

Application for Second Review of Decision

You can use this form to apply for a second review of a decision made by the Administrative Review Tribunal about a:

- Centrelink decision (except an employer-related paid parental leave decision)
- Decision to refuse an extension of time to apply for a child support review
- Decision about a percentage of care for a child in a child support review.

Please read the *Guide to applying for review* before completing this form. You must complete the fields and answer questions marked with an asterisk (*).

SECTION 1 APPLICANT

Personal details* Mr Mrs Ms Miss Other:

Family name:

Given name(s):

Female Male Unspecified Date of Birth

Are you of Aboriginal or Torres Strait Islander origin? Yes: No: Prefer not to say:

Street address*

State: Postcode:

Postal address*
 'As above' if also your street address

State: Postcode:

Email

Telephone* Landline: Mobile: Fax:

Preferred method for receiving correspondence*
 Please select one Email: Fax: Post:

Representative Name:

If you have a representative, please fill in these details. Organisation:

Postal address:

State: Postcode:

Email

Telephone Landline: Mobile: Fax:

Preferred method for receiving correspondence
 Please select one Email: Fax: Post:

Interpreter* Does any person need an interpreter? Yes: No:

If yes, for which language or dialect?

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Assistance

The Tribunal will make appropriate adjustments to enable you to effectively participate in the review process. Do you require any accommodations to be made to participate in Tribunal proceedings?

Physical (e.g. wheelchair user)

Sensory (e.g. hearing or visual)

Other, please specify:

SECTION 2 DECISION

Date you received the decision of the Administrative Review Tribunal*

ART Review Number*

SECTION 3 REASONS FOR THE APPLICATION

Why do you claim the decision is wrong?*

Please read the 'Reasons you are making an application' section in the *Guide to applying for review* before answering this question.

* Mandatory field/question

SIGNATURE

Signature

Date

Guide to applying for review

The Administrative Review Tribunal (ART) can review a wide range of decisions made under Commonwealth laws by the Australian Government and some non-government bodies. We also review decisions made under Norfolk Island laws. It has a number of application forms, including online forms.

You should use this form and this guide if you want to apply for second review of a decision made by the Administrative Review Tribunal about a: help you choose which application form to use (Part 1)

- Centrelink decision (except an employer-related paid parental leave decision)
- Decision to refuse an extension of time to apply for a child support review
- Decision about a percentage of care for a child in a child support review.

This guide will:

- help you complete the application form (Part 1)
- give you some other information about applying to the ART (Part 2) and
- show you where to send your form and how to contact the ART (Part 3).

Part 1: Choosing which application form to use

Read this guide and the form carefully. If you need more space to answer a question, continue your answer on another sheet of paper and attach it to the form.

If you need help filling out the form or if you need more information, ask us. When you have completed the form, you can bring it to the ART in person or send it to us by post, email or fax. Our contact details are at the end of this guide.

APPLICANT

Contact Details

The form asks you to give us your address, phone numbers, and any email addresses or fax numbers. Please tell us your preferred method for receiving written information from us by ticking the box. If we have an email address for you and you do not tick a box, we will email the documents to you.

Representative

You can represent yourself at the ART or any person you choose can represent you. If you tell us that you have a representative, we will send the letters and other documents about your case to your representative instead of sending them to you.

Interpreter

If you need an interpreter, we will arrange for a qualified interpreter to assist you free of charge. If you speak a particular dialect, please include this in the form.

Disability

The Tribunal will make appropriate adjustments to enable you to effectively participate in the review process. Our offices (known as registries) have portable hearing loops and are wheelchair accessible.

DECISION

Date you received the decision

We ask you to tell us on the form when you received the decision. We need this information so we can check if your application has been lodged within the time limit.

The time limit for lodging an application for a review of a decision is usually 28 days after you receive the decision. For some types of decisions, the time limit is longer and for others it is shorter. The time limit is usually stated in the information given to you by the decision-maker about your review rights.

If the time limit has expired, you can apply for an extension of time to make your application. We can extend most, but not all, time limits. You can use the *Application for an Extension of Time for Making an Application for Review of Decision* form which is on our [website](#).

Decision Reference

If you can, send us a copy of the decision you want us to review. If you cannot, describe the decision briefly, for example: 'The Tax Office decided that I have to pay a tax debt'.

REASONS YOU ARE MAKING AN APPLICATION

You must tell us briefly why you want to have the decision reviewed. For example, you may think the decision is wrong and a different decision should be made, or the information you provided was not taken into account, or the law was not applied correctly.

We cannot start the review if you do not answer this question.

Part 2: Other information about applying to the ART

Application fees

You do not have to pay a fee when you apply to us for a second review of a decision made by the Administrative Review Tribunal unless you are applying for a review of a decision:

- about paid parental leave
- to refuse an extension of time to apply for a child support review
- about a percentage of care for a child in a child support review.

You do not have to pay a fee if you are applying for a review of a decision about social security, family assistance or student assistance payments.

If you do have to pay a fee, you are entitled to pay a reduced fee of \$100 instead of a standard application fee if:

- you have been granted legal aid for your application
- you hold a health care card, pensioner concession card or Commonwealth seniors health card
- you are in prison or lawfully detained in a public institution
- you are under 18 years of age or receiving youth allowance, Austudy or ABSTUDY, or
- we decide that paying the full fee would cause you financial hardship.

To apply for a fee reduction on the grounds of financial hardship, you must fill out the *Request for Fee Reduction form*, which is on our website, and send it to us.

If you do have to pay a fee, the fee must be paid when the application is lodged. The ART may dismiss your application if you do not pay the fee within six weeks.

If you have paid a standard application fee and the application is resolved in your favour, most of it will be refunded to you. There is no refund if you paid the reduced fee of \$100.

For more information about fees, including when there is no fee and whether you are eligible to pay a reduced fee, go to the ART website or contact your local ART registry.

How to pay a fee

If you do have to pay a fee, you can pay in cash or by cheque, money order, EFTPOS or credit card. We accept payment by MasterCard and Visa.

All payment types are accepted at our registries. Credit card payments can also be made by phone.

Applying to suspend a decision

In general, a decision continues to operate while we are reviewing it. In some cases, we can order that the decision be suspended while the review is taking place.

If you want to ask us to suspend the operation of the decision, you must complete a *Request for Stay Order* form which is on our website and send it to us.

Steps in a review

In most cases, we use alternative dispute resolution (ADR) to help the parties – you and the department – try to reach agreement about how the case should be resolved. Many cases are resolved at this stage. ADR processes are held in private.

If agreement cannot be reached, we will hold a hearing and make a decision. Hearings are usually open to the public.

Our procedures and the time needed to complete the review vary from case to case. We aim to have cases finalised within 12 months.

PRIVACY AND YOUR PERSONAL INFORMATION

We collect information about you from you and others to process your application and carry out the review under the *Administrative Review Tribunal Act 2024* or the law under which the decision was made.

- In making an application for review, you consent to the collection of personal information about you from the organisation or person who made the decision, any other party to the review, or a relevant person or body, where collecting the information is reasonably necessary to carry out the review.
- We will give a copy of your application form to the organisation or person who made the decision and any other party to the review. We may also inform a person whose interests are affected by the decision about your application.
- We will usually give a copy of any relevant document given to us by you, or anyone else, to the other parties to the review for the purposes of the review.
- The information we collect may also be used for the purpose of another review involving you, if it is reasonably necessary to do so, or to improve our services.

Our Privacy Policy explains how you can access information we hold about you and how to make privacy complaints. More information, including our Privacy Policy and how to apply for a non-disclosure order, is available on our website www.art.gov.au or by calling 1800 228 333.

Part 3: Contact the Administrative Review Tribunal

More information about the ART

For more information about the ART and how we conduct reviews, go to our website or call us. Our staff can give you information about procedures but cannot give you legal advice.

How do I submit this form?

You can submit this form online, in person at your local registry, or by email or post.

Email: reviews@art.gov.au

Post: Administrative Review Tribunal, GPO Box 9955, Your capital city (*Northern Territory residents should write to Adelaide*) or
Administrative Review Tribunal, c/- Supreme Court of Norfolk Island
Registry, Kingston, Norfolk Island 2899

In person:

ADELAIDE

Level 2
1 King William St
Adelaide SA 5000

BRISBANE

Level 6
295 Ann St
Brisbane QLD 4000

CANBERRA

Level 8
14 Moore St
Canberra City ACT 2600

HOBART

Edward Braddon Building
Commonwealth Law Courts
39–41 Davey St
Hobart TAS 7000

FAX (08) 8128 8099

FAX (07) 3052 3001

FAX (02) 6243 4600

FAX (02) 9276 5597

MELBOURNE

Level 4
15 William St
Melbourne VIC 3000

NORFOLK ISLAND

Supreme Court of Norfolk Island
Kingston
Norfolk Island 2899

PERTH

Level 13
111 St Georges Terrace
Perth WA 6000

SYDNEY

Level 6
83 Clarence St
Sydney NSW 2000

FAX (03) 9454 6998

TEL +61 2 9391 2400
FAX +61 2 9283 4881

FAX (08) 6222 7299

FAX (02) 9276 5599

If you want more information or assistance, call us on **1800 228 333** (calls are free from landline phones, however calls from mobiles may be charged).

If you do not speak English, call the Translating and Interpreting Service on 131 450 and ask them to call the Administrative Review Tribunal.

If you are deaf or have a hearing or speech impairment, contact us through the National Relay Service. For more information visit www.accesshub.gov.au

Website: www.art.gov.au