

Sample 2: Response to minor civil dispute – minor debt

QCAT

Queensland Civil and Administrative Tribunal

Instructions for completing

Response to minor civil dispute – minor debt

You cannot respond to a minor civil dispute that is not a minor debt. While you can respond to an Application for a minor civil dispute that is a minor debt, you cannot make a counter-application to that application. For more information, visit www.qcat.qld.gov.au or call 1300 753 228.

What is a response?

A response is a document which sets out each fact on which you rely to refute the application. It is not the proof of those facts – you will do that later in your affidavits or statements.

The response should relate to the application, for example, if an applicant alleges 'the contract is a written document dated 1 July 2009' and the respondent disagrees, the response would say 'the respondent denies that the contract was a written document dated 1 July 2009 because the copy of the contract is dated 1 July 2008.'

General instructions

Copies of the response and providing copies to other parties

When lodging your original application and any attachments, you must also provide two copies of all of the documentation being lodged and a stamped, self-addressed envelope. If there is more than one respondent, an extra copy of the application form and attachments must also be included for each additional respondent.

You must give a copy of this response to the applicant and any additional respondent/s.

Response may be lodged

The response must be lodged in the registry where the application was lodged within 28 days after you were given a copy of the application. You may apply to the tribunal for an extension of time if required.

PART A APPLICANT'S AND RESPONDENT'S DETAILS

- You should complete this part using the applicant's and respondent's details from the original application. If you wish to change your address details, complete Part B.
- Any change in your address for notices must be filed in the tribunal and given to all other parties.

If you want your representative's address as the address for notices, please complete your representative's details.

If you want your representative to represent you in any proceedings before the tribunal you must complete the form *Application for leave to be represented*. Generally the tribunal expects people to represent themselves. It may not grant your request.

For more information on QCAT: Call 1300 753 228 or visit www.qcat.qld.gov.au

Sample 2: Response to minor civil dispute – minor debt cont'd

Instructions for completing *(continued)*

PART A APPLICANT'S AND RESPONDENT'S DETAILS *(continued)*

Representative's details *(continued)*

You are not required to seek leave if:

- you are a child or a person with impaired capacity
- your case is a disciplinary case
- an Act or the Rules state that you may be legally represented.

PART D DETAILS OF RESPONSE

- Provide the reasons you are disputing the allegations made by the applicant.
- Use numbered paragraphs which are cross-referenced to the paragraphs in the applicant's application.
- Include a clear outline of the history and nature of the dispute.

PART E DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

- As an example, you may ask the tribunal to dismiss the application. You will need to set out the reason why you think this should happen.
- If you are making a response, refer to each order that the applicant seeks, and by reference to the numbered paragraphs for that order.

Privacy consent and disclosure statement

The Queensland Civil and Administrative Tribunal (QCAT) collects personal information from applicants in proceedings (You), for the purposes of compliance with the provisions of the *Queensland Civil and Administrative Tribunal Act 2009*.

Research purposes

QCAT wishes to use your personal information for research purposes to improve its services. An example of research is an online survey or focus group. QCAT may also share information about You with research companies for the purposes of conducting research. Any research company engaged by QCAT will undertake to keep your personal information confidential subject to the *Information Privacy Act 2009*.

By signing this Statement, you consent to communicate with QCAT by email or other suitable manner for research purposes; you consent to the sharing of your personal information with third parties as indicated and you waive your right to take further action against QCAT for any breach of your privacy.

Your consent commences from the date that you sign this Statement and return it to QCAT and continues for research purposes after your matter with QCAT has finalised and until you either withdraw your consent or upon the expiration of a period of 12 months.

Signature of applicant

By signing below, I acknowledge that I have read this Privacy Consent and Disclosure Statement and that I consent to the use and disclosure of my personal information as described in this Statement.

Mary Johansen

Applicant's sign here

4/01/2017

Date

Contact details

For further information call 1300 753 228 or write to the QCAT registry, GPO Box 1639, Brisbane 4001.

For more information on QCAT: Call 1300 753 228 or visit www.qcat.qld.gov.au

Sample 2: Response to minor civil dispute – minor debt cont'd

QCAT

Queensland Civil and Administrative Tribunal

Form Number 7 (version 2)
Queensland Civil and Administrative Tribunal Rules 2009 (rule 45)

Response to minor civil dispute – minor debt

Refer to attached instructions at the front of this application prior to filling out this form.

This response must be lodged at the registry where Form 3 – Application for a minor civil dispute – minor debt was lodged.

For office use only

Case number:	
Date:	
Registry:	
Sent to:	

PART A APPLICANT'S AND RESPONDENT'S DETAILS

Case number (if known):

Applicant

John Edward Gee

Respondent

Mary Johanssen

PART B ADDRESS FOR NOTICES

If you wish to change your address for notices, please complete the following:

Respondent's name (full contact details must be supplied)

Ms.	Mary	Johanssen
<small>Title</small>	<small>Given name/s</small>	<small>Surname/Family name</small>

OR

Company/Partnership/other

<input type="text"/>	ABN	<input type="text"/>
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Business
Name

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For more information on QCAT: Call 1300 753 228 or visit www.qcat.qld.gov.au

Sample 2: Response to minor civil dispute – minor debt cont'd

PART B RESPONDENT'S ADDRESS FOR NOTICES <i>(continued)</i>	
<i>If you wish to change your address for notices, please complete the following:</i>	
Address	20 Turra Street Toowong Postcode 4066
Telephone	(07) 3238 3392 () () <i>Home Business Mobile</i>
Fax	()
Email	
Representative's details <i>(if applicable)</i>	
<input type="checkbox"/> Tick if you want this to be your address for notices	
<input type="checkbox"/> Tick if you want your representative to represent you in proceedings before the tribunal (see Part A of the instructions – you may be required to seek the tribunal's leave for this to happen by making an application under the form Application for leave to be represented). The tribunal may not give you leave to be represented.	
Name	<input type="text"/> <input type="text"/> <input type="text"/> <i>Title Given name/s Surname/Family name</i>
OR	
Company/Partnership/other	
<input type="text"/>	ABN <input type="text"/>
Business Name	<input type="text"/>
Address	<input type="text"/> Postcode <input type="text"/>
Telephone	() () <i>Business Mobile</i>
Fax	()
Email	<input type="text"/>

Sample 2: Response to minor civil dispute – minor debt cont'd

PART F CHECKLIST AND SIGNATURE

- I have completed all questions on the response according to the instructions
- I have provided the correct number of copies of the response and attachments (for the number of copies required – see the instructions)
- I am ready to proceed with this response.

Interpreter

Is an interpreter required? *The assistance of an interpreter is subject to approval by the tribunal.*

Yes No

If YES, please specify language

Warning

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* makes it an offence for a person to knowingly give the registry documents containing false or misleading information.
Maximum penalty for such an offence – \$10,000.

SIGN AND DATE HERE

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

Mary Johansson

Respondent/s sign here

04/01/2017

Date

If more than one respondent is named all must sign the response.