



PRACTICE DIRECTION 9

Representation

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

Authorising a representative

1. A person involved in a dispute resolution application as a party or affected person may nominate another person to act as their authorised representative in the process.
2. The Commissioner's Office retains the discretion to contact a person directly and to decline to deal with an authorised representative.
3. Where a person wants a *legal practitioner* to act on their behalf, it will be sufficient for the legal representative to state in writing that they currently hold instructions to act for that person.
4. Where a person wants someone *other than a legal practitioner* to act on their behalf, the person must provide written authorisation for the other person to represent them.
5. A person who wishes to withdraw their representative's authority to act for them must do so in writing.

Assistance at a conciliation session

6. The conciliator decides who is permitted to take part in conciliation. Usually, that is only the persons involved in the dispute. The conciliator may permit other persons to take part if it would be helpful, and that permission may be subject to conditions or limits.
7. A person who wants someone to assist them in the conciliation process must make the request to the conciliator in writing at the earliest opportunity.
8. Legal representation is generally not permitted in the conciliation process.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

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