



APPLICATION FOR INTERNAL REVIEW FORM

PART 1: INFORMATION

An application for Internal Review may be requested with respect to a decision of the YMAC's Board, Yamatji or Pilbara Regional Committees.

The *Internal Review - Process Chart* - available on YMAC's website - can guide you through YMAC's Internal Review process.

PLEASE READ: This *Application for Internal Review Form* is only to be submitted if you have first requested a Statement of Reasons for the original decision by the Board from the YMAC Secretary and are dissatisfied with the response.

To initiate an Internal Review, you have twenty-eight (28) days to submit this form (by email or letter) after being notified of further reasons for a decision (that is, after you have received a Statement of Reasons from the YMAC Secretary).

Your responses to the questions in the form (on the following pages) should address Grounds for Review (outlined below). If the form is not fully completed, we may contact you for further information before submitting it to the Board.

Please note that YMAC may seek external, independent advice for consideration by the Board in this process. We will also provide you with any additional documents or information that has been relied upon in making the review decision.

Please submit this form to YMAC Secretary:

by email to: ceo@ymac.org.au (marked Attention Secretary in subject line)

OR

by post to: YMAC Secretary, YMAC Level 8, 12 The Esplanade Perth WA 6000

Board meeting dates are available on the YMAC website, or by contacting the Executive Assistant to the CEO. To meet mailing deadlines for information packs to the Board, please submit this form three weeks out from the Board meeting date.

Grounds of Review

- that a breach of the rules of natural justice occurred in connection with the making of the decision (for example, that the applicant was denied the opportunity to be heard in relation to the original decision);
- that procedures that were required by law to be observed in connection with the making of the decision were not observed;
- that the person who purported to make a decision did not have jurisdiction to make the decision or was not allowed to make the decision within the organisational structure of the YMAC;
- that the decision was not authorised by the NTA;
- that the making of the decision was an improper exercise of the power conferred by the NTA;
- that the decision involved an area of law, whether or not that area appears in the written reasons for the decision;
- that the decision was induced or affected by fraud;
- that there was no evidence or other material to justify the making of decision; or
- that the decision was otherwise contrary to law.

Process of review:

Following receipt of a fully complete Application for Internal Review form, the Secretary will, within twenty-eight (28) days of receipt:

- Provide you with acknowledgment of the receipt of the application.
- Make arrangements for the review of the decision:
 - within the later of NINETY (90) DAYS (following receipt of a fully completed Application for Internal Review form)
OR
 - the next Board meeting (following receipt of a fully completed Application for Internal Review form) by the Board of Directors,
OR
 - in cases of emergency or exceptional circumstances (e.g., where it is not possible to arrange for a meeting of the Board), by the two YMAC Co-Chairpersons.
- Advise you of the date of the review.

The review is conducted by YMAC's Board of Directors or the two Co-Chairpersons' (Yamatji and Pilbara regions).

On completion of the review, you will be provided with a statement outlining the outcome and the reasons for each. The statement will address all points raised in your application.

The Board will consider your Application for Internal Review and YMAC will inform you of the Board's decision within FIVE (5) WORKING DAYS of the decision.

Please note:

The response does not need to include any information which:

- was supplied to the Board in confidence,
- could be defamatory,
- is culturally sensitive
- the Board, acting reasonably, determines should not be provided to the complainant/ Affected Person.

External Review

If you are not satisfied with the Internal Review decision of the YMAC Board of Directors, you may have rights to have the whole process reviewed under

- the *Administrative Decisions (Judicial Review) Act, 1977*
and / or
- s203FB of the *Native Title Act 1993* (NTA), through the National Indigenous Australians Agency (NIAA).

The External Review process is a process directly between yourself and the relevant agency. The process is reviewed externally under those Acts.

Further information on seeking External Review is available on YMAC's website.



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PART 2: PARTICULARS OF PERSON(S) APPLYING FOR INTERNAL REVIEW

Name of person(s) applying for the internal review:		
Address (residential):		
		Postcode:
Address (postal):		
		Postcode:
Telephone (mobile):		
Telephone (home):		
Telephone(work):		
Fax:		
Email:		

YOUR REQUEST FOR REVIEW

Office/region:	
Group / PBC (if applicable):	
Decision or action you would like reviewed:	

<p>Please outline your request, and reasons why you think the decision or action needs to be reviewed.</p>	
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Person / group requesting review

Name:	Signature:	Date: