
The Attorney General is seeking applications from Australian lawyers with substantial experience in areas of law relevant to the types of matters dealt with in the Consumer and Commercial Division (CCD) of NCAT.

Position

Appointment will be to the positions of part time General Members, to be assigned by the President to the CCD.

Remuneration

The remuneration for a part-time General Members from 1 June 2018 will be \$808 per day when presiding and \$624 per day when not presiding, plus employer's contribution superannuation.

Selection Criteria

Applicants are invited to address the following selection criteria:

- Must have special knowledge, skill or expertise in relation to a class of matters in respect of which the Tribunal has jurisdiction.
- Relevant tertiary qualifications.
- Ability to utilise modern case management practices and a range of dispute resolution techniques to achieve agreed outcomes where possible, while exercising appropriate judgement.
- Ability to deliver clear, timely, logical and legally defensible reasons for decision, orally and in writing.
- Ability to conduct proceedings in a fair, impartial and harmonious manner, as informally as practicable, whilst maintaining control of the proceedings and adhering to relevant legal requirements.
- Demonstrated ability to work in a high-volume and complex list-driven work environment and resolve and determine matters within limited timeframes.
- Ability to perform duties, particularly conduct hearings, without support staff.
- Knowledge of the legislation in respect of which the Tribunal has jurisdiction would be advantageous.
- Superior oral and written communication skills. Possess the ability to communicate effectively and courteously in plain English, with parties, other Members and Registry staff.
- Capacity to work within the Tribunal's electronic environment, including familiarity with computing facilities, ability to manage own typing and operate automated sound recording equipment.
- Ability to work with a diverse range of people, including Aboriginal or Torres Strait Islander people, those from culturally and linguistically diverse backgrounds and people with disabilities.
- Willingness to travel throughout New South Wales to conduct proceedings.

- Preparedness to adhere to the Member Code of Conduct, to maintain the Tribunal's independence and reputation as well as personal independence and integrity and to promote the highest standard of behaviour.

Qualified persons residing in or near Wollongong or Penrith seeking appointment, as well as those residing in regional areas, are particularly encouraged to apply.

NCAT's CCD resolves approximately 55,000 matters per year. This represents approximately 82% of the Tribunal's workload. The applications vary greatly in complexity and monetary value. They range from low monetary value consumer claims and tenancy matters to high value, complex home building matters and retail lease matters (up to \$500,000 and \$750,000 respectively). In some other cases the monetary jurisdiction is unlimited. The work of the CCD can be conveniently classified into two streams:

1. Tenancy and similar matters concerning residential or property related disputes, consumer claims up to \$40,000 and other lower value claims. This is a high volume stream which requires innovative and effective resolution and listing procedures to ensure that matters are disposed of efficiently, promptly and proportionately;
2. Home building claims up to \$500,000, strata disputes, retail lease and agricultural tenancy matters and other higher value commercial claims. This stream, whilst it has a much lower volume than the tenancy and consumer claim stream, also requires innovative and effective management but, as the matters are often more complex and lengthier, a different approach from that adopted in the tenancy and consumer claim stream is often appropriate.

The subject matters that give rise to proceedings in the Consumer and Commercial Division include:

Agricultural tenancy	Pawnbrokers and second-hand dealers
Agent commissions and fees	Residential communities
Boarding houses	Retail leases
Consumer claims	Retirement villages
Conveyancing costs	Social housing
Dividing fences	Strata and community schemes
Holiday parks (long-term casual occupancy)	Tenancy
Home building	Travel Compensation Fund appeals
Motor vehicles	

More information about the CCD and NCAT is available at

http://www.ncat.nsw.gov.au/Pages/cc/consumer_commercial.aspx

http://www.ncat.nsw.gov.au/Pages/cc/Resources/ccd_legislation.aspx

<http://www.ncat.nsw.gov.au/>

The NCAT member code of conduct can be found at

http://www.ncat.nsw.gov.au/Documents/member_code_of_conduct.pdf