

# Representation and appearance at QCAT: Differences between representation and appearance at QCAT

The Queensland Civil and Administrative Tribunal (QCAT) is an independent tribunal committed to actively resolving disputes in a way that is fair, just, accessible, quick and inexpensive.

The following table is a summary of the laws about who can represent and who can appear for a certain kind of party in the Tribunal.

<i>Party</i>	<i>Relevant provision</i>	<i>Permission needed for representation by Australian legal practitioner or government legal officer?</i>	<i>Permission needed for representation by someone else?</i>	<i>Permission needed for appearance by Australian legal practitioner or a government legal officer?</i>	<i>Permission needed for appearance by someone else?</i>
Child	Section 43(2) QCAT Act	No  But representative cannot be disqualified from being a representative to a party	No  But Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority	Not applicable to individuals	Not applicable to individuals
Person with impaired capacity	Section 43(2) QCAT Act	No  But representative cannot be disqualified from being a representative to a party	No  But Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority	Not applicable to individuals	Not applicable to individuals

*This fact sheet provides general information and should not be considered legal advice. If you are unsure about your legal rights you should seek legal advice. Any actions taken to resolve your dispute should be determined by your individual circumstances.*

<i>Party</i>	<i>Relevant provision</i>	<i>Permission needed for representation by Australian legal practitioner or government legal officer?</i>	<i>Permission needed for representation by someone else?</i>	<i>Permission needed for appearance by Australian legal practitioner or a government legal officer?</i>	<i>Permission needed for appearance by someone else?</i>
Party to a disciplinary proceeding, including a review of a disciplinary decision	Section 43(2) QCAT Act	No  But representative cannot be disqualified from being a representative to a party	No  But Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority	Not applicable for individuals  If party is an entity other than an individual, see below	Not applicable for individuals  If party is an entity other than an individual, see below
Party to a proceeding where an enabling Act or the Rules states that a party may be represented	Section 43(2) QCAT Act	No  But representative cannot be disqualified from being a representative to a party	No  But Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority	Not applicable for individuals  If party is an entity other than an individual, see below	Not applicable for individuals  If party is an entity other than an individual, see below
State agency	Rule 53 QCAT Rules	Yes	Yes  Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority from party	Yes  State agency must get permission if seeking to appear through an employee, officer or member who is authorised by the agency to act and who is also an Australian legal practitioner or a government legal officer	No  State agency may appear through an employee, officer or member of the agency who is authorised by the agency to act

<i>Party</i>	<i>Relevant provision</i>	<i>Permission needed for representation by Australian legal practitioner or government legal officer?</i>	<i>Permission needed for representation by someone else?</i>	<i>Permission needed for appearance by Australian legal practitioner or a government legal officer?</i>	<i>Permission needed for appearance by someone else?</i>
Corporation	Rule 54 QCAT Rules	Yes	Yes  Tribunal must be satisfied person is appropriate to represent the party  Corporation must give the tribunal a certificate of authority	It depends  Corporation must get permission if seeking to appear through an officer who is authorised by the corporation to act and who is also an Australian legal practitioner, unless all of the officers of the corporation are Australian legal practitioners, in which case permission is not required	No  Corporation may appear through an officer of the corporation who is authorised by the corporation to act  Corporation must give the tribunal a certificate of authority
Entity other than a State agency or corporation, such as an association, partnership or trust	Rule 55 QCAT Rules	Yes	Yes  Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority from party	It depends  Entity must get permission if seeking to appear through an officer who is also an Australian legal practitioner, unless all of the officers of the entity are Australian legal practitioners, in which case permission is not required	No  Entity may appear through an officer of the entity who is authorised by the entity to act  Entity must give the tribunal a certificate of authority if requested by the tribunal

<i>Party</i>	<i>Relevant provision</i>	<i>Permission needed for representation by Australian legal practitioner or government legal officer?</i>	<i>Permission needed for representation by someone else?</i>	<i>Permission needed for appearance by Australian legal practitioner or a government legal officer?</i>	<i>Permission needed for appearance by someone else?</i>
Joint applicants	Rule 56 QCAT Rules	Yes	Yes  Tribunal must be satisfied person is appropriate to represent the party  Tribunal may request a certificate of authority from party	It depends  Joint applicants need permission if seeking to appear through an applicant who is also an Australian legal practitioner, unless all of the joint applicants are Australian legal practitioners, in which case permission is not required	No  Joint applicants do not need permission to appear through one of the applicants  Joint applicants must give the tribunal a certificate of authority signed by all of the joint applicants if requested by the tribunal

## Contact information

### **Brisbane**

Address: Level 9, BOQ Centre, 259 Queen Street, Brisbane, 4000  
Post: GPO Box 1639, Brisbane Qld 4001  
Phone: 1300 753 228  
Email: [enquiries@qcat.qld.gov.au](mailto:enquiries@qcat.qld.gov.au)  
Website: [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)

### **Outside of Brisbane**

Your local Magistrates Court (excluding Brisbane Magistrates Court) can supply and accept all QCAT application forms. To find your nearest Magistrates Court, look under "Justice and Attorney-General" in the phone book or visit [www.courts.qld.gov.au](http://www.courts.qld.gov.au).

## Resources

Available from [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au):

- QCAT fact sheet – [Representation at QCAT](#)
- QCAT fact sheet – [Appearance of certain parties at QCAT](#)