

For office use only	
Case number	
Date	
Registry	
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Form Number 54 (version 2)
Queensland Civil and Administrative Tribunal Act 2009
Guardianship and Administration Act 2000

Application for interim order

Refer to the instructions at the back of this application prior to filling out this form.

Part A APPLICATION DETAILS
What interim order are you applying for?
<input type="checkbox"/> Administrator
<input type="checkbox"/> Guardianship
<input type="checkbox"/> Guardian for restrictive practices
<input type="checkbox"/> Other (please explain below)
<input type="text"/>
Has a previous application about the person concerned ('the Adult') been made to QCAT?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please provide the Tribunal's client number, if known:
<input type="text"/>

Part B

PERSON THIS APPLICATION IS ABOUT

(referred to as 'the Adult') (full contact details must be supplied)

Name

Title

Given name/s

Middle name

Surname/Family name

Gender

Male

Female

Date of birth

/

/

Day

Month

Year

Marital status

What is the Adult's cultural background?

Is the Adult of Aboriginal or Torres Strait Islander origin?

No

Yes, Torres Strait Islander

Yes, Aboriginal

Yes, both Aboriginal and Torres Strait Islander

What is the Adult's current address?

Name of service provider (if applicable)

Address

Suburb

State/Territory

Postcode

Contacts

Preferred phone number

Alternative number

Email

What type of accommodation is this? (hostel, own home, rental property)

What is the Adult's usual address? (if different)		
Name of service provider (if applicable)		
<input type="text"/>		
Address		
<input type="text"/>		
<input type="text"/>		
Suburb	State/Territory	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>
Contacts		
<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Preferred phone number</i>	<i>Alternative number</i>	<i>Email</i>
What type of accommodation is this? (hostel, own home, rental property)		
<input type="text"/>		

1. Have you informed the adult about this application?
<input type="checkbox"/> Yes — how did the Adult respond? (please describe briefly)
<input type="checkbox"/> No — why not? (please explain briefly)
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

NOTICE TO APPLICANTS
The Adult will be provided with a copy of this application and notified of a hearing for this proceeding pursuant to the *Guardianship and Administration Act 2000* and the *Queensland Civil and Administrative Tribunal Rules 2009*, unless the Tribunal determines otherwise.

Part C

WHY IS AN INTERIM ORDER NECESSARY?

Explain why you want the interim order including how there is an **immediate risk of harm** to the health, welfare or property of the Adult. The immediate risk of harm may include the risk of abuse, exploitation or neglect of, or self-neglect by, the Adult. If there is insufficient space here, please attach additional pages.

Part D

WHAT OTHER OPTIONS HAVE BEEN TRIED?

Explain any other options or strategies that have been tried and if relevant, why they did not work. If there is insufficient space here, please attach additional pages.

Part E

WHO HAS BEEN CONSULTED?

Provide details about any person who has been consulted about the application and whether they agree or disagree with the proposed interim order. If there is insufficient space here, please attach additional pages.

CHECKLIST

- I have completed all of the questions on this application form according to the instructions.
- I have attached all relevant documents (including the [Health Professional Report](#) and medical reports by other health professionals about the Adult's capacity for decision-making).
- I have attached all documents that demonstrate there is an immediate risk of harm to the Adult.
- I am ready to proceed with this application.

WARNING

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* makes it an offence for a person to knowingly give the registry documents containing false or misleading information.

Maximum penalty for such an offence – 100 penalty units.

SIGN AND DATE HERE

The information in this application is true to the best of my knowledge.

Applicant/s sign here

Date

Print name/s

LODGEMENT DETAILS

Deliver to:	Mail to:	Email to:
Queensland Civil and Administrative Tribunal Floor 11, 259 Queen Street Brisbane Qld 4000 or at any local Magistrates Court	Queensland Civil and Administrative Tribunal GPO Box 1639 Brisbane Qld 4001	enquiries@qcat.qld.gov.au

INSTRUCTIONS FOR COMPLETING FORM 54

Application for interim order

QCAT has jurisdiction to hear an application for an interim order under the *Guardianship and Administration Act 2000*.

An interim order is an order made in a proceeding before the final decision is made.

Interim orders may be made by the Tribunal only when the Tribunal is satisfied, on reasonable grounds, that:

- the Adult has, or may have, impaired capacity for particular decision-making; and
- there is an immediate risk of harm to the health, welfare or property of the Adult, including because of abuse, exploitation or neglect of, or self-neglect by, the Adult.

For the Tribunal to give consideration to an application for an interim order, you will need to provide the following:

- Form 54 — Application for interim order
- [Form 10 — Application for administration/guardianship appointment or review](#)
- [Health Professional Report](#) and /or other written report from a health professional about the Adult's capacity for decision-making.
- any documentation in support of the application.

Interim orders may be made for a maximum period of three (3) months and may be renewed only in exceptional circumstances. The Tribunal may appoint the person (including the Public Guardian and/or Public Trustee) it considers most appropriate in the circumstances of the case.

HOW TO COMPLETE THE FORM

PART A — Application details

You must indicate, by ticking the relevant box, which order you seek from the Tribunal and whether a previous application has been made to QCAT about the relevant person.

PART B — Person this application is about

You must complete all of the contact details for this person. The Tribunal will refer to the person as 'the Adult'. You must tell us whether the Adult has been consulted about this application.

Part C - Why is an interim order necessary?

Explain why you want the interim order including how there is an immediate risk of harm to the health, welfare or property of the Adult. The immediate risk of harm may include the risk of abuse, exploitation or neglect of, or self-neglect by, the Adult.

Part D - What other options have been tried?

Explain any other options or strategies that have been tried and why they did not address the immediate risk.

Part E – Who has been consulted?

Provide details about any person who has been consulted and whether they agree or disagree with the proposed interim order.

Part F - Who has not been consulted?

Provide details about any person involved in the Adult's life who has not been consulted and explain why they have not been consulted, whether you believe they would agree or disagree with the proposed interim order, and why you believe they would agree or disagree with the proposed interim order.

Part G - Applicant

The applicant is the person completing the application. You must provide your contact details and tell us your relationship to the Adult.

Confidentiality

The principles of natural justice and procedural fairness require that the active parties to a proceeding be given the opportunity to respond to, and make submissions about, any document or other information before the Tribunal that the Tribunal considers to be credible, relevant and significant to an issue in the proceeding. Active parties are entitled to inspect such documents and information before the Tribunal subject to the terms of any confidentiality order made by the Tribunal.

A confidentiality order may only be made if the Tribunal is satisfied that such an order is necessary to avoid serious harm or injustice to a person.

Each of the following persons is an active party:

- a) the Adult;
- b) if the Adult is not the applicant – the applicant;
- c) if the proceeding is for the appointment or the reappointment of a guardian, administrator or attorney for the Adult – the person proposed for appointment or reappointment;
- d) any current guardian, administrator or attorney for the Adult;
- e) the Public Guardian;
- f) the Public Trustee of Queensland;
- g) a person joined as a party to the proceeding by the Tribunal.

In proceedings about restrictive practices, the active parties might also include:

- the chief executive (disability services);
- in particular circumstances, the Chief Psychiatrist;
- in particular circumstances, the director of forensic disability
- a service provider providing disability services to the Adult.

Checklist

Go through the checklist to ensure you have complied with all of the requirements for the application you are making including the completion of all necessary parts of the application form and the provision of copies of all other relevant documents.

Can I withdraw the application?

You can apply to the Tribunal for leave to withdraw the application by making an application under [Form 58 – Application for leave to withdraw an application or referral / Notice of withdrawal of application or referral](#).

Information about applying to the Tribunal for leave to withdraw your application is available at qcat.qld.gov.au or by calling the QCAT registry on 1300 753 228.

NOTE: The Tribunal may not approve the withdrawal.

Protecting your privacy

We collect your contact details to ensure QCAT proceedings comply with the *Queensland Civil and Administrative Tribunal Act 2009*. We may contact you to help evaluate QCAT operations. You do not have to participate in feedback or surveys. If you do participate, no identifying information will be published. We will not disclose your contact details or any other personal information to a third party unless required by law.