

Application for the National Sports Tribunal to require a person or organisation to:

- appear as a witness to give evidence at a hearing; or
- produce documents or things.

Under section 42 of the *National Sports Tribunal Act 2019* (the **NST Act**), a National Sports Tribunal (NST) Member can require a person or organisation to appear before it as a witness to give evidence, or to produce documents or things that are in their possession to the NST.

This may happen if the NST Member appointed to a case reasonably believes that a person or organisation either:

- is capable of giving the evidence as a witness, and that the evidence is relevant to the dispute; or
- that the person or organisation has the documents or things in their possession, and that the documents or things are relevant to the dispute.

The NST Member will issue a written notice to the person or organisation, that will set out what the person or organisation is required to do, as well as the consequences of not complying with the notice. This kind of notice can only be issued in an arbitration (so, not in a mediation, conciliation or case appraisal).

How to apply for a Notice to be issued

If you believe that a person has information that they can provide as a witness at a hearing, or documents or things that will help the NST Member to resolve the dispute you can apply to have a 'Notice to Appear' or a 'Notice to Produce' issued on your behalf.

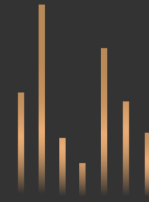
To apply, you will need to complete this form to outline the reasons you believe the Notice should be issued, and send it via email to submissions@nationalsporttribunal.gov.au

The NST Member who is hearing your case will decide whether the Notice should be issued. The Member may ask you for additional information, or convene a Pre-hearing Conference before making a decision. The Member will provide the other parties to the dispute an opportunity to make submissions about whether the notice should be issued.

If the Member decides to issue the Notice, you will be responsible for serving the Notice on the person or organisation that it has been issued to, complying with the requirements of service in section 14 of the *National Sports Tribunal Practice and Procedure Determination 2020* (NST Determination).

If you require assistance completing this form, contact us on (02) 6289 3877 or via email at enquiries@nationalsporttribunal.gov.au.

Please note: you will need to complete an application for each Notice you want the NST to issue.



Part A: Case details

1. Please provide NST case number (if known):
2. If you do not have a case number, complete the rest of the details in this Part to the best of your ability.

Applicant details (this is the person or body that started the case in the NST).

Full name:

Phone number:

Respondent details (this is the main person or body who the application has been lodged against).

Full name:

Phone number:

Please provide a brief description of the dispute, including the date (actual or approximate) that the dispute arose:

Part B: Details of party applying for Notice to be issued

3. Please provide your details below.

I am the:

- a. Applicant/ applicant's representative
- b. Respondent/ respondent's representative
- c. Other involved party

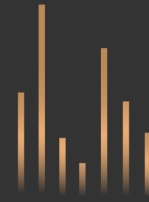
In the above matter currently before the NST

4. *Full name

Postal Address

*Email Address

*Phone number



Part C: Details of Notice

4. Please provide the details of the person or organisation that the Notice should be issued to::

*Full name

Postal Address

*Email Address

*Phone number

5. Is the person or organisation an involved or interested party to this dispute?

a. Yes

No

Note that if the person or organisation is not a party, and has not previously nominated an email address for the service of documents, you will need to serve any notice by post or in person in accordance with s 14 of the NST Determination.

6. What type of notice are you requesting the NST Member issue to the person or organisation you have specified?

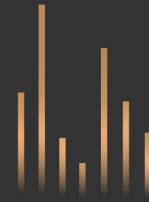
a. Notice to appear as a witness to give evidence (please answer Q7 part a.)

OR

b. Notice to produce documents or things (please answer Q7 part b.)

7. Please provide information to assist the NST Member in making a decision:

a. Notice to appear as a witness: Explain how and why the person you want to appear as a witness is able to provide, or has reliable knowledge of the information that you want them to give as evidence, and why that evidence is relevant to this dispute.



- b. Notice to produce documents or things: Explain how and why the person you want to produce documents or things has the documents or things that you are requesting, and explain why those documents or things are relevant to the dispute.

Part C: Understanding

I understand that any person who is given a Notice by the NST will have 14 days in which to comply with or respond to the notice.

I understand that the NST Member may choose not to issue this notice, in which case, the reasons for this decision may not be explained to me by the NST.

Signed:

Name:

Date: