

# Queensland Courts Guide to Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020 Applications

The [Meriba Omasker Kaziw Kazipa \(Torres Strait Islander Traditional Child Rearing Practice\) Act 2020](#) provides for the legal recognition of Ailan Kastom (Torres Strait Islander) child rearing practice. A Cultural Recognition Order permanently transfers the parentage from the biological (birth) parents to the cultural parents and allows the child's legal identity to align with their cultural identity. Applications for a Cultural Recognition Order are received and decided by the [Commissioner \(Meriba Omasker Kaziw Kazipa\)](#).





Under the Act there are certain decisions which can only be made by the Court and cannot be made by the Commissioner. Legal advice is available to individuals who apply for a Cultural Recognition Order and this includes advice about whether an application should be made to the Court. Anyone who needs to make an application to the Court should get legal advice first, which includes assistance completing the forms required. There are fees associated with making an application to court. You may apply for a reduced fee and should speak to a legal advisor about this.

Application	Court	Starting Document	Filing Fee Payable?
Application to dispense with parental consent (s.52)	Childrens Court of Queensland (CCQ)	<a href="#">UCPR Form 5</a>	Yes
Application to discharge dispensation of parental consent (s.55)	CCQ	<a href="#">UCPR Form 9</a>	No
Application to discharge cultural recognition order (s.77)	CCQ	<a href="#">UCPR Form 5</a>	Yes
Application to access court records (s.98)	CCQ	<a href="#">UCPR Form 9</a>	No
Application for judicial review of Commissioner's decision under <i>Judicial Review Act 1991</i>	Supreme Court	<a href="#">UCPR Form 54</a>	Yes
Appeals from Childrens Court (Judge) and Supreme Court decisions (s.92)	Court of Appeal	<a href="#">UCPR Form 64</a>	Yes
Application for reduction of fees by an individual	All	<a href="#">UCPR Form 131</a>	No

When filing an application with the courthouse registry, please bring the original and at least two copies of each document. The Registry will keep one copy and return a sealed copy to you. There may also be filing fees payable when you file an application with the Court. Please speak to your lawyer about how you can apply for reduced fees.

## Need Help?

The following services provide legal advice and assistance with the Cultural Recognition Order process:

<b>Legal Aid Queensland - <a href="#">Ailan Kastom information</a></b>  1300 650 143 (Indigenous Hotline)	<b>Commissioner (Meriba Omasker Kaziw Kazipa)</b>  1800 571 102
<b>Aboriginal and Torres Strait Islander Legal Service (ATSILS)</b>  1800 012 255 (Toll free 24hrs 7 days)	<b>Queensland Indigenous Family Violence Legal Service (QIFVLS)</b>  1800 88 77 00