

63. Decisions made on the papers

- (1) This rule applies if another rule says it applies.
- (2) If a decision is made under the other rule on the basis of the documents lodged without requiring the parties to attend a hearing (the “**provisional decision**”), a registrar must serve the parties with written notice of the provisional decision.
- (3) If a party wants a hearing of the matter that gave rise to the provisional decision, the party must lodge a Form 25 (Request for a hearing) within 5 working days after the date on which the party is served with the notice of the provisional decision.
- (4) If no party lodges a Form 25 under subrule (3), the provisional decision becomes the final decision on the matter.
- (5) If any party lodges a Form 25 under subrule (3), a registrar must list the matter for hearing by the judge who made the provisional decision or, if he or she is absent, before another, and notify the parties.
- (6) At the hearing the provisional decision may be confirmed, amended or set aside.
- (7) The decision made at the hearing is the final decision on the matter.
- (8) Any right to appeal against, or to make an application as a result of or in respect of, a final decision on a matter cannot be exercised in relation to a provisional decision until it becomes a final decision.