

Using QCAT

The Queensland Civil and Administrative Tribunal (QCAT) commenced on 1 December 2009.

QCAT delivers justice in a way that is independent, efficient, expert, accessible, flexible and able to adapt to future demands.

Decisions QCAT makes

QCAT makes decisions for a number of matters including:

- guardianship and administration matters for adults
- residential tenancy disputes
- debt disputes for amounts up to and including \$25,000, for example money lent and not repaid
- consumer and trader disputes for amounts up to and including \$25,000 arising out of a contract for the supply of goods and services
- other minor civil disputes including property damage and dividing fence disputes valued up to and including \$25,000
- domestic and commercial building disputes
- matters affecting children and young people including reviewing child protection orders, adoption applications and blue-card applications
- anti-discrimination matters
- occupational regulation matters including disciplinary and licencing matters
- retail tenancy disputes.

It also reviews some decisions of government agencies and statutory authorities.

Accessing QCAT throughout Queensland

QCAT is located at Level 9, Bank of Queensland Centre, 259 Queen Street, Brisbane. This office is the main point of contact for information about its services.

Your local Magistrates Court (excluding Brisbane Magistrates Court) is also able to supply and accept QCAT application forms and assist with enquiries about minor civil disputes including residential tenancy disputes, debt disputes and consumer and trader disputes.

Fees

Fees apply for some types of applications to QCAT. A full list of QCAT fees and allowances is available on the QCAT fees and allowances fact sheet or on the QCAT website.

Applications started before 1 December 2009

If you started a matter in a tribunal that ceased to exist on 1 December 2009 it will automatically be transferred to QCAT. Details of the tribunals which have amalgamated into QCAT can be found on the QCAT website.

If your matter was started in court before 1 December 2009 and it is yet to be heard or is in the early stages of a hearing, the court may transfer the matter to QCAT.

However, the matter cannot be transferred to QCAT if the court has started to hear your matter and is about to make a final decision.

Representation

Generally all parties involved in a matter before QCAT must represent themselves.

In some cases, a party is automatically able to be represented for example if they are a child or a person involved in a disciplinary proceeding.

All other parties must apply to QCAT to be represented. Representation may not be permitted.

Legal advice

QCAT is unable to provide legal advice. Whether you are represented or not you can still seek legal advice about your rights from Legal Aid Queensland on 1300 65 11 88 or a private lawyer.

The Queensland Law Society may be able to refer you to a private lawyer and can be contacted on 07 3842 5842.



You may also be able to obtain legal advice from the following community legal organisations:

- Caxton Legal Centre - 07 3254 1811
- Queensland Aged and Disability Advocacy - 1800 818 338
- Queensland Public Clearing Law House - 07 3846 6317
- Seniors Legal and Support Services - 07 3257 1337.

The QCAT application process

Our application process is easy to follow and application forms can be conveniently downloaded from the QCAT website.

QCAT uses both mediation and compulsory conferencing, where appropriate, to help parties in dispute reach an agreement.

These alternative dispute resolution types often lead to the early resolution of matters. Where the matter cannot be resolved using mediation or compulsory conferencing all parties may have to attend a hearing to make a final decision about the matter.

At the hearing, witnesses and evidence can be provided and the matter will be decided by the tribunal.

The Department of Justice and Attorney-General's **Dispute Resolution Branch** may be able to assist you in resolving your dispute before you apply to QCAT.

Appealing a QCAT decision

In certain circumstances parties can appeal a QCAT decision if they are dissatisfied with the outcome.

Information about how to appeal a QCAT decision is available on the QCAT website.

Ordering a recording

All final hearings in QCAT are digitally recorded.

These are available for purchase by the parties involved in the proceedings.

Transcripts may also be ordered. A fee applies. To obtain a quote on a transcript or a recording contact the QCAT registry.

Enforcing a QCAT decision

When a party is unable to or does not comply with the QCAT decision, depending on the matter type, the QCAT decision can be enforced through the Supreme, District or Magistrates Courts. You can contact your local Magistrates Court for more information on enforcing a QCAT decision.

QCAT registry staff cannot give legal advice but can give general information about the enforcement process.

Contact information

QCAT

Address: Level 9, Bank of Queensland Centre,
259 Queen Street, Brisbane, 4000
Post: GPO Box 1639, Brisbane Qld 4001
Phone: 1300 753 228
Email: enquiries@qcat.qld.gov.au
Website: www.qcat.qld.gov.au

Contact details for **local Magistrates Courts** are available in the White Pages or at www.courts.qld.gov.au.

Dispute Resolution Branch

Phone: 07 3239 6269 or 1800 017 288 (toll free outside of Brisbane)
Website: www.justice.qld.gov.au