

WHAT IF I DON'T AGREE WITH THE BOARD'S DECISION?

fact sheet nine

If you are unhappy with a decision or an order made by the Guardianship and Administration Board (the Board) you may wish to consider the following options:

Request a statement of reasons

The *Guardianship and Administration Act 1995* enables any person who is aggrieved by a decision of the Board to request a statement of reasons. This request must be in writing. The statement will explain the reasons why the Board came to its decision.

The statement will contain:

- a list of the evidence and information that the Board used to make its decision
- discussion about what occurred at the hearing
- interpretation of how the legislation relates to the facts and the evidence of the case
- explanations about why orders were made or not made

You need to make your request for a statement of reasons within 21 days of the date of the Board's order. The statement will then be given to you within 21 days.

If you would like a statement of reasons please contact the Registrar of the Guardianship and Administration Board

By phone: 03 6233 3085

In writing: Registrar, Guardianship and Administration Board
Level 1
54 Victoria Street
Hobart Tasmania 7000

By email: Guardianship@justice.tas.gov.au

Make an application to review the order

The Board may review an order that it makes. At any time during the order any person, including the person who is the subject of the order, may apply to the Board for a review. The Board can also initiate a review of any order at any time if it is in the best interests of the represented person. After conducting a hearing the Board may continue the order, vary the order or revoke the order.

For further information please contact the

Registrar of the Guardianship and Administration Board

By phone: 03 6233 3085

In writing: Registrar, Guardianship and Administration Board
Level 1
54 Victoria Street
Hobart Tasmania 7000

By email: Guardianship@justice.tas.gov.au

Make a complaint to the Registrar

If you have specific issues, concerns or complaints you can contact the Registrar of the Board. The Registrar has no authority to change or interfere with a decision of the Board. However, if your complaint raises an issue about the procedures of the Board the Registrar can investigate those complaints.

If you would like to make a complaint please contact the Registrar of the Guardianship and Administration Board

By phone: 03 6233 3085

In writing: Registrar, Guardianship and Administration Board
Level 1
54 Victoria Street
Hobart Tasmania 7000

By email: Guardianship@justice.tas.gov.au

Make a complaint to the Ombudsman

If you are unable to resolve your complaint to your satisfaction with the Registrar of the Board you may wish to make a complaint to the Ombudsman.

For further information please contact the Tasmanian Ombudsman's office

By phone: 1300 766 725

In writing: The Ombudsman
Ground Floor
99 Bathurst Street
Hobart Tasmania 7000

By email: Ombudsman@justice.tas.gov.au

Appeal to the Supreme Court

An appeal is a legal proceeding where the Supreme Court reviews the decision of the Board. The Supreme Court is entirely independent and separate from the Board.

You may appeal to the Supreme Court so long as you commence the appeal either: within 28 days from the date of the order or within 28 days from receiving the statement of reasons, whichever is the latter.

An appeal must show an error of law, or you must have permission from the Supreme Court to appeal a factual error by the Board. For this reason it is recommended that you seek legal advice before proceeding to an appeal. If you are successful on appeal, the Supreme Court may refer the application back to the Board for a fresh hearing or it may make its own decision.

For further information please contact the Registrar of the Supreme Court of Tasmania

By Phone: 03 6233 6385

In writing: Registrar Supreme Court of Tasmania
Salamanca Place
Hobart Tasmania 7000

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