

Part C

APPLICANT'S DETAILS *(full contact details must be supplied)*
(for multiple applicants attach details on a separate sheet)

The applicant is the party who is making this application. If the applicant is not an individual than you must use the proper full company name, business name or the full name of the State agency or department. You must include all proper applicants.

Name **ACN/ABN** *(if applicable)*

Postal Address

Suburb **State/Territory** **Postcode**

Contact details *(MUST be provided)*

Mobile *Alternative number* *Email*

Do you identify as Aboriginal or Torres Strait Islander?

- | | |
|-----------------|-------------------------------------------------|
| No | Yes, Torres Strait Islander |
| Yes, Aboriginal | Yes, both Aboriginal and Torres Strait Islander |

Name **ACN/ABN** *(if applicable)*

Postal Address

Suburb **State/Territory** **Postcode**

Contact details *(MUST be provided)*

Mobile *Alternative number* *Email*

Do you identify as Aboriginal or Torres Strait Islander?

- | | |
|-----------------|-------------------------------------------------|
| No | Yes, Torres Strait Islander |
| Yes, Aboriginal | Yes, both Aboriginal and Torres Strait Islander |

If you want someone to represent you in any proceedings before the Tribunal you must complete [Form 56 - Application for leave to be represented](#). You are not required to seek leave if you are a child or a person with impaired capacity. Visit the QCAT website for more information about [legal advice and representation](#).

Part D

RESPONDENT'S DETAILS *(full contact details must be supplied)*
(for multiple respondents attach details on a separate sheet)

The respondent is the party against whom the original application was made. If the respondent is not an individual then you must use the proper full company name, business name or the full name of the State agency or department. You must include all proper respondents.

Name **ACN/ABN** *(if applicable)*

Postal Address

Suburb **State/Territory** **Postcode**

Contact details *(MUST be provided)*

Mobile *Alternative number* *Email*

Name **ACN/ABN** *(if applicable)*

Postal Address

Suburb **State/Territory** **Postcode**

Contact details *(MUST be provided)*

Mobile *Alternative number* *Email*

CHECKLIST

- I have completed all of the questions on this application.
- I have provided the correct number of copies of the application form and attachments (*that is, a copy for each party, plus one for the Tribunal*).
- I am aware that if there is a prescribed fee it must be paid at time of lodgement.
- I have attached all relevant documents.
- I am ready to proceed with this application.

WARNING

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld) makes it an offence for a person to knowingly give the registry documents containing false or misleading information. Maximum penalty for such an offence – 100 penalty units.

Sign and date here *(if more than one applicant is named, then all must sign)*

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

Applicant/s sign here

Date

Print your name/s here

Lodgement Details

Deliver to:	Mail to:
Queensland Civil and Administrative Tribunal Floor 11, 259 Queen Street Brisbane Qld 4000 OR your local Magistrates Court. To find your local courthouse visit: courts.qld.gov.au/contacts/courthouses	Queensland Civil and Administrative Tribunal GPO Box 1639 Brisbane Qld 4001 OR your local Magistrates Court. To find your local courthouse visit: courts.qld.gov.au/contacts/courthouses

INSTRUCTIONS FOR COMPLETING FORM 44

Application to stay a decision

Use this form to make an application to 'stay' an administrative decision. This means that decision is postponed and will not take effect until QCAT have heard the application to review the decision.

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 a minor civil dispute, the application form and all attachments must be accompanied by two (2) copies. Where there is more than one respondent, an extra copy of the application form and attachments is required for each additional respondent.

For all other cases, the application form and all attachments must be accompanied by three (3) copies. Where there is more than one respondent, an extra copy of the application form and attachments is required for each additional respondent.

For in person and postal applications, you must include a stamped self-addressed A4 envelope.

You must give a copy of the application to all parties to the proceeding as soon as possible and no later than seven (7) days after the application is filed.

For a guardianship and administration matter you must complete [Form 15 – Application for a stay of a decision pending a hearing](#).

Identify and naming parties

The applicant and respondent must be named correctly. If the party is not an individual then you must use the precise/exact company name, a business name (whether it is registered or not, including real estate agencies), or the name of a State agency or department. To ensure that you are taking action against the right organisation you **MUST** include the correct ABN/ACN for the company or business name. If you do not correctly name a party you may not be able to enforce any order made against them if you succeed in your claim.

Visit the QCAT website for information on [identifying and naming the parties](#) or contact the Australian Securities and Investment Commission (ASIC) for business name and company information. A search fee may be charged.

More than one applicant or respondent can be named in an application. If there is more than one, then everyone **MUST** be named. If there is not enough space to include additional parties, you can attach the contact details (name and address details) on a separate sheet of paper to the application.

Fees

You must pay the prescribed application fee when lodging your application. Visit the QCAT website for [application fees](#).

Cash payments can be made in person at the QCAT Brisbane registry or your local Magistrates Court.

Cheque or money order payments are to be made out to 'Department of Justice and Attorney-General'.

Credit card payments can be made by submitting a [Credit card payment authorisation form](#) with your application and can only be accepted by post or in person.

You may apply to QCAT for a waiver of the fee on the grounds of financial hardship. To apply, you **MUST** complete and lodge [Form 49 - Application for fee waiver or appeal fee reduction by reason of financial hardship](#). If you are eligible for a waiver you will not be required to pay the fee.

Providing evidence

You **MUST** attach a copy of all relevant documents that you want to use as evidence to prove your case at the Tribunal hearing.

Legal advice and representation

QCAT staff cannot provide legal advice. All parties involved in a matter before QCAT must usually represent themselves unless leave to be represented has been given. Information about where to seek legal advice is available at [Where to seek legal advice](#).

Withdrawing an application

An application can be withdrawn if you no longer wish to proceed to have the dispute decided by the Tribunal. An application can be withdrawn at any time prior to the final hearing and determination of the application by lodging a [Form 58 – Application for leave to withdraw an application or referral / Notice of withdrawal of application or referral](#) online. Visit the QCAT website for more information on how to [withdraw an application](#).

Protecting your privacy

We collect your contact details to ensure QCAT proceedings comply with the *Queensland Civil and Administrative Tribunal Act 2009* (Qld). We may contact you to help evaluate QCAT operations. You do not have to participate in feedback or surveys. If you do participate, no identifying information will be published. We will not disclose your contact details or any other personal information to a third party unless required by law.

Contact us

For information about the application process or going to the Tribunal visit the [QCAT website](#).