

Representation and appearance at QCAT: Appearance of certain parties at QCAT

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

Appearance before the Tribunal is different from representation at the Tribunal. This factsheet does not apply if you want to be represented by a lawyer or someone else. For information about representation, please see [Representation at QCAT](#). For information about the differences between representation and appearance, please see the table in [Differences between appearance and representation at QCAT](#).

Appearance by entities

Entities like state agencies, corporations or other entities (like associations, partnerships and trusts), can't physically appear before the Tribunal, so they need a person to appear for them.

There are special rules about who can appear for these entities.

State agencies may appear in the Tribunal through an employee, officer or member of the agency. State agencies do not need permission from the Tribunal for these people to appear for them.

Corporations and other entities (like associations, partnerships and trusts) may appear in the Tribunal through an officer of the entity who is authorised by the corporation or entity to act for it in the proceeding. An officer of the corporation or entity includes an employee of the corporation or entity. Corporations and other entities do not need permission from the Tribunal for these people to appear for them.

However, if the employee, officer or member is also a lawyer, the entity will usually have to get the Tribunal's permission for them to appear, except in two circumstances.

The first circumstance is if all the officers of a corporation or another entity are lawyers. In that circumstance, the entity does not need the Tribunal's permission for that officer to appear for them.

The second circumstance is if an officer who is also a lawyer has already been given permission to represent the entity under s 43, then the entity does not need to also get the Tribunal's permission for that officer to appear for the entity.

Whoever appears is not representing or acting on behalf of the party – they are appearing as the party.

Appearance by joint applicants

There are special rules when an application or referral is made by more than one applicant.

If there is a joint application or referral being made by more than one party, one of those parties can be nominated to appear for all of the other applicants. The other applicants must authorise that party to act for them.

The Tribunal may ask the other applicants for a certificate of authority.

A sample certificate of authority is attached to the [Application for leave to be represented](#) form.

If the party who will appear for the other applicants is also a lawyer, they will first have to get the Tribunal's permission to appear on behalf of the other applicants.

Appearance by landlords and rooming accommodation providers

There are also special rules about how a landlord in a residential tenancy matter or a rooming accommodation provider may appear.

Lessor

A lessor can authorise an agent to stand in their place in the Tribunal for any application that relates to the residential tenancy.

However, if they are going to do this, the lessor must provide the agent's name and address to the tenant before a tenant starts occupying premises, or on the first day that they occupy premises.

If an agent is standing in place of a lessor, they are appearing as if they are the lessor. This means that:

- a tenant can make an application against the agent
- the Tribunal can make an order against the agent, and
- the agent may settle the matter
- all as if the agent were the lessor.

Rooming accommodation provider

A provider who provides rooming accommodation to residents can also authorise an agent to stand in their place in the Tribunal for any application relating to the provision of rooming accommodation.

However, if they are going to do this, the provider must provide the agent's name and address to the resident before a resident starts occupying premises, or on the first day that they occupy premises.

If an agent is standing in place of a provider, they are appearing as if they are the provider. This means that:

- a resident can make an application against the agent
- the Tribunal can make an order against the agent, and
- the agent may settle the matter

all as if the agent were the provider.

Contact information

Brisbane

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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 courts.qld.gov.au.

Resources

Available from qcat.qld.gov.au:

- QCAT fact sheet – [Representation at QCAT](#)
- QCAT fact sheet – [Differences between representation and appearance at QCAT](#)
- [Form 56 Application for leave to be represented \(.PDF\)](#)
- [Form 56 Application for leave to be represented \(online form\)](#)