

For office use only	
Case number	
Date filed	
Registry	

Application for interim order

Part A APPLICATION AND MATTER DETAILS

Applicant *(the party who made the original application)*

Respondent *(the party against whom the original application was made)*

QCAT case number

Location of Registry

(the QCAT registry or Magistrates Court where the original application was made)

Who are you applying as:

Applicant Respondent

CHECKLIST

I have completed all of the questions on this application.

I have provided the correct number of copies of the application form and attachments (*that is, a copy for each party, plus one for the Tribunal*).

I understand I must give a stamped copy of this application to each party before the Tribunal can make a decision.

I have attached all relevant documents.

I am ready to proceed with this application.

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 41

Application for interim order

An interim order is an order made in a proceeding before the final decision is made. It may protect a party's position while the proceeding is running, or provide for something to be done to make sure that any final decision of the tribunal can be effective.

Who can use this form?

If you want an interim order in relation to an adult under the *Guardianship and Administration Act 2000*, you should not use this form. You should complete and lodge a Form 54 Application for an interim order – *Guardianship and Administration Act 2000* and a Form 10 Application for administration / guardianship appointment or review.

If you are seeking to stay an administrative decision while it is being reviewed by the decision-maker, or reviewed by the tribunal, you should not use this form. You should complete and lodge a Form 44 Application to stay a decision.

If you are seeking an injunction, you should not use this form. You should write to the Tribunal setting out the names of the parties, the case number, details about the injunction you want, and the reasons why the Tribunal should grant the injunction.

If you use the wrong form, your application may not be accepted and may be returned to you with a request that you use the correct form.

Lodging your application form

Before you lodge your application with QCAT you must make **two (2)** photocopies of the application and all attached supporting documents and lodge these together with your original application. An extra copy is required for each additional respondent. If you file your documents in person or by post, you must include a stamped self-addressed A4 envelope.

Copies of the application and providing copies to other parties

You do not have to give the other party or parties a stamped copy of the application if your application is related to any of the following enabling Acts:

- *Adoption Act 2009*
- *Child Care Act 2002*
- *Child Protection Act 1999*
- *Commission for Children and Young People and Child Guardian Act 2009*
- *Education and Care Services National Law (Queensland)*

For these applications **ONLY**, QCAT will give the other party or parties a copy of the application.

For all other applications, you must give a stamped copy of the application to every other party as soon as possible and no later than **7 days** after you lodge the application.

You can give (serve) the application personally, by post or use the services of a Magistrates Court bailiff, commercial agent or process server. Visit the QCAT website for information on [serving application and documents](#).

You will need to establish that the application has been given to every other party by completing [Form 9 Affidavit of Service](#), or by filing some other evidence or document that shows that every other party has received a stamped copy of the application.

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](#).