



Expedited procedure - guide to WA objection compliance mailbox

In mid 2009, the National Native Title Tribunal (WA Registry) received queries from some parties to expedited procedure objection inquiries regarding lodgment of contentions and evidence by electronic methods. The following advice is provided in response to those queries.

In common with the Federal Court and most other courts and tribunals, the Tribunal does accept **West Australian** (only) contentions, evidence and other submissions lodged via email **for expedited procedure objections** (only). This is now standard practice for a significant proportion of parties and, while not mandatory, electronic submissions are encouraged.

To streamline the electronic lodgment process, WA Registry has developed an electronic mailbox dedicated to the receipt of contentions and evidence relating to objection inquiries – waobjectioncompliance@nntt.gov.au . This address is effective immediately.

Use of this mailbox is strictly limited to the lodgment of contentions and evidence in compliance with directions for objection inquiries. It is not to be used for routine correspondence or requests for variations; those communication should be addressed to the designated case officer/case manager in accordance with existing practice.

Parties should note that emails and attachments must not comprise more than 10MB. The Tribunal's incoming email size capped at 10MB; is a system-wide setting. It is recommended that submissions larger than 10MB be forwarded by way of multiple covering emails, or filed via alternative methods.

To facilitate the timely management of electronic submissions parties are requested to include the Tribunal's file number (WO number in Western Australia) in the subject line of the email. Multiple emails pertaining to one set of submissions should also contain the number of emails in the subject line, for example: WO09/1000, 1 of 2. Parties are at liberty to include additional identifying features in the subject line to assist their own tracking mechanisms.

At this stage the Tribunal **does not** intend to implement a similar mailbox system for the lodgment of submissions required in compliance with directions for s. 35 future act determination applications. However, should parties wish to submit contentions and

evidence for s. 35 inquiries via email they are at liberty to do so via the assigned case manager.

The Tribunal draws parties' attention to s 14(3) of the *Electronic Transactions Act 1999*, which provides as follows:

Section 14(3)

For the purposes of a law of the Commonwealth, if the addressee of an electronic communication has designated an information system for the purpose of receiving electronic communications, then, unless otherwise agreed between the originator and the addressee of the electronic communication, the time of receipt of the electronic communication is the time when the electronic communication enters that information system.

To assist in tracking the receipt of contentions and evidence submitted via the mailbox, an auto-generated receipt will be provided to the sender. It is strongly recommended that senders contact the case officer or case manager immediately in the event that such a response is not received. Senders are encouraged to retain the record of receipt in the event of any dispute about the date of lodgment.

Should you have any queries or concerns, or to report any technical difficulties with the new mailbox, please contact the Tribunal, email enquiries@nntt.gov.au .