
- (a) a column describing each separate claim item and the basis, upon which it is alleged that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner; and
 - (b) a column for the respondent's response to each item of claim stating whether or not it is admitted or denied that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner, and if denied, the basis for such denial.
88. The applicants' claims for breach of contract must be set out in the Scott Schedule after all workmanship claims under a separate heading, and must identify breach of contract claim/s made by the [strata company] and breach of contract claims made by the [individual owner(s)], and thereafter the Scott Schedule shall provide:
- (a) a column setting out separately each claim and the basis upon which it is alleged that the respondent is in breach of contract;
 - (b) a column setting out the loss or damage alleged to have been suffered as a result of each breach of contract claim and showing how the amount has been calculated; and
 - (c) a column for the respondent's response to each item of claim stating whether or not the alleged breach of contract and the loss or damage claimed is admitted, or denied, and if denied the basis for such denial.
89. On or before [insert date] the respondent must file with the Tribunal a hard copy of its response to each claim by proper completion of the Scott Schedule column provided for completion by the respondent in accordance with the preceding order, and provide both a hard copy and electronic copy thereof to the applicants.

Claims seeking order to pay – Workmanship and/or contractual – General

90. On or before [insert date] the applicant must file with the Tribunal a hard copy of a Scott Schedule in the form described in order/s [insert numbers of one or two succeeding orders as applicable] below, and provide both a hard copy and electronic copy thereof to the respondent.
91. The Scott Schedule is to set out:
- (a) a column describing each separate claim item and the basis, upon which it is alleged that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner;
 - (b) a column describing the scope of works allegedly necessary to remedy the matter the subject of each item of complaint;
 - (c) a column setting out the amount claimed in respect of each claim item;
 - (d) a column for the respondent's response to each item of claim stating whether or not it is admitted or denied that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner, and if denied, the basis for such denial;
 - (e) a column for the respondent to state whether it admits the scope of works alleged to be necessary by the applicant in respect of each claim item (whether or not the respondent accepts liability in respect thereof) and if the scope of work is not admitted, stating the works which the respondent contends is necessary, if any; and
 - (f) a column for the respondent to state the cost which the respondent asserts is reasonable for the scope of works described by the applicant in respect of each claim, and if applicable, the cost which the respondent asserts is reasonable for the works which the respondent contends is required, in either or both cases showing how the cost is calculated.
92. The applicants' claims for breach of contract must be set out in the Scott Schedule after all workmanship claims under a separate heading, and must identify breach of contract claim/s made by [the strata company] and breach of contract claims made by [the individual owner(s)], and thereafter the Scott Schedule shall provide:
- (a) a column setting out separately each claim and the basis upon which it is alleged that the respondent is in breach of contract;
 - (b) a column setting out the loss or damage alleged to have been suffered as a result of each breach of contract claim and showing how the amount has been calculated; and

- (c) a column for the respondent's response to each item of claim stating whether or not the alleged breach of contract and the loss or damage claimed is admitted, or denied, and if denied the basis for such denial.

Claims seeking order to pay – Workmanship and/or contractual – Strata and survey-strata schemes

- 93. On or before [insert date] the applicants must file with the Tribunal a hard copy of a Scott Schedule in the form described in order/s [insert numbers of one or two succeeding orders as applicable] below, and provide both a hard copy and electronic copy thereof to the respondent.
- 94. The Scott Schedule is to set out separately the claim items forming part of [the strata company]'s claim and those claim items forming part of the claim of [the individual owner(s)] and is to provide:
 - (a) a column describing each separate claim item, and the basis upon which it is alleged that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner;
 - (b) a column describing the scope of works allegedly necessary to remedy the matter the subject of each item of complaint;
 - (c) a column setting out the amount claimed in respect of each claim item;
 - (d) a column for the respondent's response to each item of claim stating whether or not it is admitted or denied that the building work is faulty, unsatisfactory or has not been carried out in a proper or proficient manner, and if denied, the basis for such denial;
 - (e) a column for the respondent to state whether it admits the scope of works alleged to be necessary by the applicants in respect of each claim item (whether or not the respondent accepts liability in respect thereof) and if the scope of work is not admitted, stating the works which the respondent contends is necessary, if any; and
 - (f) a column for the respondent to state the cost which the respondent asserts is reasonable for the scope of works described by the applicant in respect of each claim, and if applicable, the cost which the respondent asserts is reasonable for the works which the respondent contends is required, in either or both cases showing how the cost is calculated.
- 95. The applicants' claims for breach of contract must be set out in the Scott Schedule after all workmanship claims under a separate heading, and must identify breach of contract claim/s made by [the strata company] and breach of contract claims made by [the individual owner(s)], and thereafter the Scott Schedule shall provide:
 - (a) a column setting out separately each claim and the basis upon which it is alleged that the respondent is in breach of contract;
 - (b) a column setting out the loss or damage alleged to have been suffered as a result of each breach of contract claim and showing how the amount has been calculated; and
 - (c) a column for the respondent's response to each item of claim stating whether or not the alleged breach of contract and the loss or damage claimed is admitted, or denied, and if denied the basis for such denial.
- 96. On or before [insert date] the respondent must file with the Tribunal a hard copy of its response to each claim by proper completion of each of the Scott Schedule columns provided for completion by the respondent in accordance with the preceding order, and provide both a hard copy and electronic copy thereof to the applicants.

Inspection reports

- 97. The matter is adjourned to a further directions hearing on [insert date] at a time to be advised pending the Tribunal requesting, and the provision by the Building Commission of, an inspector's report addressing the complaint items referred to in order [insert] below.
- 98. The workmanship items of complaint which are to be the subject of the requested inspector's report are items [number 1, 2, 3 or otherwise described] in the complaint filed with the Building Disputes Tribunal/ Building Commission on [insert date].
- 99. Subject to reasonable notice from the Building Commission, the applicant must ensure that the property at [insert address] is made available for inspection by the Building Commission. The applicant must be present personally or ensure that a representative is present at the property to provide access to all the relevant areas for the Building Commission inspector and the respondent and/or its representative.

Documents in simple cases

100. On or before [insert date] the parties are to file with the Tribunal and provide to the other party all documents on which they wish to rely at the final hearing not already on the Tribunal's file, including any expert reports, photographs, and quotations or other documents relevant to the costings of the complaint items to be determined by the Tribunal.

[If there is risk that there will be duplication of lengthy documents, SAT standard directions for the parties to file documents sequentially should be used which provide that the party last filing documents need file only those documents on which it wishes to rely not included in the other party's documents.]

Summary of evidence and identification of witnesses

101. On or before [usually 14 days prior to hearing] the parties are to file with the Tribunal and provide to the other party a list of the witnesses the party proposes to call, together with a short summary of the evidence to be given by each witness which includes the witness' name and relevant qualifications or experience.

Hearing book

Prepared by SAT and to be collected by parties

102. The Executive Officer shall prepare six copies of a hearing book containing the relevant documents filed with the Tribunal by the parties. The parties may, not earlier than three days prior to the hearing, collect from the Tribunal a copy of the hearing book.

Prepared by SAT and to be posted to remote parties

103. The Executive Officer shall prepare six copies of a hearing book containing the relevant documents filed with the Tribunal by the parties. The Tribunal shall, by [insert date sufficient to ensure party will receive documents at least three days before the date of hearing] post a copy of the hearing book to each party.

Allowing for cost recovery if the documents are voluminous – to be collected

104. The Executive Officer shall prepare six copies of a hearing book containing the relevant documents filed with the Tribunal by the parties. The parties may, not earlier than three days prior to the hearing, collect from the Tribunal a copy of the hearing book. The preparation of the hearing book shall be at the applicant's cost, subject to any further order of the Tribunal.

Allowing for cost recovery if the documents are voluminous – to be posted to remote parties

105. The Executive Officer shall prepare six copies of a hearing book containing the relevant documents filed with the Tribunal by the parties. The Tribunal shall, by [insert date sufficient to ensure party will receive documents at least three days before the date of hearing] post a copy of the hearing book to each party. The preparation of the hearing book shall be at the applicant's cost, subject to any further order of the Tribunal.

Prepared by applicant if legally represented

106. The applicant shall by [insert date sufficient for preparation of the hearing book and for the book to be sent to panel members]:

- (a) prepare six copies of a duly indexed and paginated hearing book containing the relevant documents filed with the Tribunal by the parties;
- (b) file three copies with the Tribunal;
- (c) provide one copy to the respondent; and
- (d) make one copy available at the hearing for use by witnesses.

Building Commission review matters

Stay application / application for leave (heard prior to the application for review)

107. By [specified date usually in seven days] the applicant must:

- (a) serve a copy of the application(s) together with a copy of these orders on the Building Commissioner; and
- (b) file a declaration of service in accordance with this order.

108. By [specified date usually in 21 days] the Building Commissioner must file with the Tribunal the documents it is required to file under s 24 of the State Administrative Tribunal Act 2004 (WA) namely:
- (a) a statement of the reasons for the decision (unless already provided); and
 - (b) documents and other material in its possession or under its control which are relevant to the Tribunal's review of the decision.
109. By [specified date usually 14 days after the date specified in the preceding order] the applicant must file with the Tribunal and give to the respondent:
- (a) any witness statements and any documents on which the applicant wishes to rely; and
 - (b) its written outline of submissions in support of the [the application for stay / application for leave to review the decision of the Building Commissioner to refuse to accept the complaint / the application for review of the decision of the Building Commissioner reflected in the building remedy order made on [insert date]].
110. By [specified date usually 14 days after the date specified in the preceding order] the respondent must file with the Tribunal and give to the applicant:
- (a) any witness statements and any documents on which the respondent wishes to rely other than documents already filed by the applicant; and
 - (b) its written outline of submissions in opposition.
111. The application(s) for [stay / leave / review] [is / are] listed for hearing at _____ am/pm on _____ for a duration of _____ hours.
- [Orders should be made for preparation of a hearing book if appropriate -see Hearing book orders above.]*

Section 58 – Building internal review matters

Stay application / application for leave (heard prior to the application for review)

112. By [specify date usually in 5 days] the applicant must apply to the Executive Officer of the Tribunal for the provision of the transcript of the proceeding sought to be reviewed and on receipt must immediately file a copy in this proceeding and give a copy to the respondent, unless the applicant is already in possession of the transcript in which case the applicant must immediately file a copy of the transcript in this proceeding and give a copy to the respondent.
113. The Executive Officer is to ensure that the reasons for decision, hearing book and all exhibits in the proceeding sought to be reviewed are available in this proceeding.
114. By [specified date usually in 21 days] the applicant must file with the Tribunal and give to the respondent:
- (a) any witness statements and any documents on which the applicant wishes to rely: and
 - (b) its written outline of submissions in support of the [application for stay / leave to review].
115. By [specified date usually 14 days after the date specified in the preceding order] the respondent must file with the Tribunal and give to the applicant:
- (a) any witness statements and any documents on which the respondent wishes to rely other than documents already filed by the applicant; and
 - (b) its written outline of submissions in opposition.
116. The application(s) for [stay / leave / review] [is / are] listed for hearing at _____ am/pm on _____ for a duration of _____ hours.

Application for review (when the leave application has been granted or when the leave application and the application for leave are heard together)

117. [If the transcript of the proceedings sought to be reviewed was not provided during a separate application for leave] By [specify date usually in 5 days] the applicant must apply to the Executive Officer of the Tribunal for the provision of the transcript of the proceeding sought to be reviewed and on receipt must immediately file a copy in this proceeding and give a copy to the respondent, unless the applicant is already in possession of the transcript in which case the applicant must immediately file a copy of the transcript in this proceeding and give a copy to the respondent.

118. [If the reasons for decision, hearing book and all exhibits of the proceeding sought to be reviewed were not provided during a separate application for leave] The Executive Officer is to ensure that the reasons for decision, hearing book and all exhibits in the proceeding sought to be reviewed are available in this proceeding.
119. By [a specified date usually within 14 to 21 days depending on whether a transcript of the proceeding sought to be reviewed is available] the applicant must file with the Tribunal and give to the respondent:
- (a) a statement of issues, facts and contentions it says arise in relation to the decision under review, limited, if leave to review has been granted, to the grounds upon which leave was granted, and if the transcript of the hearing of the proceeding under review is to be relied upon, containing references by page number to passages in the transcript which are relevant to each ground of review; and
 - (b) an indexed and paginated bundle in chronological or other logical order of the documents on which it proposes to rely and may for that purpose inspect the Tribunal file in respect of the proceeding under review and at its cost obtain copies.
120. By [a specified date usually 14 days after the date specified in the preceding order] the respondent must file with the Tribunal and give to the applicant:
- (a) a statement of issues, facts and contentions it says arise in relation to the decision under review, limited, if leave to review has been granted, to the grounds upon which leave was granted, and if the transcript of the hearing of the proceeding under review is to be relied upon, containing references by page number to passages in the transcript which are relevant to each ground of review; and
 - (b) an indexed and paginated bundle in chronological or other logical order of the documents on which it proposes to rely and may for that purpose inspect the Tribunal file in respect of the proceeding under review and at its cost obtain copies.

[Orders should be made as appropriate in relation to summaries of evidence or witness statements, expert witness procedures and for preparation of hearing books.]

Guardianship and administration matters

Hearing date

121. The [application is / applications are] listed for hearing at [time] on [date].

[Also state the address if the hearing is not to be at the Tribunal]

Attendance by telephone or video link

122. [Any party / name of particular person(s)] may attend the hearing by telephone using a telephone number provided to the Tribunal in writing at least two business days prior to the hearing.

123. [Any party / name of particular person(s)] may attend the hearing by video link at a venue to be determined in [name of town].

Notice of hearing

124. Notice of the hearing is to be given to the following persons (parties):

- (a) The [proposed represented person / represented person / donor];
- (b) The applicant;
- (c) The Public Advocate;
- (d) The Public Trustee [only if administration application / review];
- (e) [name of guardian, or proposed guardian - if applicable];
- (f) [name of administrator, or proposed administrator - if applicable];
- (g) [name of nearest relative - in all cases];
- (h) [names of other persons with sufficient interest].

125. If any party considers that notice of the hearing should be given to any other person, that party must notify the Tribunal in writing, by [date], of the name and address of that other person and the nature of the other person's relationship with the [proposed represented person / represented person] and their interest in the proceeding.
126. The Tribunal may, at its discretion, give notice of the hearing to any other person who appears to have a sufficient or proper interest in the proceeding.

Service by the applicant

127. The applicant is to serve the notice of hearing personally on the [proposed represented person / represented person] by [specified date usually 21 days before the hearing date] in compliance with the requirements of the Guardianship and Administration Act 1990 (WA) and the State Administrative Tribunal Act 2004 (WA) and file with the Tribunal by [specified date usually 18 days before the hearing date] a declaration of that service.

[This order is not made where the applicant is the Public Advocate or the Public Trustee.]

128. The Executive Officer is to provide to the applicant information on the requirements of service on the [proposed represented person / represented person] to enable the applicant to comply with the preceding order.

Shortened service

129. Time for service of the notice of hearing is shortened to less than 14 days to all parties pursuant to s 41(3)(a) of the Guardianship and Administration Act 1990 (WA), as the Tribunal has determined that exceptional circumstances exist.

Dispensing with notice

130. Notice of the hearing to all parties other than the [proposed represented person / represented person], the applicant and the Public Advocate is dispensed with, pursuant to s [41(3)(b) / 89(3)(b)] of the Guardianship and Administration Act 1990 (WA), as the Tribunal has determined that exceptional circumstances exist.

[The Tribunal cannot dispense with notice to the proposed represented person / represented person, the applicant and the Public Advocate in relation to an application for an administration order or a guardianship order or the review of such an order - except where s 67(2) applies. Section 41(3)(b) applies to new applications and s 89(3)(b) applies to reviews.]

131. Pursuant to s 67(2) of the Guardianship and Administration Act 1990 (WA) notice of the hearing to [name of proposed represented person / represented person] is dispensed with because [he / she] is now not resident or domiciled in Western Australia.

Inspection of documents

132. The Executive Officer is to provide, on the request of a party, an application form for access to inspect documents or other material lodged with or held by the Tribunal pursuant to s 112(4) of the Guardianship and Administration Act 1990 (WA) for the purposes of this proceeding.
133. An application pursuant to s 112(4) of the Guardianship and Administration Act 1990 (WA) must be filed with the Tribunal by [specified date usually seven days before the hearing date].

Public Advocate

134. The Public Advocate is notified of her possible appointment as guardian of the proposed represented person.
135. The Public Advocate is requested to attend the hearing to advance the best interests of the [proposed represented person / represented person].

136. The [application is / applications are] referred to the Public Advocate pursuant to s 97(1) of the Guardianship and Administration Act 1990 (WA) for investigation and report to the Tribunal prior to the hearing on the following:
- (a) Whether the proposed represented person is in need of a guardian.
 - (b) What functions should be conferred on a guardian, if an order is made.
 - (c) Who would be suitable and willing to be appointed as guardian.
 - (d) Whether the proposed represented person is in need of an administrator.
 - (e) If an administration order is to be made, who would be suitable and willing to be appointed.
 - (f) Whether the enduring power of attorney dated [date] provides a less restrictive alternative to the making of an administration order.
 - (g) Whether the enduring power of guardianship dated [date] is a less restrictive alternative to the making of a guardianship order.
 - (h) Whether the guardianship order is currently operating in the best interests of the represented person and whether any amendments should be made to that order.
 - (i) Whether the administration order is currently operating in the best interests of the represented person and whether any amendments should be made to that order.
 - (j) What are the views and wishes of the [proposed represented person / represented person] regarding the issues arising in this proceeding.
[This is to be included in all referrals.]
 - (k) All other matters the Public Advocate considers relevant.
[This is to be included in all referrals.]
137. The Tribunal will provide to the Public Advocate a copy of all documents received by the Tribunal for the purposes of this proceeding.
[This is to be included in all referrals.]
138. The Public Advocate is at liberty to apply for orders pursuant to s 35 of the State Administrative Tribunal Act 2004 (WA) for orders for the production of documents relevant to her investigation.
139. The Public Advocate is at liberty to apply for the hearing to be brought forward to an earlier date should this be considered necessary in the best interests of proposed represented person.

Section 65 – Emergency provision [Preamble L]

140. Pursuant to s 65 of the Guardianship and Administration Act 1990 (WA) [the Public Trustee / name] is authorised to exercise the functions of a plenary administrator with all the powers and duties conferred by the Guardianship and Administration Act 1990 (WA) to protect and secure [all of the estate of the proposed represented person including, but not limited to / the following part of the estate of the proposed represented person]:
- (a) the residential property of the proposed represented person at [address], including lodging a caveat on the title to it;
 - (b) the bank account(s) held by the proposed represented person with [bank];
 - (c) the interest of the proposed person in the estate of [name] deceased; and
 - (d) [other assets].
141. There is liberty to the proposed represented person [or any party] to apply to set aside or vary this order on short notice.
142. The Executive Officer is directed to request that the Registrar of Titles create a Registrar's packet for the title of the property of the proposed represented person at [identify land by address or Certificate of Title details] until further order by the Tribunal.
143. The Tribunal will provide to the Public Trustee a copy of all documents received by the Tribunal for the purposes of this proceeding.
[This is to be included in all referrals.]
144. [The Public Trustee / other name] is at liberty to apply pursuant to s 35 of the State Administrative Tribunal Act 2004 (WA) for orders for the production of documents related to the performance of [his / her] functions under order [number].

145. [The Public Trustee / name] is at liberty to apply for the hearing of the application to be brought forward to an earlier date should this be considered necessary in the proposed represented person's best interests.

Section 87 – Leave for review [Preamble K]

146. Leave is refused to the applicant to apply for the review because the application does not disclose any change in circumstances or any other reason that a review should be held.

147. Leave is granted to the applicant to apply for the review.

148. Leave is granted to the applicant to apply for the review on the condition that the review is limited to:

- (a) the question of who should be appointed as [administrator of the estate of and/or guardian of] the represented person.
- (b) [other condition].

149. The Executive Officer is to accept the [application pursuant to s 87 / form / letter / other document] filed by the applicant on [date] as the application pursuant to s 86 of the Guardianship and Administration Act 1990 (WA).

150. The Executive Officer is to provide a copy of the application to the [administrator and/or guardian].

Withdrawal of proceeding

151. Pursuant to s 46(1) of the State Administrative Tribunal Act 2004 (WA) the applicant has leave to withdraw the proceeding and the proceeding is [withdrawn.] [dismissed / struck out pursuant to s 46(2) of the State Administrative Tribunal Act 2004 (WA).]

152. Leave to withdraw the proceeding is refused as the Tribunal is not satisfied that it is in the best interests of the proposed represented person for the matter to be withdrawn [without investigation by the Public Advocate].

Vacating and relisting hearing

153. The hearing listed on [date] is vacated and the matter is listed for hearing at [time] on [date].

Adjournment of proceeding

154. The proceeding is adjourned to a further hearing at [time] on [date] in order to [reason].

Mediation

155. The matter is referred to mediation to commence at [time] on [date] for a duration of [number] hours.

156. The parties who [are required to / may] attend the mediation are [names].

Enduring power of attorney matters [Preamble H]

157. [Name] (the attorney), being the person(s) identified in the application as the attorney appointed pursuant to the enduring power of attorney, [is / are] to file with the Tribunal by [date]:

- (a) a copy of the enduring power of attorney; and
- (b) a statement of the assets and liabilities and the current regular income and expenditure of the donor as at the date of this order.

158. Until further order of the Tribunal, pursuant to s 109(3) of the Guardianship and Administration Act 1990 (WA), [name], as the attorney appointed under any enduring power of attorney made by the donor is directed not to act under the power [other than receive the donor's income and to pay the costs associated with the care and maintenance of the donor and to meet the day-to-day needs of the donor, including any payments for accommodation, health care or related costs].

159. Any party who holds or has knowledge of any enduring power of attorney made by the [donor / proposed represented person / represented person] shall, within 14 days of the date of these orders, file with the Tribunal the following:

- (a) details of when that enduring power of attorney was made and the identity of the appointed attorney; and
- (b) if they have it, a copy (not the original) of that enduring power of attorney.

Enduring power of guardianship matters [Preamble I]

160. [Name], being the person identified in the application as the enduring guardian appointed pursuant to the enduring power of guardianship, is to file with the Tribunal by [date]:

- (a) a copy of the enduring power of guardianship;
- (b) a statement in writing setting out the details of all decisions made by the enduring guardian on behalf of the donor since the enduring guardian first exercised any of the powers as enduring guardian pursuant to the enduring power of guardianship.

Gifting [Preamble J]

161. The applicant is to file with the Tribunal by [date] a statement in writing, and all supporting documents, setting out:

- (a) the specific orders the applicant contends should be made by the Tribunal, including the proposed amount and recipient of each particular gift(s) or other transaction(s) sought to be authorised;
- (b) the purpose of the gift(s) or other transaction(s), and the reasons for making them;
- (c) the reasons the applicant considers that the proposed gift(s) or other transaction(s) would be in the best interests of the represented person;
- (d) the relationship between the represented person and each person who is to receive the benefit of the gift or other transaction;
- (e) the current nature and extent of the estate of the represented person;
- (f) the current income and expenditure of the estate of the represented person;
- (g) the current age and needs of the represented person;
- (h) the likelihood of the represented person making the gift(s) or other transaction(s) if [he / she] were capable of doing so, including any views or wishes that the represented person may have expressed concerning the proposed gift(s) or transaction(s);
- (i) any alternatives open to the recipient(s) of the proposed gift(s) or other transaction(s);
- (j) the attitude of the persons who are likely to benefit from the estate of the represented person on [his / her] death regarding the proposed gift(s) or transaction(s);
- (k) whether there are any persons other than the proposed recipient(s) who are dependent on the represented person and, if so, the needs and views of such persons in relation to the proposed gift(s) or transaction(s); and
- (l) any advice received by the applicant or the represented person from a financial advisor or other professional advisor regarding the proposed gift(s) or other transaction(s) and any impact they may have on the financial affairs of the represented person, including any impact on the taxation affairs of the represented person or the entitlement of the represented person to receive any pension or other benefit.

Attendance of witnesses at hearing

162. Any party who wishes to call any person to give evidence at the hearing shall be responsible for arranging that person's attendance at the hearing.

163. Any application by any party for the issue of a summons to any witness must be filed with the Tribunal by [date].

164. Dr [name] is [required / requested] to attend the hearing at [time] on [date]. The [Executive Officer / applicant / represented person / name of other party] is to provide a copy of this order to Dr [name] by [date].

165. Dr [name] may attend the hearing by telephone using a telephone number provided to the Tribunal in writing at least two business days prior to the hearing.

166. The Executive Officer is to issue a summons for the attendance of Dr [name] at the hearing.

Filing of documents

167. By [date] the applicant is to file with the Tribunal [and give to [name]] the following documents:
- (a) a statement in writing setting out the orders that the applicant contends should be made by the Tribunal, and the reasons such orders should be made;
 - (b) a statement in writing setting out the changes the applicant contends should be made to the [guardianship / administration] order dated [date] and the reasons such changes should be made; and
 - (c) a copy of each document (including all medical reports) not already filed with the Tribunal on which the applicant intends to rely at the hearing.
168. The applicant is to file with the Tribunal by [date] copies of all reports by health professionals or other material relating to all assessments made by health professionals of the capacity of the [proposed represented person / represented person] to make reasonable judgments about [his / her] financial affairs and personal affairs.
169. By [specified date usually seven days before the hearing] any party other than the applicant may (but is not required to) file with the Tribunal [and if so is to give to [name]] the following documents:
- (a) a statement in writing setting out any submissions the party wishes to make in response to any statement filed by the applicant;
 - (b) a statement in writing setting out the orders the party contends should be made by the Tribunal and the reasons such orders should be made; and
 - (c) a copy of each document (including all medical reports) not already filed with the Tribunal on which the party intends to rely at the hearing.
170. The Public Trustee is requested to file with the Tribunal prior to the hearing a report concerning the current administration order and information relevant to the review of the order.
171. The Public Advocate is requested to file with the Tribunal [and provide to the applicant] prior to the hearing a report concerning the current guardianship order and information relevant to the review of the order.

Documents to be sought by Executive Officer

172. The Executive Officer is to request [name of doctor / hospital / institution] to lodge with the Tribunal by [date] copies of all medical reports or other materials relating to any assessment of the capacity of the [proposed represented person / represented person] to make reasonable judgments about [his / her] financial affairs and personal affairs held by or within the control of [name of doctor / hospital / institution].
173. The Executive Officer is to request [name of doctor] to lodge with the Tribunal by [date] a report as to the capacity of the [proposed represented person / represented person] to make reasonable judgments about [his / her] financial affairs and personal affairs.
174. The Executive Officer is to seek a copy of any Aged Care Client Record (ACCR) which has been prepared by an Aged Care Assessment Team (ACAT) in respect of the proposed represented person.
175. The Executive Officer is to provide the Tribunal's ['Doctor's Guide' / 'Primary Carer and Social Worker Guide'] to [name] and request [him / her] to complete and return that document to the Tribunal by [date].

Production of documents or material by third parties

176. Pursuant to s 35(1) of the State Administrative Tribunal Act 2004 (WA) [specify name] must by [specify date] produce [specify document(s) or material] to the Tribunal.
177. Prior to the date for production specified in the previous order [specify name] may apply to the Tribunal to discharge or vary that order or to limit access to any document or material required to be produced by that order.

Conferral and evidence of expert witnesses

178. [Name] and [name] (the expert witnesses) [being expert witnesses in the field of] are [requested / required] to confer with one another and prepare and provide to the Tribunal by [date] a joint statement regarding:
- (a) whether, in their opinion, [name of proposed represented person / represented person / applicant] has a mental disability (such as an intellectual disability, a psychiatric condition, an

acquired brain injury or dementia) and, if so, whether by reason of that mental disability [he / she] is unable to make reasonable judgments in respect of:

- (i). matters relating to [his / her] estate (such as financial affairs, property and legal affairs); and
 - (ii). matters relating to [his / her] person (such as personal health care, medical and dental treatment decisions, where and with whom [he / she] is to live and what services [he / she] is to have access to);
- (b) the matters upon which they agree in relation to the issues set out in (a) above;
 - (c) the matters upon which they disagree in relation to issues set out in (a) above; and
 - (d) the reasons for any disagreement.
179. The Executive Officer is to provide to each of the expert witnesses, for the purposes of the conferral referred to in the preceding order, the preceding order and the Tribunal's pamphlet entitled A guide for experts giving evidence in the State Administrative Tribunal together with copies of [all professional reports / specify particular reports] submitted to the Tribunal regarding [name of proposed represented person / represented person / applicant]. Those copies are only to be used for the purposes of this proceeding and the experts must either destroy them or return them to the Tribunal at the conclusion of the proceeding.
180. The Executive Officer is to arrange for the expert witnesses to attend the hearing [and give evidence concurrently].

Section 17A – Review by Full Tribunal

181. The [application is / applications are] listed for hearing before a Full Tribunal at [time] on [date] for [duration].
182. Notice of the hearing is to be given to the following persons (parties):
- (a) The [proposed represented person / represented person];
 - (b) The applicant;
 - (c) [Name of nearest relative of represented person / proposed represented person];
 - (d) [Name of guardian – if any];
 - (e) [Name of administrator – if any];
 - (f) The Public Advocate;
 - (g) The Public Trustee [only if review involves administration];
 - (h) [Other parties in the application before single member who have a sufficient interest in the application for review by the Full Tribunal].
183. The Tribunal is to obtain the transcript of the hearing before the single member on [] and is to include the transcript in the hearing book.
184. By [specified date usually 21 days before the hearing date] the applicant is to file with the Tribunal any evidence on which [he / she] proposes to rely (which was not filed in the application determined by the single member) and submissions in support of the application for review.
185. By [specified date usually 14 days before the hearing date] any other party is to file with the Tribunal any evidence on which [he / she] proposes to rely (which was not filed in the application determined by the single member) and submissions in relation to the application for review.
186. The Public Trustee is requested to file with the Tribunal prior to the hearing a report concerning the current administration order and information relevant to the review.
187. The Public Advocate is requested to file with the Tribunal prior to the hearing a report concerning the current guardianship order and information relevant to the review.
188. The Tribunal is to prepare a hearing book, comprising documents and other material in its possession or under its control which are relevant to the Full Tribunal's review of the single member's decision, including documents filed in accordance with the preceding orders, which may be collected by any party from the Tribunal by prior arrangement on or after [specified date usually three days before the hearing date].

189. The parties:

- (a) are only permitted to use the hearing book for the purposes of this proceeding and any appeal from this proceeding;
- (b) are only permitted to disclose or copy the hearing book or any part of the hearing book in order to obtain legal advice or legal representation in this proceeding or any appeal from this proceeding; and
- (c) must return the hearing book and any copy of it or of any part of it to the Tribunal within 28 days of the decision in this proceeding or, if there is an appeal from this proceeding, within 28 days of the decision on the appeal.

Preambles

A – Administration

On an application by [name of applicant] (the applicant) pursuant to s 40 of the Guardianship and Administration Act 1990 (WA) for the appointment of an administrator of the estate of [name of subject person] (proposed represented person) referred to [title and name of member] it is on [date] ordered that:

B – Administration and revocation of an enduring power of attorney

On applications by [name of applicant] (the applicant) pursuant to s 40 and s 109(1)(c) of the Guardianship and Administration Act 1990 (WA) for the appointment of an administrator of the estate of and the revocation of an enduring power of attorney made by [name of subject person] (proposed represented person) referred to [title and name of member] it is on [date] ordered that:

C – Administrator applying for directions

On an application by [name of applicant] (the applicant) pursuant to s 74 of the Guardianship and Administration Act 1990 (WA) as administrator of the estate of [name of subject person] (represented person) under an order dated [date] for directions concerning [property forming part of the estate / the performance of a function] referred to [title and name of member] it is on [date] ordered that:

D – Guardianship

On an application by [name of applicant] (the applicant) pursuant to s 40 of the Guardianship and Administration Act 1990 (WA) for the appointment of a guardian for [name of subject person] (proposed represented person) referred to [title and name of member] it is on [date] ordered that:

E – Guardianship and revocation of an enduring power of guardianship

On applications by [name of applicant] (the applicant) pursuant to s 40 and s 110N(1)(a) of the Guardianship and Administration Act 1990 (WA) for the appointment of a guardian for and the revocation of an enduring power of guardianship made by [name of subject person] (proposed represented person) referred to [title and name of member] it is on [date] ordered that:

F – Guardian applying for directions

On an application by [name of applicant] (the applicant) pursuant to s 47 of the Guardianship and Administration Act 1990 (WA) as guardian for [name of subject person] (represented person) under an order dated [date] for directions concerning the performance of a function referred to [title and name of member] it is on [date] ordered that:

G – Administration and guardianship

On applications by [name of applicant] (the applicant) pursuant to s 40 of the Guardianship and Administration Act 1990 (WA) for the appointment of an administrator of the estate of and the appointment of a guardian for [name of subject person] (proposed represented person) referred to [title and name of member] it is on [date] ordered that:

H – Enduring power of attorney

On an application by [name of applicant] (the applicant) pursuant to s [104A / 106 / 109] of the Guardianship and Administration Act 1990 (WA) for orders concerning an enduring power of attorney dated [date] (the enduring power of attorney) made by [name of subject person] (the donor) appointing [name of donee] referred to [title and name of member] it is on [date] ordered that:

I – Enduring power of guardianship

On an application by [name of applicant] (the applicant) pursuant to s [110K / 110L / 110M / 110N / 110O] of the Guardianship and Administration Act 1990 (WA) for orders concerning an enduring power of guardianship dated [date] made by [name of subject person] (the donor) appointing [name of donee] referred to [title and name of member] it is on [date] ordered that:

J – Review (s 86)

On an application by [name of applicant] (the applicant) pursuant to s 86 of the Guardianship and Administration Act 1990 (WA) for the review of [an administration order and/or a guardianship order] dated [date] concerning [name of subject person] (represented person) referred to [title and name of member] it is on [date] ordered that:

K – Leave to apply for review (s 87)

On an application by [name of applicant] (the applicant) pursuant to s 87 of the Guardianship and Administration Act 1990 (WA) for leave to apply for the review of [an administration order and/or a guardianship order] dated [date] concerning [name of subject person] (represented person) referred to [title and name of member] it is on [date] ordered that:

L – Emergency provision prior to administration (s 65)

On an application by [name of applicant] (applicant) pursuant to s 40 of the Guardianship and Administration Act 1990 (WA) for the appointment of an administrator of the estate of [name of subject person] (proposed represented person) referred to [title and name of member] on the Tribunal being satisfied that:

- (a) the proposed represented person may be a person in respect of whom a declaration should be made pursuant to s 64(1) of the Guardianship and Administration Act 1990 (WA); and
- (b) it is necessary to make immediate provision for the protection of that person's estate,

pending determination of the question of whether the proposed represented person is, in fact, a person in respect of whom a declaration should be made pursuant to s 64(1) of the Guardianship and Administration Act 1990 (WA) it is on [date] ordered that:

[Adopted by Rules Committee on 13 August 2014]