



Response to Guidance and Appeals Panel (GAP) Referral Request (1st instance)

Use this form to respond to a request for review of an ongoing Tribunal matter to the ART's Guidance and Appeals Panel (GAP). You can read more information about the GAP on our website, www.art.gov.au. If you have any questions about completing this form, call us on 1800 228 333. When complete send this form to GAP@art.gov.au.

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 – Views on request for review by the GAP

Do you support the request for review to the Guidance and Appeals Panel?

- The responding party supports the request for referral to the GAP
- The responding party opposes the request for referral to the GAP

Section 2 – 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, 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*

Section 3 – Documents

Would you like to submit any 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 ongoing Tribunal review.*

Section 4 – Duration of hearing

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

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 the 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 that may 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 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](#).