

## ABOUT THE ACT CIVIL ADMINISTRATIVE TRIBUNAL

### HOW TO APPEAL

An application for review of decision, some times referred to as an appeal, is made by lodging a written application with the Tribunal and payment of the determined filing fee. The written application is required to be made on an approved form which may be obtained from the Registry of the Tribunal or from [www.courts.act.gov.au](http://www.courts.act.gov.au).

A determined fee may be remitted or refunded, or liability for its payment deferred, in accordance with the determination that determined the fee. For further information you should contact the Tribunal Registry staff. Payment of the filing fee may be waived if the Registrar of the Court or Tribunal considers the payment of the fee would impose hardship on the person. Fee waiver application forms are available from the Tribunal Registry and also on [www.courts.act.gov.au](http://www.courts.act.gov.au).

An application for review of decision, sometimes referred to as an appeal, is made by lodging a written application with the Tribunal and payment of the determined filing fee. The written application is required to be made on an approved form entitled '*Application for Review of Decision*' which may be obtained from the Registry of the Tribunal or from [www.courts.act.gov.au](http://www.courts.act.gov.au). A fee is payable on lodging the application.

A determined fee may be remitted or refunded, or liability for its payment deferred, in accordance with the determination that determined the fee. For further information you should contact the Tribunal Registry staff. Payment of the filing fee may be waived if the Registrar of the Court or Tribunal considers that payment of the fee would impose hardship on the person. Fee waiver application forms are available from the Tribunal Registry or from [www.courts.act.gov.au](http://www.courts.act.gov.au).

You should be careful to ensure that your appeal is made within the time limit that applies. Ordinarily this is 28 days from the date you receive written notice of the decision. Provision is made for the time limit to be extended in certain cases but it is necessary to make written application to extend the time limit – refer to the section on the approved form in relation to extending the time limit for lodging your appeal.

### OPERATION OF DECISION UNDER REVIEW

You should be aware that the lodging of an appeal does not affect the operation of the decision. Application may be made, however, for an order staying or otherwise affecting the operation or implementation of the decision for the purpose of securing the effectiveness of the hearing of the appeal. An application for a stay order can be obtained from the Registry or from [www.courts.act.gov.au](http://www.courts.act.gov.au).

## **DECISIONS OF THE TRIBUNAL**

The Tribunal has a record available of all of its decisions for public access. Tribunal Decision are available on the [www.courts.act.gov.au](http://www.courts.act.gov.au) websites. They are also accessible on the website [www.austlii.edu.au](http://www.austlii.edu.au) (click on ACT, then click on Administrative Appeals Tribunal decisions) and are progressively being included on the Tribunal's website. It can be helpful to peruse former decisions of the Tribunal to see if there has been a case in the past similar to your appeal. A precedent may have been set. If you wish to obtain access to decisions of the Tribunal you should contact the Registry. You are also welcome to come to the Tribunal and sit in on a hearing as most hearings are open to the public. Details of Tribunal hearings are posted on [www.courts.act.gov.au](http://www.courts.act.gov.au) and usually printed in 'The Canberra Times' Law List daily, but you should confirm scheduled hearings with the Tribunal Registry as matters may be settled or discontinued.

## **FURTHER INFORMATION**

The Tribunal is established by the ACT Civil and Administrative Tribunal Act 2008989 ("the ACAT Act"). It is required to follow the procedures and exercise its powers in accordance with the provisions of the ACAT Act. This document does not attempt to provide a complete explanation of all of the issues that may need to be addressed by parties to proceedings in the Tribunal. Persons who are parties to proceedings or who wish to appeal to the Tribunal are advised to refer to the ACAT Act.

Please note that a copy of any written communication you send to the Tribunal should be sent to each other party for their information.

## **TRIBUNAL CONTACT DETAILS:**

### **LOCATION:**

**GROUND LEVEL .....DX: 5691**  
**MAGISTRATES COURT.....GPO BOX 370**  
**KNOWLES PLACE ..... CANBERRA ACT 2601**  
**CANBERRA ACT 2601**

**PH: (02) 6207 1740 FAX: (02) 6205 4855**

**E-MAIL: [Tribunals@act.gov.au](mailto:Tribunals@act.gov.au)**

**MAGISTRATES COURT HOME PAGE: [www.courts.act.gov.au](http://www.courts.act.gov.au)**

**ACT Civil and Administrative Tribunal Home Page: <http://www.acat.act.gov.au>**