



## Australian Government

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### Defence Honours and Awards Appeals Tribunal

# FACT SHEET 03 - Guidance for Persons Appearing at a Hearing

## Introduction

The Defence Honours and Awards Appeals Tribunal (the Tribunal) is an independent statutory body that has been established under the *Defence Act 1903*.

An individual is able to submit an application for review directly to the Tribunal about their eligibility for a Defence honour or award but only after an application has been refused by Defence.

From time to time, the Government will refer general eligibility issues relating to Defence honours and awards to the Tribunal for inquiry and recommendation.

The purpose of this fact sheet is to provide information on appearing before the Tribunal as a submitter at a hearing for a review or inquiry.

## Who can appear?

The Tribunal determines who may appear at a hearing.

Persons or organisations who wish to appear at a hearing should write to the Tribunal seeking permission to appear. Persons or organisations that appear at a hearing do so at their own expense.

The Tribunal may request individuals or organisations to attend a hearing. Should this occur, the Tribunal will cover reasonable travel and accommodation costs.

Where the Tribunal agrees to a group of individuals or an organisation appearing at a hearing, no more than two representatives may appear on behalf of the group or organisation. Others from the group or organisation may register to attend the hearing and be part of the audience.

An organisation presenting to the Tribunal can generally determine who will represent it at the hearing, although the Tribunal may request specific office holders or individuals to attend. Organisations should ensure that they send representatives to a hearing who have appropriate knowledge of the issues before the Tribunal.

Anyone appearing at a hearing is not to be represented or accompanied by a legal practitioner.

### **Public Hearings**

Hearings for all inquiries will be held in public, unless the Chair of the Tribunal determines otherwise.

Notification of upcoming hearings will be provided in local media prior to the event. Those wishing to attend will need to register with the Tribunal. Details of these arrangements will be provided with each notification.

Information provided at hearings may be used as the basis for further research and clarification. If submissions or statements made at the hearing reflect adversely on another person or organisation the Tribunal reserves the right to send the comments to the other person or organisation so that they can reply.

### **What to do on Arrival**

On arrival at the hearing venue, submitters should introduce themselves to Tribunal Secretariat staff.

### **Calling of Submitters**

When the Tribunal is ready, the presiding member will invite the submitter to the table. The Chair will ask the submitter to state their full name and the capacity in which the submitter is appearing before the Tribunal.

### **Oath or Affirmation**

The submitter will be asked to take an oath or give an affirmation that the evidence they are about to provide will be true.

### **Examination of Submitters**

Submitters should assume that any written submission they have made has been read by the Tribunal. Generally submitters are given an opportunity to make a short opening statement (preferably no more than five to ten minutes). This can be used to clarify, amend or expand on points made in the written submission.

Questions will then be directed to submitters by Tribunal members. These questions are designed to clarify aspects of written submissions and to seek views and information on the topic.

### **Documents tendered**

If submitters wish to tender documents additional to their submission, these should be provided in time for the Tribunal secretariat to distribute them to

Tribunal members prior to the hearing. Alternatively, sufficient copies should be brought for all Tribunal members. Additional documents should only be tendered where they provide significant information not contained in the original submission.

### **Questions on Notice**

If submitters are unable to answer a question or provide information at the hearing, they may seek permission to provide a written answer at a later date. The written answer should be provided within ten working days of the hearing.

### **Submissions after Hearing**

The Tribunal may seek additional information from a submitter after a hearing. However, further submissions or documents submitted by a submitter will usually not be considered by the Tribunal.

### **Recording of Hearings**

Hearings are recorded and retained as part of the Tribunal's record. A transcript will not be made, however those who appear before the Tribunal may request an electronic copy of their testimony.

### **How do I contact the Tribunal?**

Mail address:

Defence Honours and Awards Appeals Tribunal  
Floor 1, 105 Tennant Street, Fyshwick  
Locked Bag 7765  
Canberra BC ACT 2610

Telephone: (02) 6266 1019

E-mail: [DHA.Tribunal@defence.gov.au](mailto:DHA.Tribunal@defence.gov.au)

Website: [www.defence-honours-tribunal.gov.au](http://www.defence-honours-tribunal.gov.au)

### **Other related fact sheets**

Overview – Defence Honours and Awards Appeals Tribunal  
Preparing an Application for Review  
Guidance for Applicants