LEGAL PRACTITIONERS DISCIPLINARY TRIBUNAL

BETWEEN:

MERVYN (LESLIE) HUNT
Appellant

AND:

LAW SOCIETY NORTHERN TERRITORY
Respondent

DECISION

This Tribunal has no jurisdiction to hear and determine the appeal, as contained in the letter from Mr Mervyn Hunt to the Disciplinary Tribunal dated 5 May 2009.

Reasons for Decision

I confirm that the Chairman of the Tribunal has referred this matter to me to review and make any dispositions for hearing or determination of the matter as I consider appropriate.

On 5 May 2009 the Law Society NT (the Respondent) emailed a letter to Mr Hunt (the Appellant) dismissing Mr Hunt's complaint against a legal practitioner, John Neill together with a Statement of Reasons. Included in the Law Society letter is advice about the right to appeal:

> "Please note that in the event you are not satisfied with the outcome of the matter you are entitled to appeal the decision to the disciplinary Tribunal. Such appeal must be lodged within 28 days after receipt of the enclosed Statement of Reasons."

On 5 June 2009 Mr Hunt delivered to this Tribunal his letter, dated 13 May 2009, regarding his concerns about the decision of the Law Society.

Insofar as the letter constitutes a Notice of Appeal by Mr Hunt, it was not filed with the Tribunal within 28 days after Mr Hunt received the decision and reasons of the Law Society decision.

Section 506(3) of the *Legal Profession Act 2006* provides that an appeal to the Tribunal must be lodged within 28 days after receiving the information notice for the decision.

This Tribunal is created by the *Legal Profession Act 2006* and its powers are provided by that Act.

There is no provision in the Act that allows the Tribunal to extend the time period fixed by s.506(3). Further as the Tribunal is not a court, parties do not have any recourse to the *Limitation Act* to have the period of time extended.

Accordingly the Tribunal has no jurisdiction to hear and determine this appeal.

Dated: 12 June 2009

David Farquhar

Legal Practitioners Disciplinary Tribunal