

FACT SHEET

CIVIL

Civil law sets out the rights and responsibilities of individuals, groups, and organisations. Civil law regulates private disputes when someone believes their rights have been infringed. Civil law includes laws relating to duty of care, contracts, accidents, money and property as well as many other issues. The type and monetary amount for a claim determines the court or the tribunal in which the case is heard. The ACT Courts (the judges and magistrates) and Tribunal (presidential members) are responsible for interpreting civil laws and deciding the outcome.

Who is responsible for the civil law?



The ACT Legislative Assembly makes laws about civil matters in the ACT. The Federal Parliament also makes laws about particular parts of the civil law such as family law and fair work. The laws about civil matters have changed many times. Citizens influence laws by voting for candidates and parties in elections that reflect their individual views and preferences.



The ACT Courts and Tribunal interpret these laws and decide the outcomes. Decisions made by the tribunal members, magistrates and judges form part of the law. Federal Courts and Tribunals interpret laws where they have responsibility.



Government departments and agencies, administer some outcomes that have been imposed, while individuals or corporations are responsible for enforcing some outcomes.

Where are civil matters decided?

Legislation provides which Court or Tribunal hears a matter.

Parties may consent to hearing a matter in another jurisdiction if permitted in the legislation.

Probate or matters regarding wills are heard in the Supreme Court.

Coronial matters are heard in the Coroners Court which conducts inquests into deaths and inquiries into fires and disasters.

Industrial matters such as workers compensation are heard in the Industrial Court which is part of the Magistrates Court.

ACAT hears civil and administrative applications.

ACT Civil and Administrative Tribunal (ACAT): hears civil matters claiming up to \$25,000. It also hears issues including with energy and water; neighbour disputes, residential tenancies, fence and title disputes, disputes about a contract, debt, goods, trespass, nuisance and the Australian Consumer Law.

ACT Magistrates Court: hears civil claims between \$25,000 and \$250,000. It also hears matters relating to family and personal violence, claims for enforcement, industrial matters, coronial matters and childrens court matters.

ACT Supreme Court: hears civil claims over \$250,000. The ACT Supreme Court of Appeal hears appeals from ACAT and Magistrates Court matters.

Civil statistics for 2020-21

4136

New ACAT applications



3930

Magistrate Court civil applications lodged

544

Supreme Court civil applications



780

applications to ACAT related to debts

369

deaths reported in the Coroners Court

1061

applications for Probate lodged in the Supreme Court