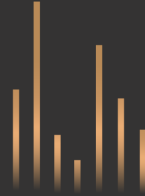




NATIONAL
SPORTS
TRIBUNAL



NATIONAL SPORTS TRIBUNAL CHARGING POLICY

PURPOSE

This Policy explains the fees (or charges) payable by parties for matters brought to the National Sports Tribunal (NST), including circumstances in which fees may be waived or reduced by the Chief Executive Officer (CEO).

The Policy is intended to assist the CEO in determining fees on a consistent and equitable basis, noting the amount payable will depend on the specific circumstances of each case and the nature and financial circumstances of the parties to the dispute.

The Policy applies to all applications made to the NST from **1 July 2024**.

The NST's approach to charging and fees will be reviewed on an annual basis, with the last review taking place in September 2026. The Policy may also be amended from time to time.

OVERVIEW

The NST operates on a partial cost recovery basis, with two types of fees payable by the parties, unless waived by the CEO:

- Application fee
- Service fee

Different fee arrangements apply for anti-doping matters. See below.

For matters other than anti-doping (and subject to consideration of the nature and financial circumstances of the parties), the combination of the application fee and the service fee is intended to cover the NST's direct costs in providing dispute resolution services, including remuneration of NST Members, and where applicable, travel, accommodation and hiring a hearing room.

Parties will not be charged for costs associated with case management support provided by NST staff, or other operating costs of the NST. These costs are covered through the Australian Government's ongoing funding of the NST.

The fees charged by the NST do not cover the parties' costs such as travel, legal representation or obtaining a medical or expert report. Parties are responsible for these costs themselves, but they may seek to obtain legal assistance via the NST Legal Assistance Panel (NSTLAP). Practitioners on the NSTLAP may offer legal services free of charge or at a significantly reduced rate at their discretion.

Unlike a court, the NST does not order one party to pay the legal costs of another party.

APPLICATION FEE

The amount of the application fee is specified by legislative instrument in section 11 of the [National Sports Tribunal Rule 2020](#).

Type of dispute	Division	Application fee
Mediation, conciliation or case appraisal	General Division	\$500
Arbitration	General Division	\$500
Arbitration	Anti-Doping Division	Nil
Arbitration	Appeals Division	\$1,500
To join an existing arbitration	Any Division	\$250

The application fee may be paid by one party, or split between the parties as agreed by them. The apportionment may be stipulated in the relevant policy of the Sporting Body, or may be determined by the CEO of the NST.

If they choose, Sporting Bodies can negotiate an agreement with the NST to fully fund particular types of dispute resolution for their sport without contribution from individuals – for instance, selection disputes in the lead up to major events. This can include the application fee.

The CEO may waive an application fee if the CEO is satisfied that paying the fee would cause financial hardship to the applicant or other party responsible for paying the application fee. See below.

The application fee (where applicable) must be paid at the time the application is filed, or another milestone notified by the NST, unless the fee is waived by the CEO.

SERVICE FEE

An estimate of the service fees will be discussed with the parties at the Preliminary Conference. The parties may also agree at the Preliminary Conference, or subsequently, how the fees will be split between them. The apportionment of the service fee may be stipulated in the relevant policy of the Sporting Body.

The CEO will make a determination as to the quantum and apportionment of service fees once the matter has been finalised and the costs are known. Where a matter increases in length, complexity or cost beyond the estimate discussed with the parties, the NST may pause the matter to discuss the revised costs with the parties, including whether a progress payment is required before the matter proceeds.

The determination may provide that a party or parties to a dispute be charged a portion of the service fees. In respect of determining fees for an arbitration, the CEO must have regard to the nature and financial circumstances of the parties to the dispute.

The CEO will also take into consideration the following factors in making a determination of service fees:

- the type of dispute resolution method
- the Division in which the matter is heard
- the length and complexity of the matter
- the number of Members allocated to the matter
- whether there were any associated costs such as travel and accommodation, a hearing room and incidentals

- whether a non-binding written opinion was requested in a case appraisal (at an additional cost)
- whether a transcript of the hearing was requested (at an additional cost)
- whether the parties have requested an expedited hearing, particularly in circumstances where the matter is not regarded as urgent or time critical (this may involve an additional cost)
- whether a party's conduct has unreasonably contributed to the length or complexity of a matter,

Member remuneration is usually a major component of the service fee. The CEO will be guided by the [NST Member Remuneration Policy](#) in considering the remuneration and allowances to be paid to the Member/s allocated to the matter. The parties will not necessarily be expected to cover all of the Member remuneration costs, particularly in lengthy and complex matters.

The CEO may waive or reduce the service fee for reasons of financial hardship. See below.

FINANCIAL HARDSHIP

The CEO can waive an application fee, or waive or reduce a service fee, if the CEO is satisfied that paying the fee would cause a party to suffer financial hardship.

An application for financial hardship consideration should be made prior to any fees, including application or service fees, falling due

Where a party is seeking consideration of financial hardship, the party will be asked to complete a [financial hardship statutory declaration](#).