

The Immigration Advisers Complaints and Disciplinary Tribunal

For more information visit www.justice.govt.nz/tribunals

IACDT Number _____

Which party are you? (please tick one)

- Complainant
- Immigration Adviser

Oral Hearing: Additional Evidence or Witnesses Application

A When to use this form

Use this form if:

- You would like the Tribunal to request further information from any person, or
- The Tribunal has decided to hold an oral hearing and you would like to present oral evidence, or have witness present oral evidence.

B Timeframe for filing additional evidence or witness application

If the Tribunal has determined that an oral hearing is required, it will give you written notification of the date by which an application of this type must be made.

NOTE: The Tribunal must receive this application within the specified timeframe. Be sure to allow enough time for it to arrive at the Tribunals Unit in Wellington.

- A working day is defined as any day apart from a Saturday, Sunday, a public holiday, or a day in the period commencing on 25 December and ending with the close of 15 January the following year.

C How to complete this form

- You must complete this form in English.
- Use CAPITAL LETTERS if filling out by hand.
- Answer every question on the form unless instructed otherwise.
- Provide a copy of all relevant documents in support of your application (eg. correspondence, evidence, or any reports).
- All documents must be in English or translated into English by a certified translation service.

D Sending additional documentation and evidence

You should send additional documentation and evidence supporting any claim you may make in this form. You do not need to resend any documentation or evidence you have already provided to the Authority or Tribunal.

E You are entitled to appear

You do not have to file an application of this kind if you do not wish to. Whether you do so or not, you are entitled to attend the oral hearing and put questions to any persons appearing.

F Filing and serving

You need to file this application with the Tribunal and serve it on the other parties. Information on how to do this is provided at the end of this form and in the Tribunal's Practice Notes.

Part 1 Identify the Parties to the Complaint

Please provide the following details of the parties to the complaint:

Name of complainant

And

Name of immigration adviser

IACDT number

Part 2 Personal Contact Details

You are required to maintain current contact details with the Tribunal; you must notify the Tribunal, Immigration Advisers Authority and other parties of any change of details. Failure to do so may mean you do not receive documents which are deemed to have been effectively served on you.

- My contact details/the contact details of my representative are the same as those previously provided (move on to Part 3).
- My contact details/the contact details of my representative differ from those previously provided (If contact details have changed you must complete a Change of Personal Details form and attach it to this document. Change of Personal Details form can be found on the Tribunal's website).

Part 3 Application that the Tribunal Request Further Information

The Tribunal has discretion to request further information from any person in relation to a complaint or matter. If you would like the Tribunal to make such a request, please provide details of:

- What information the request would be for;
- Who the request would be made of;
- Why this is relevant to the matter before the Tribunal; and
- Why the Tribunal should exercise its discretion in this case.

(If you need more space please attach a separate page)

Part 4 Application that the Tribunal Hear Oral Evidence from a Witness

The Tribunal has discretion to request that any person appear before it to make a statement or give an explanation in relation to a complaint or matter. If the Tribunal has decided to hold an oral hearing and you would like the Tribunal to hear oral evidence from yourself or another witness, please provide the following details:

- A written statement from your witness outlining what they intend to say in giving oral evidence; and
- Reasons why the Tribunal should hear this evidence in person rather than 'on the papers'.

(If you need more space please attach a separate page)

Part 5 Signature

By signing this form, you are certifying that the information contained in this form is true and correct, to the best of your knowledge.

If you are completing this form electronically, you may type your full name in the 'Your Signature' box in lieu of providing a written signature.

Your Signature:

Date / / (dd/mm/yyyy)

Part 6 Checklist

Before you file this form with the Tribunal and serve it on the other parties, please check that you, or your representative, have:

- Answered every applicable question.
- Attached a copy of any additional evidence that supports your case (if applicable).
- Attached a Change of Personal Details form (if your contact information differs from that previously provided).
- Signed and dated this form.

You must serve a copy of this form on all other parties.

Part 6A Filing and Serving your Additional Evidence or Witness Application

The easiest way to file and serve this form with the Tribunal is by email, addressed to: IACDT@justice.govt.nz

The Tribunal will also treat the document as having been sufficiently served on another party, if:

- You copy that party into the email used to file the documents with the Tribunal, and
- That party provides you with an email expressly acknowledging receipt of service.
- You have used the email address on file for that party

If you are unsure, please check with the Tribunal to confirm that you have correct email addresses for the other parties.

For information on how to file and serve this form, please refer to the Tribunal's Practice Notes which are available on its website.

NOTE: If the document you are filing and serving by email is larger than ten pages in length, you must also send or deliver a paper copy to the Tribunal and to each party.

Tribunal Contact Details

Immigration Advisers Complaints and Disciplinary Tribunal
Tribunals Unit
Private Bag 32-001, Featherston Street, Wellington 6011
Ph: (04) 4626660
Fax: (04) 4626686
Email: IACDT@justice.govt.nz
www.justice.govt.nz/tribunals