



Australian Government
Attorney-General's Department

Instructions for completing an Application for Registration as a Family Dispute Resolution Provider (Individual)

This leaflet provides instructions on how to complete the **Application for Registration as a Family Dispute Resolution Provider (Individual)**.

Upon completion of your application, please complete the Application Checklist on pages 12 & 13 and send your completed application form, and the other items required in the checklist, to:

**Practitioner Registration Unit
Family Pathways Branch
Attorney-General's Department
Robert Garran Offices
National Circuit
BARTON ACT 2600**

If you require further information or assistance, please contact the Practitioner Registration Unit of the Attorney-General's Department by telephone on **1800 025 255** or by email to: fdregistration@ag.gov.au.

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Application for Registration as a Family Dispute Resolution Provider (Individual)

Eligibility for Registration

An individual is eligible for inclusion on the Family Dispute Resolution Register if that individual:

- a) is authorised to provide family dispute resolution under the *Family Law Act 1975* (the Act). This means that the individual must:
 - be authorised by an organisation designated by the Attorney-General for the purposes of section 10G of the Act, or
 - be authorised by an organisation approved to provide family dispute resolution under Schedule 4 to the *Family Law Amendment (Shared Parental Responsibility) Act 2006*, or
 - meet the requirements set out in regulation 83 of the *Family Law Regulations 1984* (the Regulations) by 30 June 2007, or
 - meet the requirements for interim accreditation as a family dispute resolution practitioner under the interim Accreditation Rules set out in the Regulations pursuant to paragraph 10A of the Act.
- b) is not prohibited under the law of a State or Territory from being employed in child-related employment or working with children, and has complied with the requirements of the applicable law relating to employment of persons working with children in the State(s) and/or Territory(s) in which the individual provides family dispute resolution services
- c) does not have a conviction or finding of guilt for:
 - an offence involving violence to a person, or
 - a sex related offence, including rape, sexual assault, indecent assault, unlawful sexual acts with or upon minors, child pornography, procuring or trafficking of a child for indecent purposes or being knowingly concerned with the prostitution of a child.
- c) is able to provide clients with access to a complaints process in relation to the family dispute resolution services the individual provides, and
- d) has applied to the Department for registration using the form *Application for Registration as a Family Dispute Resolution Provider (Individual)* and has provided all the required supporting documentation and a signed Commonwealth statutory declaration form.

Basis for authorisation

The information to be provided in your application depends on the basis on which you seek to be registered as a family dispute resolution provider.

Authorised by a 'designated' or 'approved' organisation

Under section 10G of the Act and Schedule 4 to the *Family Law Amendment (Shared Parental Responsibility) Act 2006*, organisations can be designated or approved, respectively, to authorise individuals to provide family dispute resolution on the behalf of the organisation. These organisations will be automatically registered on the Family Dispute Resolution Register.

For the purposes of completing the ***Application for Registration as a Family Dispute Resolution Provider (Individual)***, the sections of the form which need to be completed by an individual who is authorised by either an 'approved' or a 'designated' organisation are the same (see table on page 7).

Meets regulation 83 requirements

Individuals who, by 30 June 2007, meet the requirements of regulation 83 of the Regulations, including the requirement to apply and be accepted for inclusion in the Family Dispute Resolution Register, will be eligible for registration on the Family Dispute Resolution Register for the duration of the transition period only.

The transition period is from 1 July 2006 to 30 June 2009.

By the end of the transition period, all these individuals will need to meet the final Accreditation Rules in order to continue to provide family dispute resolution under the Act and issue section 60I certificates.

There are two options for meeting the regulation 83 requirements.

Option One

Under the first option, an individual meets regulation 83 requirements if that individual has:

- been awarded an ***appropriate degree, diploma or other qualification*** by a university, college of advanced education or other tertiary institution of an equivalent standard, or
 - been admitted as a ***legal practitioner*** in one or more Australian States and Territories
- AND
- completed at least 10 hours of ***supervised dispute resolution***, and
 - completed five days of training in mediation or dispute resolution, including at least one course of at least three day's duration.

Option Two

An individual meets the second option if that individual has:

- provided at least 150 hours of family dispute resolution since 11 June 1991 with at least 50 of those hours provided since June 1994, and
- enrolled in a course of study for an ***appropriate degree, diploma or other qualification*** before 31 August 2001, expects to complete that course within seven academic years and has not been excluded from the course by reason of failing to pass any of its requirements.

Meets Interim Accreditation Rules

The interim Accreditation Rules are contained in the Regulations and set out how family dispute resolution practitioners may become accredited on an interim basis until 30 June 2009.

An individual meets the interim Accreditation Rules where that individual has:

- been awarded an ***appropriate degree, diploma or other qualification*** by a university, college of advanced education or other tertiary institution of an equivalent standard, or
 - been admitted as a ***legal practitioner*** in one or more Australian States and Territories
- AND
- completed at least 10 hours of ***supervised family dispute resolution***, and
 - completed five days of training in family dispute resolution, including at least one course of at least three days duration.

Authorised by an organisation and meets other requirements

Individuals who are authorised by an organisation to provide family dispute resolution may also meet the requirements of regulation 83 or the interim Accreditation Rules. If you meet the regulation 83 requirements or the interim Accreditation Rules and you wish to practise family dispute resolution independently of your employer organisation, you will need to register in your own right and indicate at **Question 7** that you are also authorised by your employer organisation to provide family dispute resolution.

Application Package for Individuals

The application package for individuals contains the following documents:


- the information brochure *Registration Process for Family Dispute Resolution Providers*
- this instruction leaflet
- the *Application for Registration as a Family Dispute Resolution Provider (Individual)*, and
- a Commonwealth statutory declaration form.

Please ensure that you read the information brochure and follow this instruction leaflet when completing the application. Other information about changes to the law and your obligations as a family dispute resolution practitioner under the Family Law Act are available from www.familyrelationships.gov.au/fdr.

Application Form

All individual family dispute resolution practitioners who are eligible and wish to apply for registration as a family dispute resolution provider should complete the '*Application for Registration as a Family Dispute Resolution Provider (Individual)*' form.

In completing the form, you will be required to provide details about the services you provide, where you provide them, how to contact you, the basis upon which you are authorised to provide family dispute resolution, information relevant to understanding the workforce composition of the family dispute resolution sector, and a statement as to whether or not you comply with relevant laws or have a criminal record.

If your application for registration is successful, details about the services you provide and how you can be located will be made available to the public through Family Relationships Online. These items are identified in the application form by the symbol . However, you may indicate in the form that you do not wish any of your details to be publicly available.

Supporting Documentation

If you are applying for registration on the basis that you meet either the requirements under regulation 83 of the Regulations or the interim Accreditation Rules at subregulation 58(2) of the Regulations, you are required to provide the following supporting documentation:

- a copy of your qualification, or
- a copy of your academic transcript or proof of enrolment (if you are seeking registration under subparagraph 83(1)(a)(ii) of the regulations and have not yet completed your qualification).

In **Question 51**, which asks you to specify the scope of services you provide, if you select **child inclusive practice**, you must provide evidence of relevant additional qualifications, training or experience.

Your application will be incomplete if the required documentation is not submitted with the application form. Incomplete applications will be put on hold, while the Attorney-General's Department contacts you and requests the missing information. If the missing information is not supplied within the period specified in the request, the Department will consider your application to have been withdrawn.

While it is sufficient to provide a copy of any documentation required to support your application, you must declare in your statutory declaration form that the copy provided is a true copy of the original.

You should be aware that **serious penalties apply where you include information in a statutory declaration that is false.**

Commonwealth Statutory Declaration

The statutory declaration must be completed and posted to the Practitioner Registration Unit with your completed application form and supporting documentation.

In the statutory declaration form you are declaring that the information you have provided in your application is true and complete. Appropriate text has been included in the enclosed statutory declaration form to assist you with this requirement.

If you intentionally make a false statement in a statutory declaration you could be charged with an offence and, if convicted, you could be fined or jailed, or both.

Under section 11 of the *Statutory Declarations Act 1959*, the maximum penalty for intentionally making a false statement in a statutory declaration is four years imprisonment.


In making your declaration, you **must** write your name, address and occupation. The person witnessing your signature **must** write their full name, the basis upon which they are qualified to witness the declaration (see the statutory declaration form for persons before whom a declaration can be made) and their address (this can be a business address).

Your application will be incomplete if the statutory declaration is not submitted with the application form.

Privacy Notice

The Attorney-General's Department is collecting the information requested in the application and Commonwealth statutory declaration included in this package to:

- assess your suitability to be authorised as a family dispute resolution practitioner for the purpose of issuing certificates under section 60I of the *Family Law Act 1975*
- enable the public to locate registered family dispute resolution providers
- enable the courts to verify that certificates under section 60I of the Act are issued by persons authorised under the Act to do so
- monitor compliance with conditions of registration and, where relevant, accreditation, and
- compile reports on workforce statistics relating to the family dispute resolution services sector.

Upon registration, and with your agreement, the information provided in the application form denoted by an  symbol will be published on Family Relationships Online. In addition, if you are allocated a registration number, this will be accessible by the Federal Magistrates Court, the Family Court of Australia and the Family Court of Western Australia, in order to allow them to verify the legitimacy of certificates filed pursuant to section 60I of the Act. Registration numbers of approved or designated organisations will also be accessible by the courts.

Do I need to answer all the questions in the form?

Some questions in the form are mandatory and your application will be rejected unless these items are completed. The form indicates where a data item is optional.

The form is divided into sections. You only need to complete the questions under particular sections depending on the basis on which you are authorised to provide family dispute resolution under the Act.

The sections to be completed will also vary if you wish to be included on the Family Dispute Resolution Register but do not wish your details to be publicly available, as indicated in your response to **Question 5**.

Sections in the form

The form comprises the following sections:

Section A	Name
Section B	Authorisation Details
Section C	Authorised by employer organisation to provide family dispute resolution services
Section D	Meets Regulation 83 Requirements
Section E	Meets Interim Accreditation Rules
Section F	Child-related Employment and Working with Children
Section G	Criminal Convictions
Section H	Complaints Mechanisms
Section I	Outlet Details
Section J	Outlet Access Details
Section K	Workforce Information
Section L	Other Information
Section M	Declaration
Attachment A	Outlet Details (for additional outlets)

Which sections of the form do I need to complete?

Basis for Authorisation	Sections to be completed
Authorised by a 'designated' or 'approved' organisation and provides family dispute resolution services only on behalf of that organisation.	A, B, C, F, G, K, L and M
Meets regulation 83 requirements	A, B, D (either option 1 or 2), F, G, H, I, J, K, L and M
Meets interim Accreditation Rules	A, B, E, F, G, H, I, J, K, L and M
Authorised by an organisation and: <ul style="list-style-type: none"> • meets regulation 83 requirements or interim Accreditation Rules, and • provides, or will provide, services both on behalf of the authorising organisation and independently (or for another organisation). 	A, B, C, D(either option 1 or 2) or E, F, G, H, I, J, K, L and M

If you do not want any of your details to be made publicly available you should answer responding 'No' to **Question 5**. In that case, you are not required to complete **Section J**.

If you provide family dispute resolution at more than one outlet you need to complete a copy of **Attachment A** for each additional outlet.

Completing the Application Form

Please write **CLEARLY** and, if possible, in **BLOCK** letters.

Section A – Name

All applicants must complete Section A.

In this section, please provide your title, first name and family name and an email address to which the Attorney-General's Department can send notifications relating to your registration. (If you are authorised to provide family dispute resolution on behalf of an organisation, you should check with your employer about whether you should provide your own email address or one for a point of contact within the organisation.)

You are also required to indicate whether you agree to your contact and access details being made available to the public.

The automatic default to this answer will be **Yes**. If you choose **No**, registration information will still be available to the Attorney-General's Department and courts with jurisdiction under the Act.

Details of applicants who seek registration as 'Authorised by employer organisation to provide family dispute resolution services' will not be made publicly available.

Section B – Authorisation Details

All applicants must complete Section B.

In this section you indicate the basis upon which you seek to be authorised to provide family dispute resolution under the *Family Law Act 1975*.

Only select one value for **Question 6**. If:

- you are authorised by an employer organisation to provide family dispute resolution, and
- you meet the requirements of regulation 83 or the interim Accreditation Rules, and
- you provide, or will provide, family dispute resolution services independently of the authorising organisation,

you will need to register in your own right by:

- indicating that you meet regulation 83 requirements, or
 - the interim Accreditation Rules
- and
- indicating at Question 7 that you are also authorised by your employer organisation to provide family dispute resolution.

Section C – Authorised by employer organisation to provide family dispute resolution services

Only complete Section C if you are authorised by a 'designated' or 'approved' organisation to provide family dispute resolution.

Before completing and submitting your application form, you should ensure that your employer organisation is registered with the Attorney-General's Department as a family dispute resolution provider.

In this section you will need to supply details about your employer organisation including the organisation's registration number.

Section D - Meets Regulation 83 Requirements

Section D is only to be completed where you wish to be registered in your own right and the basis on which you seek registration as a family dispute resolution provider is that you meet one of the two options under regulation 83 of the Regulations.

If you believe you meet the requirements under regulation 83, you will need to complete **Question 12** and provide details of how you meet the requirements under either **Option One** or **Option Two**.

Section E – Meets Interim Accreditation Rules

Section E is only to be completed where you wish to be registered in your own right and the basis on which you seek registration as a family dispute resolution provider is that you meet the interim Accreditation Rules.

Section F - Child-related Employment and Working with Children

All applicants must complete Section F.

Section G - Criminal Convictions

All applicants must complete Section G.

Section H - Complaints Mechanisms

All applicants except those who seek registration as 'Authorised by employer organisation to provide family dispute resolution services' are required to complete this section H.

In this section you are required to provide details of the complaints process to which your clients have access if they wish to complain about the family dispute resolution services you provide.

Section I - Outlet Details

All applicants except those who seek registration as 'Authorised by employer organisation to provide family dispute resolution services' are required to complete this section I.

This section requires you to provide your outlet details, including contact information. You are also required to provide information about the client groups to which you provide services, the specific areas of practice in which you provide services, and how you are able to deliver those services.

If you are registered 'publicly', these details will be available to the public through Family Relationships Online..

If you provide services from more than one outlet, you should complete **Attachment A** for each outlet. Please ensure that there is something included in the business/practice name which distinguishes each outlet. For example, 'Jo Bloggs & Co. – Parramatta', 'Jo Bloggs & Co. – Blacktown', etc.

Section J – Outlet Access Details

You are only required to complete Section J if you have agreed to your information being made publicly available.

Applicants who seek registration as 'Authorised by employer organisation to provide family dispute resolution services' do not need to complete this section.

In this section you are required to provide your outlet access details. As most of these details will be available to the public through Family Relationships Online, this allows you to clearly identify how the public can access the services provided at your outlet, your opening hours, the geographical area in which you provide services, and cost information.

Section K- Workforce Information

All applicants must complete Section K.

This information is being collected to enable the Attorney-General's Department to compile statistics relating to workforce composition within the family dispute resolution sector. It will not be accessible to the public or the courts.

Section L - Other Information

Section L is optional for all applicants. Please include here any other information which you consider is relevant to your application for registration.

Section M - Declaration

All applicants must complete Section M.

Please be sure to read the declaration above the signature block before signing the application form.

Section 136.1 of the *Criminal Code Act 1995* provides that criminal penalties apply to a person who, in connection with an application for registration, makes a statement knowing it to be false or misleading. Penalties also apply where a person omits any matter or thing which makes the statement misleading.

The Regulations provide that it is an offence to knowingly give false or misleading information on an application for registration. The Regulations also allow the Attorney-General's Department to remove any person found to have provided false or misleading information from the Family Dispute Resolution Register.

Glossary

Accreditation Rules	The Accreditation Rules set out the requirements that a person must meet in order to be an accredited family dispute resolution practitioner under paragraph 10G(a) of the <i>Family Law Act 1975</i> (the Act). The Accreditation Rules are set out in the <i>Family Law Regulations 1984</i> , pursuant to section 10A of the Act.
Act	<i>Family Law Act 1975</i>
Appropriate degree, diploma or other qualification	<p>For the purposes of meeting regulation 83 requirements, an appropriate degree, diploma or other qualification is a course of study that is, or is the equivalent of:</p> <p>a) at least three years full time study:</p> <ul style="list-style-type: none"> • in law • in a social science (for example, psychology or social work), or • that includes the equivalent of two years full time study in a social science, or <p>b) at least one year of full time study in:</p> <ul style="list-style-type: none"> • mediation, or • dispute resolution.
	<p>An appropriate degree, diploma or other qualification is defined in the Interim Accreditation Rules as meaning:</p> <p>a) a degree, diploma or other qualification of at least three years full time study;</p> <ul style="list-style-type: none"> • in law • in a social science relevant to the provision of family dispute resolution (eg. Psychology (including behavioural science) or sociology (including social work)). • in conflict management, or • that includes the equivalent of two years full time study in conflict management or a social science relevant to the provision of family dispute resolution <p>b) a degree, diploma or other qualification that is the equivalent to at least one year of full time study in mediation or dispute resolution, or</p> <p>c) a graduate or post graduate diploma, masters degree or doctorate in:</p> <ul style="list-style-type: none"> • law • a social science relevant to the provision of family dispute resolution • conflict management • mediation, or • dispute resolution.
Education and training provider	<p>Under the Interim Accreditation Rules, an education and training provider is defined as:</p> <ul style="list-style-type: none"> • a university • a college of advanced education • a higher education provider established or recognised by or under a law of the Commonwealth, a State, the Australian Capital Territory or the Northern Territory, or • a Registered Training Organisation.
Legal Practitioner	A legal practitioner is a person enrolled as a barrister, a solicitor, a barrister and solicitor, or a legal practitioner, of the High Court of Australia, or of the Supreme Court of a State or Territory.
Regulations	<i>Family Law Regulations 1984</i>

<p>Shared Parenting Act</p>	<p><i>Family Law Amendment (Shared Parental Responsibility) Act 2006</i></p>
<p>Supervised dispute resolution</p>	<p>Supervised dispute resolution in relation to regulation 83 means dispute resolution that is supervised by:</p> <ol style="list-style-type: none"> a) an experienced family dispute resolution practitioner b) a person who regularly provides the training courses in mediation or in family dispute resolution required for practitioners to meet the regulation 83 requirements, or c) a person who is an experienced family dispute resolution practitioner and a practising member of the: <ul style="list-style-type: none"> • Law Society of a State or Territory • Bar Association of a State or Territory • Australian Psychological Society Limited, or • Australian Association of Social Workers Limited.
<p>Supervised family dispute resolution</p>	<p>For the purposes of the Interim Accreditation Rules dispute resolution conducted by a person is supervised family dispute resolution if:</p> <ol style="list-style-type: none"> a) it is supervised by a family dispute resolution practitioner who has at least 12 months experience in providing family dispute resolution, or by a person who regularly gives, on behalf of an educational and training provider, training in family dispute resolution, and b) it includes: <ul style="list-style-type: none"> • preparation by the person for a family dispute resolution session • de-briefing of the person by the supervisor after conducting or attending family dispute resolution, and • presentation, to the supervisor or a group, of a summary of the matters dealt with in the family dispute resolution session and of the conduct and results of the session. <p>Unless the person and the supervisor have determined that it is impracticable to do so the supervised family dispute resolution must include:</p> <ul style="list-style-type: none"> • direct supervision of the person during the conduct of family dispute resolution, and/or • attendance by the person at family dispute resolution conducted by the supervisor.

Application Checklist

If applying on the basis of being authorised by a ‘designated’ or ‘approved’ organisation:

<input type="checkbox"/>	Completion of Sections A, B, C, F, G, K, L and M
<input type="checkbox"/>	Signed and dated Commonwealth Statutory Declaration

If applying on the basis of meeting Regulation 83 requirements:

<input type="checkbox"/>	Completion of Sections A, B, D (either option 1 or 2), F, G, H, I, J, K, L and M
<input type="checkbox"/>	A copy of your qualification (or proof of enrolment or academic transcript if you are seeking registration under Regulation 83(1)(a)(ii) and have not yet completed your qualification)
<input type="checkbox"/>	Evidence of relevant additional qualifications, training or experience in child inclusive practice where ‘Child Inclusive Practice’ selected at Question 51
<input type="checkbox"/>	Attachment A (for each additional outlet where you provide family dispute resolution if applicable)
<input type="checkbox"/>	Signed and dated Commonwealth Statutory Declaration

If applying on the basis of meeting the interim Accreditation Rules:

<input type="checkbox"/>	Completion of Sections A, B, E, F, G, H, I, J, K, L and M
<input type="checkbox"/>	A copy of your qualification.
<input type="checkbox"/>	Evidence of relevant additional qualifications, training or experience in child inclusive practice where ‘Child Inclusive Practice’ selected at Question 51
<input type="checkbox"/>	Attachment A (for each additional outlet where you provide family dispute resolution if applicable)
<input type="checkbox"/>	Signed and dated Commonwealth Statutory Declaration

If applying on the basis of being authorised by a ‘designated’ or ‘approved’ organisation and meeting the requirements of regulation 83 or the interim Accreditation Rules. (If you provide, or will provide, services both on behalf of, and independently of, that organisation):

<input type="checkbox"/>	Completion of Sections A, B, C, D (either option 1 or 2) or E, F, G, H, I, J, K, L and M
<input type="checkbox"/>	A copy of your qualification (or proof of enrolment or academic transcript if you are seeking registration under Regulation 83(1)(a)(ii) and have not yet completed your qualification)
<input type="checkbox"/>	Evidence of relevant additional qualifications, training or experience in child inclusive practice where ‘Child Inclusive Practice’ selected at Question 51
<input type="checkbox"/>	Attachment A (for each additional outlet where you provide family dispute resolution if applicable)
<input type="checkbox"/>	Signed and dated Commonwealth Statutory Declaration