

Dust Disease Tribunal of NSW User Guide

Online Filing FAQs

Version: 0.1

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1. Introduction

In 2023, the Dust Diseases Tribunal (DDT) of NSW will introduce digital capabilities that enables their clients to access, file and manage documents online.

2. Document Purpose

This FAQs document provides information on frequent questions or concerns that parties may have when filing documents online.

3. Who Should Use This Document

- Legal representatives
- Self-represented litigants
- Authorised officers
- Registry
- Registrars

4. Frequently Asked Questions (FAQs)

| Question | Answer |
|---|---|
| Why is the Dust Diseases Tribunal (DDT) of NSW digitising forms? | <p>The Dust Diseases Tribunal of NSW is a Court that has exclusive jurisdiction to hear and determine damages claims for those who have been affected by dust diseases. This includes diseases related to asbestos exposure and claims made by the dependants of those who have died from dust diseases.</p> <p>By enabling digital capabilities, it will allow DDT clients to file, access and manage documents online from anywhere at any time, and further expedite the Claims Resolution Process (CRP) for claimants diagnosed with dust diseases.</p> |
| When is the DDT digitising forms? | From Monday 15th May 2023 , DDT clients will be able to file forms online. |
| Who can file online? | <p>DDT clients who have a registered account with the NSW Courts and Tribunal Online Registry will be able to file forms online. DDT clients include:</p> <ul style="list-style-type: none"> ▪ Legal representatives (including delegates) ▪ Self-represented litigants ▪ Authorised officers |
| Do I have to have a registered account with the Online Registry to file online? | Yes. In order to file online, DDT clients will need to register an account with the NSW Courts and Tribunal Online Registry. |
| Where can the online forms be accessed? | <p>DDT clients will be able to access the online forms via the NSW Courts and Tribunal Online Registry.</p> <p>For originating forms such as the DDT Statement of Claim and Summons, these can be started from the New Case tab in the Online Registry.</p> |
| Where can the UCPR physical forms be accessed? | DDT clients will be able to access the UCPR physical forms via the UCPR website . |
| What forms are being digitised? | Refer to Appendix A: List of Online Forms . |
| What do I do if I cannot find a form online? | There are some forms which may not be available to file online. If you are unable to file online, the DDT registry will accept forms filed via email, post or in person via the Registry counter. |
| Can I upload supporting documents online? | Yes. Up to four supporting documents can be attached online up to a total of 5MB each. |

| Question | Answer |
|---|---|
| <p>What do I do if my document is too large to file online?</p> | <p>A file size of 5MB can be filed online and up to four supporting documents can be attached online up to a total of 5MB each. Which is a total of 25MB.</p> <p>You may be able to reduce your file size. Search How do I upload a large file in the Online Registry and click the Troubleshooting link.</p> <p>If a file size exceeds this limit, then the documents must be filed with the Registry where it will be processed.</p> |
| <p>Can I still file over the counter with the Registry?</p> | <p>Yes. The DDT Registry will still accept forms filed over the Registry counter.</p> <p>However, by enabling documents to be filed online from anywhere at any time, it can save time for DDT clients from filing documents in person via the Registry counter.</p> |
| <p>Can I still file via email with the Registry?</p> | <p>Yes. The DDT Registry will still accept forms filed via email with the Registry.</p> <p>However, by enabling documents to be filed online from anywhere at any time, it can expedite the claims process for DDT clients as digital court sealed documents are emailed instantly after submission.</p> |
| <p>Can I file online forms using Internet Explorer?</p> | <p>Google Chrome is the preferred browser to use when filling documents online.</p> |
| <p>Can I save a form online and return to it at a later date?</p> | <p>Yes. DDT clients will be able to save their forms filed online.</p> |
| <p>Where can I access my saved online forms?</p> | <p>Yes. DDT clients will be able to access their saved forms in the Saved Forms tab via the Online Registry.</p> <p>However, the following forms cannot be accessed in the Saved Forms tab:</p> <ul style="list-style-type: none"> • DDT Statement of Claim • The Plaintiff's Statement of Particulars • Notification of Service of Statement of Particulars • Defendant's Reply • Summons • Statement of Cross Claim • Notification of Plaintiffs Death <p>If resuming a saved form on any of the above forms, refer to the How to file online page on the Dust Diseases Tribunal website for a link to access saved forms.</p> |

| Question | Answer |
|---|--|
| If a fee is payable, will I be able to pay online? | Yes. If filing a form online and a fee is payable, DDT clients will be prompted to make a credit card payment via the online form. |
| What do I do if I cannot pay at the time of filing a form online? | DDT clients have the option to save their forms filed online as a draft, return to it at a later date to complete payment. |
| What notification will I receive when I file a form online? | DDT clients who file documents online will receive the following two auto generated emails: <ul style="list-style-type: none"> <li data-bbox="628 600 1422 667">i. An acknowledgement that the application has been received. This includes the assigned case file number. <li data-bbox="628 674 1442 808">ii. A notification acknowledging the application has been processed by the Registry. It includes a copy of the sealed and filed stamped form (together with any documents). If the application attracted a fee, a copy of the invoice is included. |
| Can I now view my cases with the DDT online? | Yes. The Online Registry is now available for DDT clients to manage their cases including viewing filed documents, payments and listings. |
| What do I do if I upload an incorrect document online? | If a document has been uploaded incorrectly online, parties should contact the DDT Registry via email dust.diseases.tribunal@justice.nsw.gov.au . |
| What do I do if I enter incorrect information online? | If information has been entered incorrectly online, parties should contact the DDT Registry via email dust.diseases.tribunal@justice.nsw.gov.au . |
| Are there changes to the way matters are listed? | No. There are no changes to the current listing processes for the Tribunal. |
| Are there any changes to Claims Resolution Process (CRP) Timetable? | No. The CRP still applies to those specific forms filed online for asbestos-related claims. Please refer to the Dust Diseases Tribunal Regulation 2019 for the Asbestos Claims Resolution Process (CRP). |
| Who can I contact for further information? | Refer to 5. Need More Information . |

5. Need More Information

For more information or support regarding how to use the online forms, DDT clients should contact the Registry via in person, phone, post, or email.

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| Tribunal Registry Address: | Level 12, John Maddison Tower 88 Goulburn Street SYDNEY NSW 2000 |
| Registry Phone Number: | (02) 9337 5440 |
| Registry Postal Address: | Locked Bag 16 HAYMARKET NSW 1240 |
| Registry Email: | dust.diseases.tribunal@justice.nsw.gov.au |

Help using Online Registry services

Email: onlineregistry_support@agd.nsw.gov.au

Feedback about the NSW Online Registry website and our services

Email: onlineregistry_support@agd.nsw.gov.au

6. Appendix

Appendix A: List of Online Forms

Forms to start a case

- DDT Statement of Claim (UCPR Form 3A or 3B)
- The Plaintiff's Statement of Particulars (Form 1 in Schedule 2 of the Regulation)
- Summons (UCPR Form 4A or 4B)

Forms to respond to a case

- Defendant's Reply (Form 2 in Schedule 2 of the Regulation)
- Defence (UCPR Form 7A or 7B)

Forms that are used in case management

- Notice of Appearance (UCPR Form 6A or 6B)
- Reply (UCPR Form 8)
- Notice of Motion (UCPR Form 20)
- Subpoena – Evidence (UCPR Form 25)
- Subpoena – Produce (UCPR Form 26A)
- Subpoena – Evidence and Produce (UCPR Form 27A)
- Consent to Act as Tutor (UCPR Form 30)
- Notice of Discontinuance (UCPR Form 33)
- Affidavit (UCPR Form 40)
- Affidavit of Service (UCPR Form 41)

- Consent Judgment or Order (UCPR Form 44)
- Notice of Change of Solicitor or Appointment of Solicitor (UCPR Form 77)
- Notice of Intention of Ceasing to Act (UCPR Form 78)
- Notice of Ceasing to Act (UCPR Form 80)
- Subpoena – Early Return Date
- Written Submissions
- Statement
- Expert Report
- Chronology
- Amended Statement of Claim
- Amended Statement of Cross Claim
- Amended Summons
- Amended Cross-summons
- Amended Defence
- Defence to Cross Claim
- Defence to Amended Statement of Claim
- Defence to Amended Statement of Cross Claim
- Amended Plaintiff's Statement of Particulars*
- Originating Timetable*
- Variation & Amended Timetable*
- Resumption Timetable*
- Clause 55 Orders*
- Part 8 Reply*
- Revised Part 8 Reply*
- Objection to Appointment of Contribution Assessor*
- Statement of Apportionment*

*General Form (UCPR Form 1)

7. Version Control Table

| Version | Description | Name | Date |
|---------|------------------|---------------|------------|
| 1.0 | Initial document | Vallan Brandy | 2 May 2023 |
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