

2. Application for leave to withdraw an application or referral

An applicant **MUST** seek/obtain leave to withdraw an application or referral before it can be withdrawn under some legislation. For example, including but not limited to, the *Child Protection Act 1999*, *Disability Services Act 2006* section 178(9), *Guardianship and Administration Act 2000* or *Powers of Attorney Act 1998*.

I/We

seek leave to withdraw the: application **OR** referral which was lodged with the Tribunal

on the: / /
 Day Month Year

3. Reasons for application for leave to withdraw an application or referral

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WARNING

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld) 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 *(if more than one applicant is named, then all must sign)*

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

Applicant/s sign here

Date

Print your name/s here

Lodgement Details

Deliver to:

Queensland Civil and Administrative Tribunal
Floor 11, 259 Queen Street
Brisbane Qld 4000
OR
your local Magistrates Court.
To find your local courthouse visit:
courts.qld.gov.au/contacts/courthouses

Mail to:

Queensland Civil and Administrative Tribunal
GPO Box 1639
Brisbane Qld 4001
OR
your local Magistrates Court.
To find your local courthouse visit:
courts.qld.gov.au/contacts/courthouses

INSTRUCTIONS FOR COMPLETING FORM 58

Application for leave to withdraw an application or referral Notice of withdrawal of application or referral

An applicant can use this form to withdraw an application they have lodged with QCAT. This form can also be [completed online](#).

For most matters the Tribunal's leave is not required to withdraw an application or referral. However, some legislation requires an applicant to seek leave to withdraw an application or referral before it is withdrawn. For example:

- *Child Protection Act 1999*
- *Disability Services Act 2006* section 178(9)
- *Guardianship and Administration Act 2000*
- *Powers of Attorney Act 1998*.

Leave may also be required under other legislation, such as where there is a disciplinary referral.

IMPORTANT INFORMATION

- You may only withdraw an application or referral for a matter before the tribunal hears or decides a matter.
- If you withdraw your application or referral you generally cannot make a further application or referral, or request a further referral relating to the same facts or circumstances without the tribunal's leave.
- This form will only withdraw your application, it will not affect any counter-applications made against you in the proceeding.
- To give effect to this notice you must complete it and serve it on all other parties.

Lodging your application form

Before you lodge your application with QCAT you must make **two (2) photocopies** of the application and any supporting documents and lodge these together with your original application. An extra copy is required for each additional respondent.

For in person and postal applications, you must include a stamped self-addressed A4 envelope.

Giving copies to the respondent

You must give (serve) a copy of the application to the respondent/s as soon as possible.

No extra copies of the application form and attachments are required for cases related to:

- *Child Protection Act 1999*
- *Disability Services Act 2006*
- *Guardianship and Administration Act 2000*.

You also do not need to give a copy of the application to another party in those cases.

Visit the QCAT website for information on [serving application and documents](#).

Legal advice and representation

QCAT staff cannot provide legal advice. All parties involved in a matter before QCAT must usually represent themselves unless leave to be represented has been given.

Information about where to seek legal advice is available at [Where to seek legal advice](#).

Protecting your privacy

We collect your contact details to ensure QCAT proceedings comply with the *Queensland Civil and Administrative Tribunal Act 2009* (Qld). 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.

Contact us

For information about the application process or going to the Tribunal visit the [QCAT website](#).