

Instructions for completing

Application to review a decision

General instructions

Copies of the application and providing copies to other parties

No extra copies of the application form and attachments are required for cases related to:

- *Adoption of Children Act 1964*
- *Child Care Act 2002*
- *Child Protection Act 1999*
- *Commission for Children and Young People and Child Guardian Act 2000*
- *Disability Services Act 2006*, section 123ZK(8) or 123ZN(5)
- *Guardianship and Administration Act 2000*.

You also do not need to give a copy of the application to another party in those cases.

For all other cases, the application form and all attachments must be accompanied by three copies. Where there is more than one respondent, an extra copy of the application form and attachments is required for each additional respondent.

Generally, you must give a copy of the application to all parties to the proceeding as soon as practicable, and no later than seven days after the application is filed.

Applications may be lodged

In person: Queensland Civil and Administrative Tribunal, Level 11, Bank of Queensland Building, 259 Queen Street, Brisbane QLD 4000, or at any Magistrates Court outside of the Brisbane CBD.

By mail: QCAT, GPO Box 1639, Brisbane 4001

Some applications may be lodged by fax or email. For more information call 1300 753 228 or visit www.qcat.qld.gov.au

Applications must be accompanied by the prescribed application fee.

For more information on QCAT fees, please refer to the QCAT factsheet or go to www.qcat.qld.gov.au

Payment can be made by cash, cheque (payable to Department of Justice and Attorney-General), money order or credit card payment authorisation (see credit card payment authorisation form – mastercard and visa accepted).

Instructions for completing (continued)

PART A APPLICANT'S AND RESPONDENT'S DETAILS

- More than one applicant and respondent may be named in an application.
- If there is insufficient space for the names of either applicant or respondent you may attach additional pages with similar details.
- In an application to review a decision, the decision-maker will be the respondent.
- If the applicant or respondent is not an individual then the correct name must be used, for example:
 - a company name
 - a business name regardless of whether it is registered under the *Business Names Act 1962*
 - a State agency name, for example a Queensland Government department.
- Your address will be the address at which documents are given or sent to you, unless you indicate your representative's address as your address for notices.
- Any change in your address for notices must be filed in the tribunal and given to all other parties.

Representative's details

If you want your representative's address as the address for notices, please complete your representative's details.

If you want your representative to represent you in any proceedings before the tribunal you must complete the form *Application for leave to be represented*. Generally the tribunal expects people to represent themselves. It may not grant your request. You are not required to seek leave if:

- you are a child or a person with impaired capacity
- your case is a disciplinary case
- an Act or the Rules state that you may be legally represented.

PART B THE DECISION TO BE REVIEWED

- Most applications must be lodged within 28 days of receiving the notice of decision.
- If you have applied for reasons for the decision you have 28 days to apply to QCAT from the day the reasons are given to you, or 28 days from when you asked for the reasons, whichever is earliest.
- There are exceptions to the 28 day rule so check your information notice for information about the time limit that applies in your case. The tribunal may give leave to apply outside of the relevant time limit.
- If you have a copy of the decision, it must be lodged with this application.

PART C WHAT YOU SEEK FROM THE TRIBUNAL

You must set out the details of the application including the parts of the decision you want reviewed and why the decision should be reviewed.

If you wish to seek a stay of a decision, you must complete form 44 – *Application to stay a decision*. Whether a stay may be requested will depend on the Act under which the decision was made.

Form Number 23 (version 1)
 Queensland Civil and Administrative Tribunal Act 2009 (section 33)

Application to review a decision

Refer to attached instructions at the front of this application prior to filling out this form.

For office use only	
Case number:	
Date:	
Registry:	
Sent to:	
Fee paid:	
Rec no:	

PART A APPLICANT'S DETAILS	
Name	
<input type="text"/>	<input type="text"/>
<i>Title</i>	<i>Given name/s</i>
<input type="text"/>	
<i>Surname/Family name</i>	
Company/Partnership/other	
<input type="text"/>	ABN <input type="text"/>
Business Name	<input type="text"/>
Address	<input type="text"/>
	Postcode <input type="text"/>
Telephone	() <input type="text"/>
	() <input type="text"/>
	<i>Home Business Mobile</i>
Fax	() <input type="text"/>
Email	<input type="text"/>

PART A APPLICANT'S DETAILS *(continued)*

Representative's details *(if applicable)*

- Tick if you want this to be your address for notices
- Tick if you want your representative to represent you in proceedings before the tribunal *(see Part A of the instructions – you may be required to seek the tribunal's leave for this to happen by making an application under the form Application for leave to be represented. The tribunal may not give you leave to be represented).*

Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Title</i>	<i>Given name/s</i>	<i>Surname/Family name</i>

Company/Partnership/other

<input type="text"/>	ABN	<input type="text"/>
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Business Name

Address

<input type="text"/>		
<input type="text"/>	Postcode	<input type="text"/>

Telephone

() <input type="text"/>	() <input type="text"/>	<input type="text"/>
<i>Home</i>	<i>Business</i>	<i>Mobile</i>

Fax

Email

PART A RESPONDENTS DETAILS

Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Title</i>	<i>Given name/s</i>	<i>Surname/Family name</i>

Company/Partnership/other

<input type="text"/>	ABN	<input type="text"/>
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Business Name

Address

<input type="text"/>	Postcode	<input type="text"/>
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Telephone

() <input type="text"/>	() <input type="text"/>	<input type="text"/>
<i>Home</i>	<i>Business</i>	<i>Mobile</i>

Fax

Email

Representative's details (if applicable and if known)

Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Title</i>	<i>Given name/s</i>	<i>Surname/Family name</i>

Company/Partnership/other

<input type="text"/>	ABN	<input type="text"/>
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Business Name

Address

<input type="text"/>	Postcode	<input type="text"/>
----------------------	-----------------	----------------------

Telephone

() <input type="text"/>	() <input type="text"/>	<input type="text"/>
<i>Home</i>	<i>Business</i>	<i>Mobile</i>

Fax

Email

PART B DECISION TO BE REVIEWED

(Please attach a copy of the decision to this form)

Details of decision to be reviewed *(include case number if known)*:

When was the decision made?

When did you receive the decision?

PART C DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

if there is insufficient space here, please attach additional pages

Name, position and area office of decision-maker

State briefly why you think the decision is wrong or not properly made

PART C **DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL** *(continued)*
if there is insufficient space here, please attach additional pages

Briefly describe any other facts you think are important

Briefly describe what you want to happen



PART D CHECKLIST AND SIGNATURE

- I have completed all questions on the application form according to the instructions
- I have included a copy of the decision for which I am seeking review (if I have a copy)
- I have provided the correct number of copies of the application form and attachments (for the number of copies required – see the instructions)
- I have paid the prescribed fee
- I am ready to proceed with this application

Interpreter

Is an interpreter required?

- Yes No

If YES, please specify language

Warning

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* makes it an offence for a person to knowingly give the registry documents containing false or misleading information.

Maximum penalty for such an offence – \$10,000.

SIGN AND DATE HERE

The information in this application is true to the best of my knowledge.

Applicant/s sign here

Date

If more than one applicant is named all must sign the application.