



# Guidance and Appeals Panel (GAP) Referral Request (1<sup>st</sup> instance)

Use this form to request that an ongoing Tribunal review is referred to the ART's Guidance and Appeals Panel (GAP). You can read more information about who can request a GAP referral and what kind of cases are eligible for GAP referral on our website, [art.gov.au](http://art.gov.au). If you have any questions about completing this form, call us on 1800 228 333. When complete email to [GAP@art.gov.au](mailto:GAP@art.gov.au).

We will use the details we have on file for the ongoing Tribunal case for your GAP application. If any of your personal details change, please contact us on 1800 228 333 to update them.

Your name

## Section 1 - ART case details

ART case number

Applicant name

Respondent name

## Section 2 – Basis for referral

Please outline clearly and concisely why the matter is of significance to administrative decision-making and is appropriate in the interests of justice for the matter to be referred.



Is there anything about your or the other parties' circumstances we need to know about?  
If yes, please outline below.

Should we take any discretionary factors which favour the granting of the referral request into account? If yes, please outline below.

**Note:** examples of discretionary factors include, whether the proceeding will have a broader impact and improve administrative decision-making or raise issues of complexity or controversy warranting the making of a Tribunal guidance decision. More discretionary factors are identified in Part 5 of the [GAP Practice Direction](#) which is available on the ART website at [www.art.gov.au](http://www.art.gov.au)

### Section 3 – Documents

Would you like to submit any documents with your request? If yes, please list the names of the documents below and provide a copy of them with this form.

**Note:** You do not need to resubmit documents you have already provided to the Tribunal as part of your ongoing Tribunal review.

**Section 4 – Consultation**

Have you consulted with the other party or parties about your request for referral to the GAP?

- Yes
- No

If yes, what was the response of the other party or parties?

If the matter is referred to the GAP, how long do you estimate the hearing would take? For example, you may think the hearing will take an hour, half a day or a week.

**SIGNATURE**

**Signature**

**Date**

dd / mm / yyyy

**Print name** \_\_\_\_\_



## Privacy Notice

### Collection of information

The Tribunal collects personal information, including sensitive information about you, that is directly related or reasonably necessary for the President to decide whether to refer your matter to the Guidance and Appeals Panel (Panel).

If the President refers the matter to the Panel, the Tribunal may collect personal information, including sensitive information, about you that is reasonably necessary for, or directly related to, the conduct of the review by the Panel.

### How information is collected

The information will be collected in this form and from documents collected for the purpose of the earlier proceeding in which the decision you have asked to be referred was made.

If the President refers the matter to the Panel, further information may also be collected from: you; the original decision-maker; other parties to the review and other government or non-government bodies or people; and publicly available sources. Publicly available sources include websites and social media.

The Tribunal may also collect information where documents are given to it under a summons and are taken into evidence. Documents given under a summons that are not taken into evidence will be destroyed or returned after the review is finalised.

### Use and disclosure of information

The Tribunal will only use this information for purposes related to this application, or related reviews under the [Administrative Review Tribunal Act 2024](#) and purposes authorised under the [Privacy Act 1988](#) and other Australian laws.

The Tribunal may use personal contact information for its customer surveys to improve its services.

The Tribunal may disclose the information to parties to the review, including the department, organisation or person who made the original decision.

A copy of this application form and any accompanying documents will be provided to the other parties to the earlier proceeding.

Information collected for the purpose of payment of any application fee is not disclosed, other than to Tribunal staff for the purposes of their duties and the Tribunal's financial and technical service providers for payment processing.

### Publication of decisions

The Tribunal is generally required to publish decisions made by the Panel, unless a confidentiality order has been made or a law prohibits publication of the decision or information contained in it. For more information about confidentiality visit [Privacy and confidentiality at the ART](#).

### Privacy Policy

For more information about privacy in the Tribunal, including how to make complaints, see the [Privacy Policy](#).