

Reviewing Decisions - Northern Territory Civil and Administrative Tribunal (NTCAT)

This information sheet is an overview of the role of the Northern Territory Civil and Administrative Tribunal (NTCAT) in the review of decisions made by the Banned Drinker Register (BDR) Registrar.

Overview

- NTCAT is an independent tribunal that provides reviews of administrative decision making by Government agencies.
- All decisions made by the BDR Registrar are reviewable by NTCAT, and some decisions by police are reviewable.
- Applications to NTCAT for review a BDR related decision are free.

Which decisions are reviewable?	Who may seek a review?
Making of a Banned Drinker Order (BDO) by police relating to protective custody episodes and infringement notices	Adult for whom BDO is made
Making of any BDO by BDR Registrar	Adult for whom BDO is made
Extension of a BDO originally issued by the BDR Registrar	Adult subject to BDO
Refusal by BDR Registrar to vary or revoke a BDO	Applicant
Making of an income management order by BDR Registrar	Adult for whom order is made
Refusal to vary or revoke an income management order by BDR Registrar	Adult subject to order

What is NTCAT?

NTCAT is the Northern Territory Civil and Administrative Tribunal. NTCAT reviews the decisions of Government agencies. NTCAT has a basic membership of the President and the Senior Member, and relies on a pool of members with specific expertise to hear cases in each particular matter.

What role does NTCAT play in BDOs?

NTCAT has jurisdiction to review any decision made by the BDR Registrar regarding the making, revocation or extension of a BDO.

NTCAT do not have jurisdiction over court matters. If a person has an alcohol prohibition condition as a result of a court process, it is a matter for the court.

A person who does not agree with a decision of the BDR Registrar is encouraged to contact the BDR office in the first instance to obtain further information about the reasons for the issuing of a BDO. A person can also give permission for a representative to make these enquiries on their behalf.

How much does a review cost?

A review in relation to a BDO is free.

How long does the process take?

The timeframe is dependent on what is required for NTCAT to make a decision. All applicants will be advised of the general timeline for their matter when they file their application for review.

Once a decision has been made, the Tribunal may give the reasons for the decision orally to the parties to the proceeding.

Who deals with the outcome of a successful review?

If NTCAT determine through their process that the decision that resulted in a BDO being issued should be set aside or the BDO requires amending, the BDR Registrar will be responsible for amending the necessary records to ensure the ban is removed.

If a person still has other bans in the system, these will continue.

Where can I find the form to request a review?

The NTCAT review forms are available online at <http://ntcat.nt.gov.au>.

To lodge an application to review with NTCAT, you can call 1800 604 622, email AGD.ntcat@nt.gov.au or visit your local NTCAT office. It is free to apply for a review.