



# Application for Internal Review

This form is for use by Birth Parents and Cultural Parents (and Adult Child, if applicable) who wish to apply to the Minister for a review of the Commissioner's decision not to make a Cultural Recognition Order.

The application for internal review must be made:

- a) in the approved form, and
- b) jointly by the parties, and
- c) within 20 business days after the statement of reasons for the decision was given to the parties.

The Minister may, at any time, extend the period within which the application for internal review may be made.

Within 20 business days after the Minister receives an application for internal review, the Minister must appoint a person (the review officer), other than the Commissioner, to review the Commissioner's decision.

The review officer must consider the application, review the Commissioner's decision and make a decision to:

- a) confirm the Commissioner's decision, or
- b) revoke the Commissioner's decision and make a Cultural Recognition Order.

If the review officer revokes the Commissioner's decision and makes a Cultural Recognition Order, then the reviewed decision is taken to be a decision of the Commissioner and the Commissioner must give effect to that reviewed decision.

The review officer must give a statement of reasons for the reviewed decision to the parties to an application for internal review, and the Commissioner.

## Other documents to include in your application

Documents to include:

- The Commissioner's decision and statement of reasons to not make a Cultural Recognition Order
- Any other information that will assist the review officer in making a decision to grant a Cultural Recognition Order.

## Submitting this application

This application should be submitted to the Minister for Aboriginal and Torres Strait Islander Partnerships either via email: [sdsatsip@ministerial.qld.gov.au](mailto:sdsatsip@ministerial.qld.gov.au) or post: PO Box 15397, City East, Queensland, 4002.

## Withdrawing this application

An application for internal review may be withdrawn at any stage before the reviewed decision is made by giving written notice to the Commissioner. Upon receipt of the written notice of withdrawal by the Commissioner, the application ends.

## Legal advice

If you haven't already, we recommend you obtain independent legal advice about this application as soon as possible.

- Legal Aid Queensland provides free legal advice via telephone on 1300 651 188
- Aboriginal and Torres Strait Islander Legal Service (ATSILS), provides free legal advice via telephone on 1800 012 255
- Queensland Indigenous Family Violence Legal Services (QIFVLS) provides free legal advice via telephone on 1800 887 700 (free call)

## 1. Adult Child (if applicable)

First Name

Last Name

Address

Phone

Email

## 2. Birth Parent 1

First Name

Last Name

Address

Phone

Email

## 3. Birth Parent 2

First Name

Last Name

Address

Phone

Email

## 4. Cultural Parent 1

First Name

Last Name

Address

Phone

Email

## 5. Cultural Parent 2

First Name

Last Name

Address

Phone

Email

## Part B | Decision Details

Application number

Date of decision

Decision maker

Commissioner / Appointed Person

The application for internal review must be made within 20 business days after the statement of reasons for the decision not to make the Cultural Recognition Order was given to you.

Are you applying within the 20 business days of receiving your statement of reasons?

I am a Cultural Parent in relation to the above-named child.

I am an Adult Applicant for a Cultural Recognition Order.

If your application is not made within 20 business days of receiving your statement of reasons, the Minister can extend the period within which an application for internal review may be made.

**Is there information that you would like to provide to the Minister to seek an extension to the period within which your application can be made?**

You may attach additional pages if there is not enough space below.

## Part C | Objection grounds

You may include in this section why you want the Commissioner's decision not to make a Cultural Recognition Order reviewed?

Attach additional pages if there is not enough space.

## Part D | Outcome sought

The review officer must consider the application, review the Commissioner's decision and make a decision to:

- a) confirm the Commissioner's decision, or
- b) revoke the Commissioner's decision and make a Cultural Recognition Order.

If the review officer makes a Cultural Recognition Order, the Commissioner must give effect to the decision as if the decision was the Commissioner's decision, and no application for internal review had been made.

You may include in this section what decision you are seeking through the application for internal review?

# List of additional supporting documents

Please list any documents and information you are providing to support your application for internal review.

Attach these documents and other information (where possible) to this application.

## Applicant details

This completed form is for an application for internal review pursuant to section 60 of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Child Rearing Practice) Act 2020*.

We/I lodge the information provided and the attached supporting evidence in support of this application.

**Name/s**

**Position Title**

(if you are lodging this form on behalf of the applicant)

**Signature/s**

**Date**