

LAND COURT OF QUEENSLAND

PRACTICE DIRECTION No. 8 of 2009

Compensation applications (petroleum and gas)

1. This practice direction applies to applications to the Court for compensation under s.79R of the *Petroleum Act 1923* (PET Act) or s.533 of the *Petroleum and Gas (Production and Safety) Act 2004* (P & G Act):
 - a) Within twenty-eight (28) days after the date of the acknowledgement letter issued by the Land Court registry, the applicant will file in the Court and serve on the other party (the respondent) a compensation statement and any supporting affidavits or statutory declarations.
 - b) A statement as to whether the applicant wishes the matter to be dealt with on the papers or by oral hearing must be included. (Both parties must consent if a matter is to be heard on the papers pursuant to r.35 of the *Land Court Rules 2000*.)
 - c) Within twenty-eight (28) days after being served with that material, the respondent will file in the Court and serve on the applicant a compensation statement (which should also identify any aspects of the applicant's compensation statement with which the respondent agrees or disagrees – and if the respondent disagrees, the reasons for any disagreement) and any supporting affidavits or statutory declarations.
 - d) Within seven (7) days after being served with the respondent's material, the applicant will file in the Court and serve on the respondent any material in reply to the respondent's material.
 - e) If either party desires further time to comply with these procedures, that party should immediately contact the deputy registrar who will refer the request to the relevant Member.
2. For paragraph 1 –
 - a) "applicant" means the party applying for compensation under s.79R (1) PET Act or s.533(1) P & G Act.
 - b) "compensation statement" means a statement detailing the amount of compensation the party considers the Court should determine having regard to the factors in s.79P PET Act or s.531 P & G Act.

Carmel MacDonald
President
4th September 2009