

norths' Dispute Resolution Procedure for Non-Cash Payment Facilities (NCP) (Loyalty Scheme and Gift Cards)

What is norths' dispute resolution procedure?

Complaints that cannot be resolved through norths' complaint handling procedure may be resolved through norths' dispute resolution procedure. This procedure is open to all persons listed in norths' Complaints Handling procedure.

norths' dispute resolution procedure is entirely voluntary and will only occur when both norths' and the complainant agree to have a dispute resolved through this procedure.

Who conducts this procedure?

The procedure established by norths' is for dispute resolution via a decision from an independent expert.

Choosing the expert is a collaborative effort between both parties. Each party nominates two candidates who are knowledgeable in the disputed matter. The parties will then jointly choose an expert from these four candidates.

If the parties are unable to agree on a suitable candidate, the dispute will be referred for expert determination to the Australian Commercial Disputes Centre.

How do I apply to undertake norths' dispute resolution procedure?

You must notify norths' in writing that you wish to use the dispute resolution procedure. The lodgement of the dispute must be made within ten working days of norths' final response under the complaints handling procedure.

Disputes should be addressed to:

Complaints Officer
norths
12 Abbott Street
Camberay NSW 2062

What steps does the dispute resolution procedure follow?

Any dispute received by norths' Complaints Officer will be acknowledged in writing within fourteen working days. The acknowledgment letter will indicate whether norths' agrees that the dispute should be resolved in accordance with norths' dispute resolution procedure.

If a decision is made not to enter into dispute resolution, norths' must give reasons for this decision in the acknowledgment letter.

If norths' decides to pursue the dispute resolution, norths' will write to the complainant within a further fourteen working days requesting all written submission and evidence be provided to norths' within twenty-eight working days. norths' will provide a copy of its own written submissions and evidence to the complainant within twenty-eight working days.

During this twenty-eight working day period, norths' will liaise with the complainant and the independent expert regarding convenient dates for a hearing. norths' will then notify all parties in writing about the arrangements for the hearing.

Both norths' and the complainant will have a further 14 working days to provide any further written submissions or evidence in reply. norths' will then send a copy of all written submissions and evidence to the independent expert.

At the expert determination, both parties will be given an opportunity to present their case.

What if I don't agree with the expert determination?

If you don't agree with the outcome you have twenty-eight working days to file fresh proceedings in an appropriate Court or Tribunal. If you don't file new proceedings, the determination of the expert is binding on the parties.

Are there any costs involved with the dispute resolution procedure?

Both parties will share the costs of the expert determination, including professional fees, travel expenses and venue hire. Each party must also pay their own costs associated with the determination.