

## Response to a Guidance and Appeals Panel (GAP) Referral Application (2<sup>nd</sup> instance)

Use this form to respond to a GAP Referral Application for a Tribunal decision to be referred to the ART's Guidance and Appeals Panel (GAP). Send the completed form to [GAP@art.gov.au](mailto:GAP@art.gov.au). You can read more information about the GAP at [www.art.gov.au](http://www.art.gov.au). If you have any questions about completing this form, call us on 1800 228 333.

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

GAP case number

### Your details

Your name

Name of organisation or agency (if applicable)

Contact email address

Contact phone number

### Section 1 – Basis for response

Please outline clearly and concisely why the matter is/is not of significance to administrative decision-making and is/is not 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 or not granting of the referral request into account? If yes, please outline below.

**Note:** examples of discretionary factors include the financial burden to have a matter heard by the GAP or the likelihood that an error or law in a Tribunal decision occurred and its significance to the Tribunal's decision on review. 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

Are there any relevant documents from the original Tribunal decision you would like to bring to our attention as part of your response? If so, please list the names below. There is no need to provide a copy of these documents again.

Would you like to submit any new documents with your response? 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 the finalised Tribunal review. Instead, write the names of the documents in the question above.*

### Section 4 – Request for a hearing

Usually GAP applications are decided without a hearing. If you would like a hearing to present additional information to the Tribunal, please provide the reasons why this is necessary below. You should also include an explanation of any prejudice you may suffer if a hearing is not granted.

**SIGNATURE**

**Signature**

**Date**

**Print name**

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## 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 decision to the Guidance and Appeals Panel (Panel).

If the President refers the decision 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 that may be referred was made.

If the President refers the decision 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 form and any accompanying documents will be provided to the other parties to the earlier proceeding.

### 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](#).