

Media Release

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NEW PATHWAY FOR RESOLVING INTERSTATE DISPUTES

Victorians will be able to resolve disputes involving an interstate party more easily with important new reforms now in effect.

The *Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Act 2021*, passed earlier this year and now in effect, improves access to justice by allowing the Magistrates' Court to hear federal jurisdiction matters that VCAT cannot hear.

Federal jurisdiction matters are listed in the Commonwealth Constitution and include disputes between residents of different states – for example, a tenancy dispute between a Victorian resident and a landlord who lives in NSW.

Recent Supreme Court and High Court decisions ruled that VCAT does not have jurisdiction to resolve federal jurisdiction matters, leaving Victorians involved in such disputes without a clear avenue for resolution.

The reforms address this frustrating gap by providing a low cost, easier pathway for Victorians to apply directly to the Magistrates' Court to have these matters heard.

People across the state will benefit from the changes, with the scheme making use of the Court's online capability and circuit court services as necessary to ensure that regional communities can access the new pathway.

Parties will be able to apply in-person, by post or by email and fees will be the same as if the matters could be heard by VCAT. Self-represented parties can seek assistance with their applications from the Magistrates' Court's Self Represented Litigant Coordinator.

The Act also ensures that where VCAT has made decisions in federal jurisdiction matters in the past, those decisions remain effective – giving parties in those matters certainty that their rights arising from VCAT orders can continue to be enforced and that actions they have already taken are effective.

With the justice system still recovering from the impacts of COVID-19, the Andrews Labor Government has invested almost \$300 million since the start of the pandemic to speed up the resolution of matters, expand IT capabilities and remote-hearing services and appoint additional staff.

Quotes attributable to Attorney-General Jaclyn Symes

"These changes will ensure all Victorians have a clear, low-cost pathway to have their disputes heard and resolved – including those that involve an interstate party."

"By allowing Victorians to bring such matters to the Magistrates' Court, the new laws mean that no one will miss out on access to justice when it comes to resolving disputes."