

ATTACHMENT A (Must be included with Form 1)

The following is a list of decisions that can be reviewed by the Children Services Tribunal. Please contact the Tribunal on (07) 3225 8346 to discuss any questions.

Reviewable decisions: <i>Child Protection Act 1999</i> (right of review is conferred by s 247)		
<input type="checkbox"/> Directing a parent in relation to a supervision matter stated in a child protection order (s78 CPA) (<i>Aggrieved party must be parent given the direction</i>)	<input type="checkbox"/> Removing child from carer’s care (s89 CPA) (<i>Aggrieved party must be carer as defined in s 91 or the child given notice under s.90(4)</i>)	<input type="checkbox"/> Refusing an application for an amendment of authority other than a provisional certificate (s137 CPA) (<i>Aggrieved person must be authority holder</i>)
<input type="checkbox"/> Deciding in whose care to place a child under a child protection order granting the chief executive custody or guardianship (s86(2) CPA) (<i>Aggrieved party must be child’s parent or the child</i>)	<input type="checkbox"/> Refusing application for, or renewal of, licence unless refused because person mention in s126(b)(i) or (ii) does not have current positive prescribed notice “blue card” (s129 CPA) (<i>Aggrieved party must be applicant or existing licensee</i>)	<input type="checkbox"/> Amending an authority other than a provisional certificate (s138 CPA) (<i>Aggrieved person must be authority holder</i>)
<input type="checkbox"/> Not informing a child’s parents of person in whose care the child is and where the child is living (s86(4) CPA) (<i>Aggrieved party must be parent given the notice or the child</i>)	<input type="checkbox"/> Refusing application for, or renewal of, a certificate of approval as an approved foster carer or an approved kinship carer unless refused because a person mentioned in s 135(1)(a)(iii) or (b)(iv) does not have a current positive prescribed notice “blue card” (s136 CPA) (<i>Aggrieved party must be applicant or existing certificate holder</i>)	<input type="checkbox"/> Suspending or cancelling an authority other than a provisional certificate (s140 CPA) (<i>Aggrieved person must be authority holder</i>)
<input type="checkbox"/> Refusing to allow, restricting, or imposing conditions on, contact between a child and the child’s parents or a member of the child’s family (s87(2) CPA) (<i>Aggrieved party must be person affected by the decision</i>)	<input type="checkbox"/> Cancelling an authority (s 140AG(3) or (4) or 140AH) (<i>Aggrieved party must be authority holder</i>)	<input type="checkbox"/> Arranging for an interstate welfare authority to assume custody of guardianship of a child (s245 CPA) (<i>Aggrieved party must be a person issued a notice under s245(6)</i>)
Reviewable decisions: <i>Commission for Children and Young People and Child Guardian Act 2000</i> (right of review is conferred by ss121 and 140B)		Reviewable decisions: <i>Adoption of Children Act 1964</i> (right of review is conferred by s 14D)
<input type="checkbox"/> The issue of a negative notice (s 102(4) or (7))	<input type="checkbox"/> The cancellation of a positive notice and substitution of a negative notice (119B(2))	<input type="checkbox"/> A decision to remove a person’s name from an adoption list, expression of interest register or assessment register on the basis of eligibility or non compliance with a regulation (ss 13AA, 13AC; 13E) (<i>Applicant is a person/s whose name is removed</i>)
<input type="checkbox"/> The cancellation of a positive notice which was suspended (119D(3))	For these applications: <ul style="list-style-type: none"> ▪ The applicant is the person issued with the negative notice or the cancellation of the positive notice. ▪ The decision under review is the decision by the Commissioner as to whether or not there is an exceptional case under one of sections mentioned above. ▪ s121 (2) prohibits the Tribunal from issuing a stay. <input type="checkbox"/> The suspension of a positive notice under s. 119C(1) because the person had been charged with an excluding offence (s 121) (<i>The applicant must be claiming he or she has not been charged with the relevant excluding offence</i>)	<input type="checkbox"/> An unfavourable assessment of a person whose name is in adoption list or expression of interest register (ss 13AE 13AF & 13B) (<i>Applicant is a person unfavourably assessed</i>)
<input type="checkbox"/> Application made by the Commissioner for review of a reviewable decision specified in s140A (<i>Applicant is the Commissioner</i>)	<input type="checkbox"/> An unfavourable assessment based on criminal history alone (s 14B) (<i>Applicant is a person/s unfavourably assessed</i>)	<input type="checkbox"/> An assessment of a prospective adopter whose name is in an assessment register or in whose favour and interim order is made (s14) (<i>Applicant is a person unfavourably assessed</i>)
Reviewable decisions: <i>Child Care Act 2002</i> (right of review is conferred by s 163)		
<input type="checkbox"/> Refusing to issue the licence or to issue the licence on a condition (s 19) (<i>Applicant is an applicant for a licence</i>)	<input type="checkbox"/> Refusing to lift the suspension of the licence (s 50) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Refusing to extend the transitional licence period or to extend the transitional licence period other than for the further period the personal representative has applied for (s 54) (<i>Applicant is a personal representative of the estate of a licensee who has died</i>)
<input type="checkbox"/> Refusing to renew the licence (s 21) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Refusing to amend the licence in a way the licensee has applied for (s 40) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Giving a prohibition notice to a person (s 107) (<i>Applicant is a person given notice</i>)
<input type="checkbox"/> Refusing to amend the licence in a way the licensee has applied for or agreed to (s 42) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Amending the licence other than in a way the licensee has applied for or agreed to (s 43) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Refusing to cancel a prohibition notice in force for the person (s 108) (<i>Applicant is a person given notice</i>)
<input type="checkbox"/> Amending the licence other than in a way the licensee has applied for or agreed to (s 43) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Suspending or revoking the licence (after issue of a show cause notice) (s 45) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Refusing application for an approval of qualification mentioned in s 109 or s 110 of the Child Care Regulation 2003 (s111) (<i>Applicant is a person whose application is refused</i>)
<input type="checkbox"/> Refusing to amend the licence in a way the licensee has applied for (s 51) (<i>Applicant is a licensee</i>)	<input type="checkbox"/> Suspending a licence immediately (s 46) (<i>Applicant is a licensee</i>)	

