



Queensland

Attorney-General Regulation 2021

Subordinate Legislation 2021 No. 115

made under the

Attorney-General Act 1999

Contents

		Page
1	Short title	2
2	Application for fiat—Act, s 9A	2
3	Repeal	3

1 Short title

This regulation may be cited as the *Attorney-General Regulation 2021*.

2 Application for fiat—Act, s 9A

- (1) For section 9A of the Act, this section prescribes the way an application for the Attorney-General's fiat under section 7(1)(g) of the Act must be made.
- (2) The application must contain the following information—
 - (a) the applicant's name, phone number, postal address and email address;
 - (b) the reasons the applicant can not obtain complete relief in the proceeding if the fiat is not granted;
 - (c) whether the applicant has pursued other forms of relief, including, for example, mediation.
- (3) The application must be accompanied by the following documents—
 - (a) the proposed originating process;
 - (b) a certificate signed by counsel stating that—
 - (i) the proceeding is appropriate to be started in the Attorney-General's name; and
 - (ii) the originating process is appropriate for the Attorney-General's fiat; and
 - (iii) the applicant can not obtain complete relief if the fiat is not granted;
 - (c) an opinion from counsel as to the prospects of success of the proceeding, detailing the facts of the case and explaining the proceeding;
 - (d) a certificate signed by the applicant's solicitor stating that the applicant is an appropriate person to act as relator in the proceeding;
 - (e) a document signed by the applicant or the applicant's solicitor undertaking that—

- (i) the proceeding is at the sole risk and cost of the applicant; and
- (ii) the applicant will pay all of the Attorney-General's costs of the proceeding including any costs payable by the Attorney-General to a party; and
- (iii) the applicant indemnifies the Attorney-General for the proceeding; and
- (iv) the applicant will give the Attorney-General copies of all pleadings and other court documents for the proceeding; and
- (v) the applicant will take any of the following steps only with the Attorney-General's approval—
 - (A) amend the originating process for the proceeding;
 - (B) discontinue the proceeding or withdraw part of it;
 - (C) withdraw all or part of any answer to a counterclaim;
 - (D) settle all or part of the proceeding.

3 Repeal

The Attorney-General Regulation 2010, SL No. 234 is repealed.

ENDNOTES

- 1 Made by the Governor in Council on 19 August 2021.
- 2 Notified on the Queensland legislation website on 20 August 2021.
- 3 The administering agency is the Department of Justice and Attorney-General.

© State of Queensland 2021