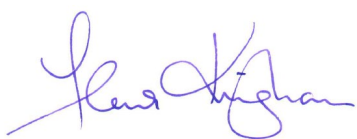


Requirements for an Appeal Record Book

Land Appeal Court Practice Direction 1 of 2020

A handwritten signature in blue ink, appearing to read "President FY Kingham".

President FY Kingham
Issued 20 July 2020

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REQUIREMENTS FOR AN APPEAL RECORD BOOK

Requirements for an Appeal Record Book

1. This Practice Direction is issued pursuant to s 22(2) of the *Land Court Act 2000* and replaces Land Appeal Court Practice Direction 1 and 1A of 2007 which are both repealed in whole.
2. The Practice Direction sets the requirements for an Appeal Record Book.

WHAT IS AN APPEAL RECORD BOOK?

3. An appeal record book contains material directly relevant to the appeal. All appeals (except interlocutory applications) to the Land Appeal Court require an appeal record book.

WHAT DOES AN APPEAL RECORD BOOK CONTAIN?

4. An appeal record book must contain these documents in the following order:
 - a) notice of appeal;
 - b) orders under appeal;
 - c) reasons for judgment;
 - d) originating application or appeal to the Land Court;
 - e) transcript of evidence;
 - f) exhibits; and
 - g) written submissions to the Land Court, if any.
5. The appeal record book may also contain other material directly relevant to the appeal. However, the index must record if there is a dispute between the parties about the relevance of any other material.
6. The appeal record book must contain an index which includes the following:
 - a) the Land Appeal Court file number;
 - b) the names and status of each party to the appeal;
 - c) the name of each party's legal representative and their business address, telephone number and email address; and
 - d) an accurate and concise description of each document, including any annexures and/or exhibits attached to the document.
7. A sample appeal record book index is included in Annexure A.
8. Identical documents do not have to be included in the appeal record book more than once, although a reference to the relevant page should be included in the index.
9. Transcript and exhibits should appear in date order.
10. Every page must be numbered clearly and consecutively at the bottom of each page.

REQUIREMENTS FOR AN APPEAL RECORD BOOK

WHEN MUST THE APPEAL RECORD BOOK BE PROVIDED AND BY WHOM?

11. The appellant is responsible for preparing the appeal record book and providing it to the Court by the date set in the directions for the appeal.
12. The appellant must begin preparing an appeal record book immediately after they have filed an appeal with the Land Appeal Court Registry.

HOW MUST THE APPEAL RECORD BOOK BE PROVIDED?

13. The appeal record book must be provided in electronic format.¹
14. If a member of the Land Appeal Court requires a hard copy of the appeal record book, their associate will advise the appellant at least six weeks before the appeal hearing. The associate will also advise if the member has any preferences for the way in which the hardcopy is presented. If a hard copy is requested, it must be provided to the member's associate at least two weeks before the appeal hearing.
15. For further information contact the Land Appeal Court Registry:

Telephone: (07) 3738 7199

Email: LandCourt@justice.qld.gov.au

Website: www.courts.qld.gov.au/courts/land-court

Postal Address: GPO Box 5266
Brisbane QLD 4001

Delivery Address: Level 8, 363 George Street
Brisbane QLD 4000

¹ For more information see [Land Court Practice Direction 1 of 2019 – Filing Documents Electronically in the Land Court of Queensland](#).

APPENDIX A – SAMPLE APPEAL RECORD BOOK INDEX

Appendix A – Sample Appeal Record Book Index

IN THE LAND APPEAL COURT

OF QUEENSLAND

LAC 200X/XXXX

BETWEEN:

DAVID CITIZEN AND MARGE CITIZEN

Appellant

-and-

BRISBANE CITY COUNCIL

Respondent

-and-

R.M. SMITH & ASSOCIATES
Solicitors for Appellant
Creek Way
RIVERTON QLD 4123

Telephone: (07) 5543 2121
Facsimile: (07) 5543 2131

Contact: Ms R.M. Smith

WILLIAMS CARMICHAEL
Solicitors for Respondent 3
3 Black Street
RAVEN QLD 4566

Telephone: (07) 5543 2141
Facsimile: (07) 5543 2151

Contact: Mr C. Carmichael

INDEX TO RECORD

No.	Document	Date	Page
1.	Notice of Appeal to the Land Appeal Court	29 November 2019	1
2.	Orders	01 November 2019	2

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	Further Cross-Examination		135
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	Cross-examination		145
	Re-examination		150
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5 -	Valuation Report, Barney Grey	18 March 2019	195
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7.	Written submission to the Land Court		220