



When to use this form

Complete and return this form if you (the applicant) would like someone to help you interact with the Scheme, or you would like them to act on your behalf. This person will be your **redress nominee**. If you already have a Centrelink nominee, they can also be your redress nominee, but this form will still need to be completed.

A redress nominee can be appointed at any time, subject to the matters set out below.

Where to get help with your application or for more information

The Scheme has established a dedicated team to assist applicants. You can:

- call **1800 566 111** between 9:00 am and 5:00 pm, Australian Eastern Standard Time, Monday to Friday, excluding Canberra public holidays.
- email **help@territoriesredress.gov.au**
- visit **territoriesredress.gov.au**
- write to us at Territories Stolen Generations Redress Scheme, Reply Paid 83394, CANBERRA ACT 2601.

Help with contacting us

If you would like to speak to someone in your language call us on **1800 566 111** or email **help@territoriesredress.gov.au** and we can organise a free interpreter service.

If you are deaf, or have a hearing or speech impairment, you can contact us through the National Relay Service:

- TTY users—phone **133 677** then ask for **1300 362 072**.
- Speak and Listen users—phone **1300 555 727** then ask for **1300 362 072**.
- Internet Relay users—connect to the National Relay Service then ask for **1300 362 072**.

If you need help finding any application support services, contact us.

Keep this coversheet (pages 1 to 5) for your information.

Support available to you

Applying to the Scheme might bring up difficult memories and feelings. There is **immediate** 24-hour support available if you need help managing the emotional impacts of applying.

- **If you or someone you know is in immediate danger, please call 000**
- Lifeline **13 11 14**
- Beyond Blue **1300 224 636**
- Suicide Call Back Service **1300 659 467**

Type of redress nominees

You can have either an **assistance nominee** or a **legal nominee**.

Assistance nominee

An assistance nominee is a person over 18 years of age who you authorise to help you interact with the Scheme. This might be a family member, community member, friend, support worker or lawyer. An assistance nominee can only be appointed if they agree to perform this role.

Assistance nominees **can**:

- help you complete an application for redress
- receive copies of all correspondence from the Scheme
- ask us questions about your application for redress
- receive phone calls from us about your application for redress
- provide us with information.

Assistance nominees **cannot**:

- apply, or lodge an application, for redress on your behalf
- accept or decline an offer of redress, or sign the deed of release, on your behalf
- ask for a decision on redress to be reviewed by the National Indigenous Australians Agency
- receive redress on your behalf.

Appointment as an assistance nominee does not entitle the nominee to any remuneration or payment from the applicant or the Scheme.

You can still communicate with us directly if you have an assistance nominee.

An assistance nominee can no longer act on your behalf in relation to the Scheme if:

- you are no longer involved with the Scheme
- you revoke your authority
- events occur, or orders or legal arrangements are made, that require you to be represented by a specified person in matters relating to the Scheme (for example, a guardian), or
- you pass away.

You cannot appoint an assistance nominee if you have an existing guardianship, other legal order or legal arrangement in place that would require someone to act for you in matters relating to the Scheme.

Legal nominee

A legal nominee is a person who has authority to make relevant financial, legal and personal decisions on an applicant's behalf. This form does not give a nominee such authority—it must come from somewhere outside of the Scheme, such as an enduring power of attorney, guardianship order, or appointment as a financial manager/administrator.

A current legal arrangement must be in place. Otherwise, a person can only act as an assistance nominee. We will accept notice of a legal nominee to the extent that the applicant does not have the legal capacity to act on their own behalf.

A person with this type of authority may act as a legal nominee so far as they are permitted by law to act for an applicant in relation to the Scheme.

Legal nominees **can**:

- do anything that an assistance nominee can do (outlined above)
- apply for redress on an applicant's behalf
- accept or decline an offer of redress and sign the deed of release
- receive any redress payment into an account held in an applicant's name.

Legal nominees will need to provide us with a copy of their authority to act on an applicant's behalf. It is possible that this authority will allow them to do some things for an applicant under the Scheme. For instance, they might have the authority to make financial decisions for the applicant (such as accepting a redress payment), but not personal decisions (such as accepting a Direct Personal Response).

What a redress nominee must do

If you agree to be an applicant's assistance nominee, you will be agreeing to act as that person's agent for matters connected with the Scheme. Agents have certain obligations under the general law—for example, concerning compliance with the applicant's instructions, and acting with due skill, care and diligence. You will need to familiarise yourself with these obligations. If you have any questions about your obligations as an agent you can contact us.

If you agree to be an applicant's legal nominee, you will already have obligations under the State or Territory laws that give you power to act for that person (for example, guardianship legislation). These may apply to you when you are acting for the applicant in relation to the Scheme.

Assistance nominees and legal nominees will also have specific obligations under this Scheme. These are to let us know if:

- there are changes to their circumstances after submitting this form, such as a change in their contact details, by calling us on **1800 566 111** or emailing **help@territoriesredress.gov.au**
- they are no longer willing or able to be a redress nominee.

How to change or remove a redress nominee

You can change or remove your assistance nominee at any time by contacting us. You should also let your assistance nominee know.

If you are concerned that your redress nominee is not acting in your best interests, contact us.

A legal nominee can only be changed in accordance with the particular legal arrangements that define who can act on behalf of the applicant (for example, a State or Territory guardianship law).

Privacy and your personal information

This form will ask you and your redress nominee to provide personal information to the Scheme. The personal information provided by the applicant and the redress nominee is protected by law, including the *Privacy Act 1988*.

Why we collect your personal information

The National Indigenous Australians Agency is responsible for administering the Scheme, as well as the collection, use and disclosure of your and your redress nominee's personal information.

We will collect personal information through this form to help us to:

- check your identity
- check your redress nominee's identity
- communicate with you and your redress nominee about your application
- change or remove an assistance nominee if you tell us to do so
- administer, report on, evaluate and analyse the Scheme (though we will not include information that identifies the applicant or redress nominee in any public reports or other materials of this kind).

Why your personal information gets shared

To do the things listed above, we may need to disclose your personal information to third parties.

We may also need to **collect** your personal information and personal information about your redress nominee from third parties for those same purposes.

We will only do this with your or your redress nominee's consent, or where the law otherwise requires us to. These third parties may include:

- Government agencies and their staff (for example, Services Australia, Department of Home Affairs, or State and Territory agencies).
- Organisations involved in the delivery of the Scheme (such as service providers contracted by the Commonwealth to verify your identity, or provide support).
- Ministers' offices and public servants (who may be involved in delivering a Direct Personal Response, if requested).

For the purposes of the Scheme, subject to the arrangements outlined in Part 3, Question 9 (concerning who the Scheme should contact first—you or your assistance nominee) by appointing an assistance nominee, you consent to the Scheme:

- collecting information about yourself from your nominee, and
- disclosing information about yourself to your nominee.

The Scheme will not disclose your personal information to anyone overseas.

If you do not want to tell us your personal information

Neither you nor your redress nominee have to provide personal information. If you do not, however, we may not be able to process the appointment of your redress nominee.

More information about privacy

For more information about how your or your redress nominee's personal information will be handled, visit niaa.gov.au/privacy. This sets out our Privacy Policy, which contains information about:

- How you can access personal information that we hold about you, and ask us to correct any errors in that information.
- How you can complain about a breach of your privacy, and how we will deal with complaints.

Access to information

If you, or your redress nominee, would like to discuss accessing a copy of any information we hold about you, you can contact us.

The information you provide will be protected from unauthorised disclosure under the *Privacy Act 1988*.

How to fill in this form

You can complete this form on your computer, print and sign it.

If you have a printed form:

- Use black or blue pen.
- Print in BLOCK LETTERS.
- Please sign and date this form
 - you at page 4, if you want to appoint an assistance nominee
 - your redress nominee at page 8.

Keep this coversheet (pages 1 to 5) for your information.

This page has been left blank intentionally.

If you need help or support throughout the process,
please call us on **1800 566 111** or go to **territoriesredress.gov.au**

Parts to be filled in by

Part 1 to be filled in by you, the applicant, or a legal nominee on your behalf.

Part 3 should be filled in by you, the applicant, if you would like to appoint an assistance nominee.

Part 2 and **Part 5** should be filled in by the person who will be the assistance nominee.

or

Part 2, Part 4 and **Part 5** should be filled in by the person who will be the legal nominee.

Part 1—Information about the applicant

1 Your name

Title Mr Mrs Miss Ms Dr No title

Other—please give details

First name

Middle name

Last name

Preferred name

2 What are your contact details?

Address—line 1

Address—line 2

Town/suburb

State ACT NSW VIC WA
 TAS QLD NT SA Overseas

Postcode

Country

Phone

Mobile phone

Email

3 What is your date of birth?

To the best of your knowledge.

Date
(DD MM YYYY)

Do not know

Part 2—Information about your redress nominee

Part 2—should be filled in by the person who will be the assistance nominee or the person who will be the legal nominee.

4 Redress nominee's name

Title Mr Mrs Miss Ms Dr No title
 Other—please give details

First name

Middle name

Last name

Preferred name

5 What type of relationship do you have with the applicant?

For example, family member, friend, support worker, public trustee or lawyer.

6 Are you a redress nominee assisting the applicant as part of your role at a particular organisation?

For example, a lawyer, public trustee or support worker.

- No
- Yes—please give details below

Which organisation you work for

7 What are your contact details?

Address—line 1

Address—line 2

Town/suburb

State ACT NSW VIC WA
 TAS QLD NT SA Overseas

Postcode

Country

Phone

Mobile phone

Email

8 How would you prefer to be contacted?

- Phone
- Mobile phone
- Email
- Post

Part 3—Applicant Declaration—Assistance nominee

Part 3—should be filled in by you, the **applicant**, not the assistance nominee, if you would like to **appoint** an **assistance nominee**.

9 Should we contact you (the applicant) directly, or contact your assistance nominee first?

- Contact me first
- Contact my assistance nominee first
- Contact us both at the same time

Authorising the assistance nominee

I authorise the person named at **Part 2**, question 4 of this form to deal with the Scheme on my behalf, as my agent, in accordance with the arrangements outlined in this form and coversheet.

In particular, subject to those arrangements:

- **I authorise** the person named at question 4 to provide information relevant to my application (including my personal information) to the Scheme on my behalf, and
- **I agree** that the Scheme may rely on that information when making decisions about whether I am eligible for redress.

I understand that having an assistance nominee is optional and I can cancel this arrangement at any time.

This authorisation will end when:

- I am no longer involved with the Scheme, or
- I revoke my authority, or
- events occur, or orders or legal arrangements are made, that require me to be represented by a specified person in matters related to the Scheme (for example, a guardian), or
- I pass away.

I have read and understand the section Privacy and your personal information provided on pages 4 and 5 of the coversheet, and consent to the Scheme collecting, recording, using and disclosing my personal information in accordance with that Notice.

I confirm that to the best of my knowledge, all of the information I have provided in this form is true and correct.

I understand that giving false or misleading information is a serious offence under the *Criminal Code Act 1995 (Cth)*.

Your signature
(applicant)



Date
(DD MM YYYY)

--	--	--

Part 4—Legal nominee notice

Part 4—should be filled in by the **legal nominee**, if you wish to be appointed as a legal nominee.

If you wish to act as legal nominee for an applicant, you will need to provide us with a copy of your authority to act on the applicant's behalf. It is possible that this authority will allow you to do some things for the applicant under the Scheme, but not others. For instance, you might have the authority to make financial decisions (such as accepting a redress payment) on an applicant's behalf, but not personal decisions (such as accepting a Direct Personal Response).

10 To be appointed as a legal nominee

I have attached a copy of authority to act on the applicant's behalf.

We will accept notice of a legal nominee where the applicant does not have the legal capacity to act on their own behalf.

You, the **proposed legal nominee**:

- named at Part 2 question 4, of this form, and
- relationship to the applicant as given at Part 2 question 5, of this form

will need to complete the questions at Part 5.

Part 5—Agreement to act as assistance nominee or legal nominee

Part 5—should be filled in by the proposed **assistance nominee** or **legal nominee**

11 Are you already a redress nominee for someone else applying to the Scheme?

- No—please see below
- Yes—we will contact you for verification

Redress nominee's identification documents

We need to confirm your identity to make sure we are engaging with the right person. If we cannot confirm your identity, you may not be able to act on behalf of the applicant.

Please provide a **copy** of 2 identification documents from the list below:

- birth certificate
- driver licence
- Medicare card
- Health care card
- current pensioner concession card
- passport
- a letter from Centrelink with your name and Centrelink Customer Reference Number on it.

Please do not send your original documents.

If you are having trouble supplying identity documents, please contact us.

Consent and agreement

12 Consent to the handling of my personal information

- **I consent to** the National Indigenous Australians Agency collecting, using, and disclosing my personal information for the purposes of:
 - checking my identity
 - administering my redress nominee appointment
 - administering and reporting on, evaluating and analysing the Scheme (though we will not include information that identifies you in any public reports or other materials of this kind).
- **I consent to** the National Indigenous Australians Agency collecting my personal information from, and disclosing my personal information to:
 - government agencies and their staff (for example, Services Australia, Department of Home Affairs or State and Territory agencies)
 - organisations involved in the delivery of the Scheme (such as identity verification or support service providers contracted by the Commonwealth)
 - ministers' offices and public servants (who may be involved in delivering a Direct Personal Response to the applicant, if requested), and
 - the person who has appointed me.

I understand that if I do not consent to the above, the National Indigenous Australians Agency will not be able to process my involvement as a redress nominee.

Agreement to become an assistance nominee or legal nominee

I declare that:

- **I agree to** be an **assistance nominee/legal nominee** for the applicant
please tick as applicable
 - I have read the notes on page 1, 2 and 3 of the coversheet and understand and accept the responsibilities and obligations for the arrangements for which I am authorised.
 - I will familiarise myself with, and comply with, the obligations under State, Territory and general law that will apply to me when acting as a legal nominee.
 - I have no conflicts of interest that would prevent me from being a redress nominee for the applicant or acting in the best interests of the applicant.

Consent and agreement – continued

I understand that:

- if I agree to be the applicant's assistance nominee, I will be acting as the applicant's agent.
- I must advise the applicant and the National Indigenous Australians Agency of any event, change in circumstances or conflict of interest that is likely to affect my ability to be a redress nominee.
- unless provided for otherwise in an agreement with the applicant or by law, my role as a redress nominee does not entitle me to any remuneration or benefit from the applicant, the Scheme or the Commonwealth.
- any personal information I am given access to under this arrangement is protected under Commonwealth legislation.
- giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Cth).

To the best of my knowledge, all of the information I have provided in this form is true and correct.

Redress
nominee
signature



Name

Date
(DD MM YYYY)

--	--	--

Return this completed form to:

Territories Stolen Generations Redress Scheme

Reply Paid 83394

CANBERRA ACT 2601