

Applying to be joined as a party

If you have not automatically qualified to be a party to an application before NCAT's Guardianship Division, this fact sheet explains how you can apply to be joined as a party to have certain legal rights during the proceedings.

Who is a party?

A party is someone who has certain rights in legal proceedings, such as the right to receive a notice of hearing.

The parties vary depending on the type of application being considered.

For detailed information about parties refer to the fact sheet *Who is a party to proceedings in the Guardianship Division?*

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When you do not automatically qualify as a party to an application before NCAT, and you would like to be a party, you can apply to be 'joined' as a party.

You will need to satisfy the Tribunal that:

- You have a concern for the welfare of the person who the application is about, and
- It is appropriate for you to be joined as a party.

Before applying to be joined as a party, you should discuss it with an officer from NCAT's Guardianship Division.

To request to be joined as a party, an application form must be completed and submitted a minimum of 5 working days before the hearing date. The application form is available on the NCAT website www.ncat.nsw.gov.au.

NCAT may hear the application requesting to be joined as a party at a procedural directions hearing or at the beginning of the application for the person.

If you are not a party

You do not need to be a party to attend and give evidence at the hearing.

You do not have to be a party to the application to be considered for appointment as a guardian or financial manager.

Many people who know the person the application is about, and have an interest in that person's welfare, may have relevant information or views to put to the Tribunal. In most cases people voluntarily attend the hearing to give evidence as a witness.

At the hearing you may be questioned by the parties and by the Tribunal. You may hear the evidence given to the Tribunal and be given an opportunity to put forward your views and suggestions. The Tribunal will decide if the information is relevant and appropriate.

As a witness you do not have a right of appeal.

Contact NCAT

1300 006 228 | www.ncat.nsw.gov.au

Interpreter Service (TIS) 13 14 50

National Relay Service for TTY users 13 36 77

For more information and assistance visit the NCAT website or contact NCAT's Guardianship Division on (02) 9556 7600 or 1300 006 228.