

**43. Amount of costs**

- (1) If the Tribunal makes an order under the Act Part 4 Division 5 for the payment of costs and does not fix the amount of costs, that amount is to be assessed or settled by the executive officer or a member of the Tribunal nominated by the President (the “**nominated member**”).
- (2) An assessment of costs by the executive officer or a nominated member is to be taken to be an assessment of costs by the Tribunal.
- (3) If —
  - (a) a party fails to attend an assessment of costs having been given reasonable notice of the assessment by the executive officer or a nominated member;
  - (b) the assessment is adjourned as a result; and
  - (c) another party incurs additional costs because of the adjournment,the executive officer or a nominated member may order that the party who failed to attend pay an amount fixed by the executive officer or nominated member in respect of the additional costs of the other party.
- (4) An order under subrule (3) may be enforced under the Act section 85 as if it were a monetary order.