



Attorney-General Act 1999

Attorney-General Regulation 2021

Current as at 22 March 2024

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Queensland

Attorney-General Regulation 2021

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Attorney-General Regulation 2021

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) a copy of the originating process, or proposed originating process, for the proceeding;
 - (b) a certificate signed by counsel stating—
 - (i) that the applicant can not obtain complete relief if the fiat is not granted; and
 - (ii) that the originating process, or proposed originating process, is appropriate for the fiat; and
 - (iii) if the fiat is to start a proceeding—that it is appropriate to start the proceeding in the Attorney-General's name; and
 - (iv) if the fiat is to continue a proceeding—
 - (A) the stage of the proceeding; and

- (B) that it is appropriate to continue the proceeding in the Attorney-General's name;
- (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 not do any of the following without the prior approval of the Attorney-General—
 - (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 in the proceeding;
 - (D) settle all or part of the proceeding.

3 Repeal

The Attorney-General Regulation 2010, SL No. 234 is repealed.