

APPLICATION FOR ORDER IN THE HUMAN RIGHTS LIST

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form:

- call 1300 018 228 Monday Friday 9am 4.30pm
- email humanrights@vcat.vic.gov.au

PRIVACY INFORMATION

VCAT's privacy statement is available at www.vcat.vic.gov.au/privacy.

WHAT ARE YOU APPLYING FOR?

. W	nat are you applying for?
	An order under the Equal Opportunity Act 2010 or the Racial and Religious Tolerance Act 2001
	A section 89 exemption from the provisions of the Equal Opportunity Act 2010
	An application to have a VCAT proceeding struck out or dismissed under the VCAT Act 1998
	An application for an interim order or injunction
	Registration of a conciliation agreement
	An order under the <i>Gender Equality Act 2020</i> directing a public sector agency, university or council to comply with a compliance notice
	An order under the Gender Equality Act 2020 to enforce an undertaking
	Registration of agreement reached under section 32 of the Change or Suppression (Conversion) Practices Prohibition Act 2021
	An order under the Change or Suppression (Conversion) Practices Prohibition Act 2021 requiring a person to comply with an enforcement undertaking or compliance notice

WHAT IS YOUR APPLICATION ABOUT?

Complete this section if you are applying under the Equal Opportunity Act 2010 or the Racial and Religious Tolerance Act 2001. Otherwise, skip to Question 7 in the section 'Reasons for application' on page 3.

2. What is your application about?				
☐ Discrimination				
Which of the following attributes (personal characteristics) do you believe apply to your discrimination application?				
☐ Age	Race			
☐ Physical features	☐ Industrial activity			
☐ Breastfeeding	☐ Sex			
☐ Political belief or activity	☐ Lawful sexual activity			
☐ Profession, trade or occupation	☐ Sexual orientation			
☐ Employment activity	☐ Sex characteristics			
☐ Pregnancy	☐ Marital status			
☐ Gender identity	☐ Parental or carer status			
☐ Religious belief or activity	☐ Expunged homosexual conviction			
☐ Disability	☐ Spent convictions			
 Personal association with someo personal characteristics 	ne who has or is assumed to have one of these			
In which area did the discrimination	n occur?			
☐ Employment	☐ Accommodation			
☐ Employment-related area	☐ Clubs and club members			
☐ Education	☐ Provision of goods and services			
☐ Sport	☐ Local government			
☐ Sexual harassment				
Where did the sexual harassment of	occur?			
Harassment by employers and employees	☐ Harassment in the provision of goods and services			
☐ Harassment in common workplaces	☐ Harassment in the provision of accommodation			
Harassment in industrial organisations	☐ Harassment by members of qualifying bodies			
☐ Harassment as a volunteer	☐ Harassment in educational institutions			
☐ Harassment by partners	☐ Harassment in local government			
☐ Harassment in clubs				
☐ Failure to make reasonable adjustment	s for a person with a disability			
	e reasonable adjust ments for a person with a			
☐ Employment ☐ Education	on Provision of goods and services			
☐ Failure to make reasonable adjustment	s for a parent or carer			
In which area did the failure to mak Employment Education	e reasonable adjustments for a parent or carer? Department of provision of goods and services			
☐ Victimisation				
☐ Prohibition on requesting discriminator	y information			

	☐ Racial vilification					
	☐ Religious vilification					
	☐ Other, provide details below:					
3.	B. Provide a summary of the incident(s) Detail what happened to make you think you have been discriminated against, sexually his vilified or subjected to other prohibited conduct. Include dates and times of incidents (if known was responsible for each incident, their relationship to you, and how the conduct affects are summary of the incident of t	nown),				
	If you need more space, include an attachment with your application.					
4.	1. Did the most recent incident/s you are applying about happen more than 12 month	s ago?				
	☐ Yes ☐ No	J				
5.	☐ Yes ☐ No 5. Are the incidents still happening? ☐ Yes ☐ No	J				
	5. Are the incidents still happening?	nisation				
6.	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				
6. R	5. Are the incidents still happening? Yes No 6. Have you made a complaint, brought a dispute or have you spoken to another organ about this matter? For example, Victorian Equal Opportunity and Human Rights Commission, Australian Human Rights Commission, Fair Work Commission. Yes No REASONS FOR APPLICATION	nisation				

SECTION 89 EXEMPTION FROM THE EQUAL OPPORTUNITY ACT 2010

8. If you are applying for a section 89 exemption from the provisions of the <i>Equal Opportunity Act 2010</i> , state the name of your organisation or company.							
Organisation/cor	mpany name						
APPLICANT DE	ETAILS						
9. Your details							
Contact name							
Email							
Phone number							
Street address							
Suburb				State		Postcode	
10. Are you applyi	•						
☐ Yes	☐ No – s	kip to Question	15				
11. What is your relationship with the person you are making this application on behalf of? If there is more than one applicant, attach an additional page with their details.							
 12. Are you making a representative application? A representative application is made on behalf of a group of people. Consider getting legal advice before making a representative application. No Yes 							
DETAILS OF T	HE PERSO	N YOU ARE	APP	LYING	ON BEH	ALF OF	
13. Details of the p	erson you are	making this a	pplica	tion on I	behalf of		
Given names							
Family name							
Street address							
Suburb				State	Pos	stcode	
Phone number							
Email							
14. Does the person you are applying on behalf of identify as someone of Aboriginal and/or Torres Strait Islander descent?							
□ No	☐ Yes						

15. Has the person made a previous application to VCAT? ☐ No				
☐ Yes, provide the VCAT reference number (if known)				
16. Who should we send VCAT correspondences to?				
 □ To my address as provided in Question 9 □ To the address of the person I am applying on behalf of, as provided in Question 13 □ Use address below 				
Street address				
Suburb State Postcode				
ESPONDENT DETAILS				
Complete this section unless you are applying for a section 89 exemption from the provisions of the <i>Equal Opportunity Act</i> 2010. If you are applying for an exemption of the <i>Equal Opportunity Act</i> 2010 skip to the 'Hearing Arrangements' section on page 6.				
If there is more than one respondent, attach an additional page with their details				
17. The respondent is a: An individual				
If the respondent is an individual:				
Given names				
Family name				
Relationship to the applicant				
If the respondent is an organisation or company:				
Organisation or company name				
ABN or ACN				
18. Respondent's address and contact details				
Street address				
Suburb State Postcode				
Phone number				
Email				

HEARING ARRANGEMENTS

We offer a range of support services for people with disability, language difficulties and to help with accessibility. Let us know of your needs so we can make arrangements for the hearing.

19.	9. Does anyone mentioned in this application need special assistance at the hearing?				
	Help accessing the venue (e.g. wheelchair access)				
	☐ Interpreter required				
	Language:				
	Assisted communication (e.g. assistive listening device or hearing loop)				
	☐ Attend the hearing by phone or video link				
	☐ Other				
	Provide more detail about who needs the forms of assistance you have indicated and why.				
SU	PPORTING DOCUMENTS				
Ensı	ure you attach the following to your application:				
	Any material that supports your application				
	If you are applying for a section 89 exemption from the provisions of the <i>Equal Opportunity Act</i> 2010, complete and attach an affidavit from www.vcat.vic.gov.au/affidavit				
	If you are applying for a registration of a conciliation agreement, attach a copy of the conciliation agreement				

ACKNOWLEDGEMENT			
By completing this application, I understand and acknowledge that:			
☐ To the best of my knowledge, all information provided in this application is true and correct.			
☐ It is an offence under section 136 of the <i>Victorian Civil and Administrative Tribunal Act 1998</i> to knowingly give false or misleading information to VCAT.			
☐ I will provide a copy of my application to the respondent/s (unless I am making a sexual harassment claim).			
Date of acknowledgement (DD/MM/YYYY):			

ABOUT VCAT FEES

VCKNOWI EDGEMENT

To apply for a section 89 exemption from the provisions of the *Equal Opportunity Act 2010*, you must pay an application fee if you are one of the following:

- a business or company with a turnover of more than \$200,000 in the previous financial year
- a corporate entity
- a government agency.

To find out how much an application fee is for a section 89 exemption from the provisions of the *Equal Opportunity Act 2010*, go to www.vcat.vic.gov.au/fees.

You do not have to pay an application fee for any other type of application on this form.

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee in certain circumstances.

Some people are automatically entitled to a full fee waiver. You can also apply for fee relief if paying the fee would cause you financial hardship.

For more information about fee relief, go to www.vcat.vic.gov.au/feerelief.

Are you applying for fee relief?	
☐ No, go to Fee payment section	
☐ Yes, complete Fee relief form a	nd attach it to this application form

HOW TO PAY

By phone

Call 1300 018 228 to pay with MasterCard or Visa (9am-4.30pm)

In person

Visit 55 King Street, Melbourne VIC 3000 and pay with MasterCard or Visa, EFTPOS, cash or money order.

SUBMITTING THIS APPLICATION

Send your completed form to us by email, post or give it to us in person.

By email

Email humanrights@vcat.vic.gov.au

In person

Go to:

Victorian Civil and Administrative Tribunal 55 King Street, Melbourne VIC 3000

By post

Send to:

The Registrar VCAT Human Rights List GPO Box 5408 Melbourne VIC 3001