

VICTORIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL



Fee Waiver at the Victorian Civil and Administrative Tribunal

VCAT is able to waive any application fee, hearing fee or administrative fee payable to it if payment of the fee would cause the individual responsible for its payment financial hardship¹. This information is about applications to all lists at VCAT except the Guardianship List. **Please note that businesses and associations are not eligible for fee waiver.**

As a general guide² fees may be waived due to financial hardship if the applicant:

1. is a person who has no partner or children, is not in the workforce, his or her after tax income of is below \$328 per week and he or she does not have cash assets of \$3,000 or more; or
2. is a person who has a partner, neither are in the workforce, has two children, his or her after tax income is \$684 per week, and he or she does not have cash assets of \$5,000 or more.

If the person's income is above these levels, the fee will be payable unless there are exceptional circumstances.

A person who wishes to have a fee waived will assist VCAT to make its decision if he or she uses the VCAT fee waiver form to provide:

- a statutory declaration stating:
 - his or her current income (after tax) and expenses per week; and
 - bank balance; and
 - whether the person has a partner and/or dependants (not including a partner) and whether the person or partner is in the workforce; and
 - what effect the payment of the fee will have on the person's financial situation (i.e. will the payment result in the applicant suffering financial hardship); and
- provides a copy of any current Commonwealth Government Benefit Card he or she may hold.

If there is more than one applicant, each applicant should provide an Application for Fee Waiver form.

Once the above information is provided, the Principal Registrar of VCAT will decide whether to waive the fee and advise the applicant of the decision.

June 2009³

¹ See section 132 of the *Victorian Civil and Administrative Tribunal Act 1998*.

² VCAT Decision titled "KLC" dated 8 October 2001 which may be viewed at www.austlii.edu.au/au/cases/vic/VCAT/2001/1922.html.

³ Poverty Lines June Quarter 2009

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BETWEEN

Applicant

and

Respondent

**REQUEST FOR FEE TO BE WAIVED AND
SUPPORTING STATUTORY DECLARATION**

I _____
of _____

in the State of Victoria apply to the Principal Registrar of the Victorian Civil and Administrative Tribunal to waive an application fee / administrative fee / hearing fee (delete as needed) because payment of the fee would cause me financial hardship.

I do solemnly and sincerely declare that:

1. My current weekly income after tax is \$_____;
2. My current weekly expenses are \$_____;
3. My current bank balance is \$_____;
4. I am single / have a partner (delete as needed);
5. Are you or your partner in the workforce? (please tick one box)
 I am in the workforce My partner is in the workforce I/We are not in the workforce
6. No. of dependants (please tick) 0 1 2 3 4 4+
7. The payment of the fee would cause me financial hardship; and
8. I am / am not (delete as needed) the holder of a current Commonwealth Government Benefit Card which expires on ___/___/200__ and attach a copy of it if applicable.

I make this solemn declaration, believing the same to be true and correct, and acknowledge that by virtue of the provisions of an Act of the Parliament of Victoria a person making a false declaration is liable for the penalties of perjury.

Declared at _____ on the
_____ day of _____ 200__ .

Before me (signature):

(name, qualification & address of witness)

Persons qualified to witness Statutory Declarations in Victoria include:

- *The holder of an office in the public service of Victoria that is prescribed as an office of which the holder may witness statutory declarations*
- *A member of the police force*
- *A barrister and solicitor*
- *A Justice of the Peace or a Bail Justice*
- *A pharmacist*