

REQUEST FOR TRANSCRIPT & FINANCIAL HARDSHIP FEE WAIVER APPLICATION FORM

Lodgement of this form – please return by post or present this form at your local court registry

By Post	Recording and Transcription Services Department of Justice and Attorney-General PO BOX 15167 City East QLD 4002
In Person	To find your local court registry, visit: https://www.courts.qld.gov.au/contacts/courthouses
Contact us by phone	1800 842 122 available Monday to Friday 8.30am to 4.00pm, excluding Queensland public holidays

Please be advised that there will be significant delays when using this form. This is due to the additional time required to receive, process, and dispatch your order. For the quickest response, please lodge online via QTranscripts at <https://qtranscripts.justice.qld.gov.au>. This form should only be used if QTranscripts access is not possible.

Please note

Your fee waiver application will be assessed regarding the requested hearing dates only.

Any future requests for transcripts will require a new Fee Waiver application to be lodged for assessment.

In circumstances where there is more than one applicant requesting a fee waiver of a particular transcript, each applicant must submit a separate Fee Waiver application.

Each application is assessed based on the financial information provided and a determination may be made that a **FULL** or **PARTIAL** waiver of transcript fees is applicable based on your financial circumstances at the time of making the request.

If you are unable to provide the information required for the Fee Waiver Application Form or have any queries, please contact the Recording & Transcription Services team on 1800 842 122 or visit Queensland Courts website: [RTS Financial Hardship Fee Waiver Policy \(courts.qld.gov.au\)](https://www.courts.qld.gov.au/RTS-Financial-Hardship-Fee-Waiver-Policy)

Victim of a Personal Offence Fee Waiver application

If you are the victim of a personal offence where the matter is heard in the criminal jurisdiction of the Supreme or District Court of Queensland or entitled person for a deceased person who is subject to a legal proceeding before a Coroner or Industrial Magistrate, and the proceeding relates to the death of this person, please DO NOT fill in this Form.

Please fill in a Request for Transcript Victim of a Personal Offence Fee Waiver Application Form

Details of the person making the request

Full Name	
Organisation name (if applicable)	
Phone / Mobile (Incl. area code)	
Postal address	
Email address (only used by Transcript Service Provider for invoicing purposes, if required, transcripts will not be distributed via email)	
Involvement (Party, Legal Representative, etc.)	

Details of the proceedings			
Matter Title <i>(R v Party 1, Party 1 v Party 2 etc.)</i>			
Matter Number			
Court <i>(Supreme Court, District Court, Magistrates Court etc)</i>			
Judicial Officer / Presiding Member			
Jurisdiction	<input type="checkbox"/> Civil	<input type="checkbox"/> Criminal	<input type="checkbox"/> Other
Court Location <i>(City/Courthouse)</i>			
Event Date/s Require	Please specify ALL required dates		
Transcript types available per jurisdiction are listed below			
Court of Appeal			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Hearing <input type="checkbox"/> Judgment**			
Supreme Court			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Closing Addresses <input type="checkbox"/> Ellipses <input type="checkbox"/> Full Transcript (Criminal trial transcript only) <input type="checkbox"/> Hearing			
<input type="checkbox"/> Judgment** <input type="checkbox"/> Opening Addresses <input type="checkbox"/> Order** <input type="checkbox"/> Pre-Recorded Evidence <input type="checkbox"/> Pre-Trial Hearing			
<input type="checkbox"/> Ruling** <input type="checkbox"/> Sentence** <input type="checkbox"/> S13A/B or S21E Sentence** <input type="checkbox"/> Sentence Submissions			
<input type="checkbox"/> S13A/B Sentence Submissions <input type="checkbox"/> Summing-Up/Redirections** <input type="checkbox"/> Trial <input type="checkbox"/> Verdict			
District Court (including Planning and Environment Court and Childrens Court of Queensland)			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Closing Addresses <input type="checkbox"/> Ellipses <input type="checkbox"/> Full Transcript <input checked="" type="checkbox"/> Hearing			
<input type="checkbox"/> Judgment** <input type="checkbox"/> Opening Addresses <input type="checkbox"/> Order** <input type="checkbox"/> Pre-Recorded Evidence <input type="checkbox"/> Pre-Trial Hearing			
<input type="checkbox"/> Ruling** <input type="checkbox"/> Sentence** <input type="checkbox"/> S13A/B or S21E Sentence** <input type="checkbox"/> Sentence Submissions <input type="checkbox"/> S13A/B Sentence Submissions			
<input type="checkbox"/> Summing-Up/Redirections** <input type="checkbox"/> Trial <input type="checkbox"/> Verdict			
Magistrates Court (including Childrens Court, Domestic and Family Violence Court and Murri Court)			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Committal <input type="checkbox"/> Decision <input type="checkbox"/> 13A/B Decision <input type="checkbox"/> Hearing			
<input type="checkbox"/> 13A/B Hearing <input type="checkbox"/> Pre-Recorded Evidence			
QCAT			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Decision <input type="checkbox"/> Hearing			
Coroners Court of Queensland			
<input type="checkbox"/> Audio of Proceeding <input type="checkbox"/> Findings <input type="checkbox"/> Inquest			
*If Extract was selected please provide details here	Specific Portion:	Start time:	Finish time:



Comments (e.g. Domestic and Family Violence Application or Child Protection Hearing or other information to assist with processing your request)	
**Revisable transcripts are subject to revision and may impact the delivery turnaround timeframe	

Transcript Service Provider (TSP)		
Please select a TSP	<input type="checkbox"/> Epiq	<input type="checkbox"/> VIQ
**Please note: the preferred TSP selected above will contact the applicant on the details provided on this application form.		

Delivery requirements	
Turnaround Timeframes	Please note: All Fee Waiver requests are processed for delivery on a 10 business day turnaround once your eligibility is confirmed. If you require the transcript earlier, please provide reasons below including future court dates and/or appeal lodgment dates relevant to the transcript request.
Reasons for expedited turnaround	
Delivery address for hardcopy transcript	

Information Regarding Financial Documentation Required to Support a Fee Waiver Application
<p>Please Note: Non-parties to a matter cannot request a waiver of transcript fees due to financial hardship. The Financial Hardship Fee Waiver Application Form has been created to assist the Department in making an informed assessment of your current financial situation so a decision can be made as to your eligibility to receive a full or partial waiver of transcript fees due to financial hardship. Any funds and income you list on this application form must be supported by relevant financial documentation. The types of supporting documents required are listed below:</p> <ul style="list-style-type: none"> • Copies of all your bank statement/s (minimum most recent 3 months of transactions) current to the week transcript request is lodged and must include partner bank statements for married or de facto relationships) • Centrelink income statement that details the type of benefit and amount you receive current to the week transcript request is lodged • Copy of Centrelink Pensioner Concession Card and/or Healthcare Card, if applicable • Pay Slips, Payment Summaries (minimum most recent 3 months) current to the week transcript request is lodged • Income Tax Assessment Notice for last financial year if you have not yet worked in the current financial year • Any other supporting documentation that may assist your application for a fee waiver.

Concession Card Details						
Are you the holder of any of the following cards under the Social Security Act 1991 (Commonwealth) -						
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">A current health care card</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td>Expiry Date:</td> </tr> <tr> <td>A current pension concession card</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Expiry Date:</td> </tr> </table>	A current health care card	<input type="checkbox"/>	Expiry Date:	A current pension concession card	<input type="checkbox"/>	Expiry Date:
A current health care card	<input type="checkbox"/>	Expiry Date:				
A current pension concession card	<input type="checkbox"/>	Expiry Date:				
Please note: A copy of the Centrelink card to support the category you select must be supplied with this application.						

PLEASE NOTE: If you have provided a current health care card or pension concession card please skip straight to the “Checklist” section

Applicant's Financial Details
Please complete all fields regarding financial information. If the field does not apply to your financial circumstances, please mark as “N/A”, “Nil”, “Zero”, etc..

Occupation:	
Employer:	
Marital Status:	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> De facto <input type="checkbox"/> Separated
Dependents:	<input type="checkbox"/> Dependent Wife/Husband/De facto <input type="checkbox"/> ___ (# of) dependent children <input type="checkbox"/> Other

Applicant's Funds/Assets/Investments	
Current Bank Balance: (at time of application)	\$
Assets: (List all including value)	
Investments: (List all including value)	
Total Funds:	\$
<p>Please note: Copies of 3 months of your most recent bank/investment statement/s for all accounts held by applicant current up to the week of Transcript Request is lodged must be provided with this Application. If you are the recipient of the Centrelink benefit, please provide a current copy of your Centrelink Income Statement (or similar).</p>	

Applicant's Total Household Income	
Income (please indicate whether Gross/Net)	\$ per fortnight
<input type="checkbox"/> Wages/salary	\$
<input type="checkbox"/> Benefit	
Income from investments:	\$
Income from rent:	\$
Total Income:	\$

Applicant's Household Expenditure Details	
Expenditure	\$ per fortnight
Rent/Board:	\$
Mortgage repayment:	\$
Maintenance for dependents:	\$
Food:	\$
Telephone:	\$



Water:	\$
Rates:	\$
Court orders:	\$
Utilities (electricity/gas):	\$
Other: (Please state)	\$
Total Expenditure:	\$

Grounds for Financial Hardship

Should you wish to provide additional details regarding special personal or financial circumstances or information to be relied on to show financial hardship, please detail below, or attach a separate statement to this application.



Checklist

Before you send the application, check you have attached, as applicable:

Financial details

- a copy of your health care or pension card OR
- your pay slips or proof of income
- a copy of your bank statement/s
- copies of Income Tax assessment Notices
- a copy of your self-employment details
- a copy of your Centrelink Income Statement (or similar)

Also check you have:

- answered all relevant questions
- read and signed the Declaration below

Declaration - Please review and complete before submitting

Copyright in this transcript is vested in the State of Queensland (Department of Justice and Attorney-General). Apart from any use permitted under the Copyright Act 1968 (Cth), all other rights are reserved. Providing a copy to a legal practitioner for the purpose of obtaining professional advice is considered fair use under section 43(2) of the Copyright Act 1968 (Cth) and does not require copyright release. For all other uses, you must not copy, modify or distribute this material without the written authority of the Director, Recording and Transcription Services, Queensland Courts.

The Department of Justice and Attorney-General (the Department) is collecting your personal information on this form, including your name, email address, address, telephone number and information about the matter/s you are requesting audio or a transcript for, to process your request. Where you have applied for a fee waiver or exemption, we may also collect your personal information in order to assess your eligibility under the Fee Waiver and Fee Exemption Policy – this may include the collection of information relating to your financial position. The Department will only use your personal information for this purpose and your information may be disclosed to service providers contracted by the Department. Your personal information will not otherwise be used or disclosed unless authorized or required by law. Your personal information will be handled in accordance with the *Information Privacy Act 2009*.

I agree that copyright in the transcript remains with the State of Queensland (Department of Justice & Attorney-General).

I understand Recording and Transcription Team will only process the present transcript order if there is no restriction on release.

The Department of Justice and Attorney-General treats fraudulent activity seriously.

When applying for a fee waiver:

- making a false or misleading statement
- providing a document or information you know to be false or misleading; or
- omitting information with the intent to deceive or mislead

may result in you being investigated by the Queensland Police Service for criminal offences, including Fraud or Forgery and Uttering under the Criminal Code. Penalties including imprisonment apply to persons found guilty of such offences.

I declare that the information provided in this form and supporting documents are true and correct to the best of my knowledge and belief.

I declare that I have provided my complete financial information to support the fee waiver request

I declare that I acknowledge that criminal penalties may apply for dishonestly obtaining a waiver of transcript fees.

Print Name:

Signature:

Date:



Queensland
Government

Identification requirements

Recording and Transcription Services is required to verify the identity of a Requestor when determining eligibility to receive a requested transcript. A Requestor must provide a total of 100 points of **Australian or state-issued** documents for the purpose of verifying your identity. Different types of identity documents hold unique point values as indicated in the table below. You can use different combinations of documents to make up your 100 points, but you **must include at least 1 primary document** source as part of your 100 points.

If lodging your form in person:

Please take your original documentation (of 100 points or greater) to your local court registry, along with this form, where a Registry Officer will sight and verify your identity.

If lodging your form by post:

Please include **certified** copies of documentation (of 100 points or greater), when returning your form to Recording and Transcription Services by post for processing.

A **certified** copy refers to a document that is certified by a suitably qualified person who declares a document to be a true and correct copy of the original (i.e. Justice of the Peace, Commissioner for Declarations). To find a Justice of the Peace or Commissioner for Declarations in your local area, visit: <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/about-justice-of-the-peace/search-for-your-nearest-jp-or-cdec>

Primary documents (1 mandatory)	Points	Please tick if supplied
Australian visa	40	<input type="checkbox"/>
Birth certificate	50	<input type="checkbox"/>
Certificate of Australian citizenship	50	<input type="checkbox"/>
Driver licence	60	<input type="checkbox"/>
Proof of age card	60	<input type="checkbox"/>
Passport (current or expired less than 3 years)	50	<input type="checkbox"/>
Secondary documents	Points	Please tick if supplied
Change of name certificate	40	<input type="checkbox"/>
Marriage certificate	40	<input type="checkbox"/>
Medicare card	40	<input type="checkbox"/>

Registry Use Only

"I have sighted the original identification documents in accordance with the proof of identity requirements set by Queensland Government Department of Justice & Attorney General, Recording and Transcription."

Name of Registry Officer		Date:	
Signature of Registry Officer:			



Note: These Terms and Conditions apply, where relevant, to all offline manual forms and processes for audio and transcript requests.

The provision of audio and transcription records by the Department of Justice and the Attorney-General can be done via an off-line application process using manual forms. This process relies on Departmental systems and processes to complete the request. These Terms govern our use of your information to fulfil your request or answer your enquiry and are legally binding.

In these Terms, 'us', 'we' and 'our' means the Department. **QTranscripts** is the online portal operated by the Department of Justice and Attorney-General (**Department**) to provide you with the ability to order Transcription Records, Pre-Existing Transcription Records and Audio Recordings for legal proceedings before Queensland Courts and Tribunals). Although you are not accessing QTranscripts directly, the Department uses QTranscripts to fulfil your request.

QTranscripts is owned by The State of Queensland (as represented by the Department of Justice and Attorney-General). By accessing the Service and/or using QTranscripts and its related services, you agree to these Terms and Conditions, which include our Privacy Policy (available at <https://www.justice.qld.gov.au/legals/privacy>) and Disclaimer Notices (available at <https://www.justice.qld.gov.au/legals/disclaimer>) (the **Terms**). If you would like a copy of these documents, please ask when you prepare this form.

<p>1. Collection Notice</p>	<p>By providing your personal information to us, you consent to the collection, use, storage and disclosure of that information as described in our Privacy Policy and these Terms.</p> <p>By providing your personal information to us, you consent to the collection, use, storage and disclosure of that information as described in our Privacy Policy and these Terms.</p> <p>We collect personal information about you in order to facilitate your access to Transcription Records, Pre-Existing Transcription Records and Audio Recordings of Queensland Courts and Tribunals (Service) via the Department and their Transcription Service Providers, Epiq Australia Pty Ltd and VIQ Australia Pty Ltd and (our Transcription Service Providers). We also collect your personal information in order to assess your eligibility under the Fee Waiver and Fee Exemption Policy – this may include the collection of information relating to your financial position. However, please ensure that your Tax File Number is not included or is obfuscated (that is, made unreadable) in any information submitted to the Department relating to your financial position. We may also collect your personal information for the purposes otherwise set out in our Privacy Policy.</p> <p>We may disclose that information to third parties that help us deliver the Service (including the Transcription Service Providers), judicial officers, and other third-party suppliers (such as information technology suppliers, communication suppliers, other Queensland Government Departments and our business partners) or as required by law.</p> <p>If you do not provide the information set out in the approved form, we may not be able to provide you with the Service ability to purchase Transcription Records, Pre-Existing Transcription Records or Audio Recordings.</p> <p>Our Privacy Policy explains: (i) how we store and use, and how you may access your personal information; (ii) how you can lodge a complaint regarding the handling of your personal information; and (iii) how we will handle any complaint. If you would like any further information about our privacy policies or practices, please ask when you submit this form. You also have the right to request an amendment of your personal information that we hold about you if you believe the information is inaccurate, incomplete, out of date or misleading. Please ask at the time of submitting the form or contact 1800 842 122.</p> <p>If you provide us with personal information on behalf of another person, you warrant that you have the person's consent to do so and that you have provided the person with details of these Terms (including our Privacy Policy).</p>
<p>2. General</p>	<p>By accessing the Service, you agree:</p> <ul style="list-style-type: none"> ▪ to only request to access information you are properly authorised to access and that if you delegate access to another person (e.g. an authorised representative), you will be fully responsible for that person's request;



	<ul style="list-style-type: none"> ▪ to use information that you receive from the Department only for lawful purposes; ▪ that any instructions regarding your order provided by us, or notifications regarding Transcription Records, Pre-Existing Transcription Records and Audio Recordings, that are provided to you, form part of these Terms; ▪ placing a request for a Transcription Record, Pre-Existing Transcription Record or an Audio Recording does not necessarily mean that you are entitled to receive the records you have ordered. Transcription Records, Pre-Existing Transcription Records and Audio Recordings are released in accordance with the Recording of Evidence Act 1962, subordinate legislation and other legislation in force at the time an order is placed; ▪ access to Audio Recordings or Transcription Records and Pre-Existing Transcription Records is provided by the means of delivery you choose on the form. Further copies will need to be requested again (fees may apply).
<p>3. Accuracy, completeness, and timeliness of information</p>	<p>While we use all reasonable attempts to ensure the accuracy and completeness of the information provided to you, to the extent permitted by law, including the Australian Consumer Law, we make no warranty regarding the information provided to you, nor the Transcription Records, Pre-Existing Transcription Records or Audio Recordings ultimately supplied by the Department or Transcription Service Providers.</p>
<p>4. Intellectual property rights</p>	<p>We own all rights, title and interest (including copyright and any other intellectual property rights) in the Transcription Records, Pre-Existing Transcription Records and Audio Recordings. To the extent you purchase a Transcription Record, Pre-Existing Transcription Record or Audio Recording from the Department or a Transcription Service Provider, we provide you a limited, personal, non-exclusive, revocable licence to use the Transcription Record, Pre-Existing Transcription Record or Audio Recording for the sole purpose of retaining a record of the proceeding to which the audio or transcript pertains. You must not copy or distribute a Transcription Record, Pre-Existing Transcription Record or Audio Recording for any other purpose without the Department's prior written consent.</p> <p>You agree that this section 4 overrides any licensing terms and conditions with respect to material owned by Queensland Government which may be published elsewhere, including on publicly accessible websites (such as Creative Commons licenses).</p>
<p>5. Transcription Service Providers</p>	<p>The Department has an arrangement in place with Transcription Service Providers to undertake the recording and transcription of some court proceedings. Except in the case of Transcription Records that are in the possession of the Department (<i>Pre-Existing Transcription Records</i>). Pre-Existing Transcription Records will be provided by the Department in accordance with section 6. For Transcription Records produced by Transcription Service Providers, you acknowledge that you are purchasing products and services from a third party, and that the Department is using QTranscripts as an intermediary platform only intended to facilitate your purchase of those products and services.</p> <p>You acknowledge and agree that:</p> <ul style="list-style-type: none"> a) all requests for Transcription Records must be made using QTranscripts or the manual form. You cannot approach a Transcription Service Provider directly to place an order for a Transcription Record; b) requests for a same day transcription must be made by the Department, using QTranscripts on your behalf no later than 9.30AM AEST on the same business day that the transcript is required to enable a Transcription Service Provider to meet delivery timeframes. Should you wish to place a same day transcript order after 9.30AM AEST on the same business day delivery is required, you will need to discuss this directly with the Transcription Service Provider who may or may not accept the request. c) the Transcription Service Provider may require you to agree to additional terms and conditions regarding your purchase of Transcription Records;



- d) you will enter into a contractual relationship with the Transcription Service Provider for the purchase of Transcription Records which is outside of the control of the Department;
- e) a Transcription Service Provider can establish their own processes for managing payments for Transcription Records whereby a Transcription Service Provider may choose to take an upfront deposit, full payment upfront, invoice a customer or some other agreement which may be agreed with the Department from time to time;
- f) the Transcription Service Provider will be responsible for issuing an invoice to you concerning the purchase of Transcription Records or providing you with another payment mechanism such as an online payment platform gateway, or other payment mechanism provided by the Transcription Service Provider;
- g) you will be responsible for paying the Transcription Service Provider directly in accordance with that third party's terms and conditions;
- h) the Transcription Service Provider will be responsible for managing the administration of cost-sharing of Transcription Records between eligible parties;
- i) in a cost sharing scenario, payments from all parties must be received before the Transcription Record is uploaded into QTranscripts, and subsequently provided to you in the manner you specify. You acknowledge that this may mean that in the event that another party does not pay, you will be given the opportunity to pay the full cost of the Transcript Record. However, if you choose not to pay the full cost of the Transcript Record, a Transcription Record will not be uploaded to QTranscripts and then subsequently not distributed to you
- j) the Transcription Service Provider is responsible for the production of a Transcription Record and uploading it to QTranscripts;
- k) you acknowledge that Transcription Service Providers are not permitted to upload a Transcription Record to QTranscripts until full payment is received, except in circumstances where you have an account with the Transcription Service Provider and have agreed to their payment terms;
- l) the Department is responsible for providing the audio or transcription record you have requested to you, however to the extent permitted by law, including the Australian Consumer Law, we make no warranty regarding the timeliness of submitting your request or providing you with the Transcription Record;
- m) the Department may from time to time reassign a Transcription Service Provider selected by you if this is required for operational efficiencies and / or to prevent multiple versions of the same Transcription Record being created;
- n) the Transcription Record delivery time commences:
 - (i) when a Transcription Record request is sent to the Transcription Service Provider, and does not include any time for the Department to consider the request; and
 - (ii) when the deposit is made, or full upfront payment is received if requested by the Transcription Service Provider.
- o) Transcription Service Providers are not permitted to retain a Transcription Record for more than 30 calendar days. If full payment for a Transcription Record has not been made, the Transcription Record will be destroyed by the



	<p>Transcription Service Provider. Any fees already paid by you will not be refunded by the Transcription Service Provider. If the Transcription Record is required after 30 calendar days has elapsed, a new request will need to be made on the approved form or in QTranscripts and the relevant fees paid;</p> <p>p) if a District Court revisable Transcription Record is not released by a judicial officer, after 10 Business Days have elapsed, the Department will contact the Transcription Service Provider, cancel the order and advise that all fees paid by the requestor in relation to the District Court revisable Transcription Record are to be refunded;</p> <p>q) a Transcription Service Provider is responsible for providing discounts and rebates with respect to missed Transcription Record timeframes or quality issues. You are responsible for raising issues with the Transcription Service Provider; and</p> <p>r) if a Transcription Record requires correction due to an error, a request must be submitted by you in writing. It is the responsibility of the Transcription Service Provider to make any required transcript corrections.</p> <p>We make no statements, representations or warranties about the accuracy or completeness of any information contained in the Transcription Records, and you acknowledge that the Transcription Service Provider is responsible for the accuracy of any Transcription Record completed by that party and for uploading the Transcription Records to QTranscripts once the Transcription Record is complete.</p>
<p>6. The Department's responsibilities with respect to Pre-Existing Transcription Records and Audio Recordings</p>	<p>Generally speaking, the Department is responsible for the following in relation to the Service and the QTranscripts platform:</p> <ul style="list-style-type: none"> (a) administering requests for Pre-Existing Transcription Records (see below under the section titled '<i>Pre-Existing Transcription Records</i>'); (b) administering requests for Audio Recordings (see below under the section titled '<i>Access to audio recordings</i>'); (c) facilitating the management of revisable Transcription Records (excluding the function of revising a Transcription Record or Pre-Existing Transcription Record); and (d) facilitating the redaction of Transcription Records and Pre-Existing Transcription Records. <p>The Department administers the above tasks in accordance with the <i>Recording of Evidence Act 1964</i> (Qld) and the <i>Recording of Evidence Regulation 2018</i> (Qld).</p> <p><i>Pre-Existing Transcription Records</i></p> <p>Pre-Existing Transcription Records relate to any records that are in the Department's possession. The Department will be responsible for managing any subsequent requests, including arranging payment. Issuing Pre-existing Transcription Records is the responsibility of the Department. These records will be administered in accordance with the <i>Recording of Evidence Act 1964</i> (Qld) and the <i>Recording of Evidence Regulation 2018</i> (Qld).</p> <p>Payments for Pre-existing Transcription Records can be made via the Smart Services Queensland website (preferable) or in-person at a court registry. Cost-sharing provisions do not apply to Pre-Existing Transcription Records.</p> <p><i>Access to audio recordings</i></p>



	<p>Audio Recordings can be requested from the Department via the approved form or QTranscripts, and fees may apply, which can be paid via the Smart Services Queensland website (preferable) or in-person at a court registry.</p> <p>Access restrictions may prevent you from being provided with the entire Audio Recording or portion of the Audio Recording. Audio Recordings will be provided as a CD recording.</p>
7. Fee waivers and fee exemptions	<p>Section 5B(3)(b) of the <i>Recording of Evidence Act 1962</i> (Qld) provides for copies of records or transcriptions on request to be available for persons at no cost or at a cost that is less than the amount that would otherwise be payable, in accordance with the entitlements prescribed under the <i>Recording of Evidence Regulation 2018</i> (Qld).</p> <p>You may request a fee waiver or fee exemption by following the process outlined in the Fee Waiver and Fee Exemption Policy. If you request a fee waiver or fee exemption, the Department will process your request in accordance with the Fee Waiver and Fee Exemption Policy. If you would like a copy of this Policy, please ask when you prepare this form.</p>
8. Complaints	<p>If you have any issue or concerns with:</p> <ul style="list-style-type: none"> a) payment for a Transcription Record, Pre-Existing Transcription or Audio Recording; b) a decision relating to a fee waiver or exemption; c) where a Transcription Record or Audio Recording is not released; d) the quality or accuracy of a Transcription Record or Audio Recording; e) the timing for delivery of a Transcription Record or Audio Recording; or f) other issues or concerns regarding services delivered by the Department or Transcription Service Providers, <p>A complaint should be raised by contacting the Department in writing.</p> <p>The Department will review your complaint and determine whether it needs to be resolved by the Department or by the Transcription Service Provider.</p> <p>The Department is not responsible for the acts, or omissions, of the Transcription Service Providers and you agree, where we direct you to do so, to take up all relevant issues or concerns with the Transcription Service Provider.</p>
9. No commercial use	<p>Access to a Transcription Record or Audio Recording is for your personal, non-commercial use only. You may not modify, copy, distribute, transmit, display, perform, reproduce, publish, license, commercially exploit, create derivative works from, transfer, or sell any Transcription Record or Audio Recording purchased from the Department or a Transcription Service Provider.</p>
10. Unacceptable activity	<p>You must not do any act that we would deem to be inappropriate, is unlawful or is prohibited by any laws applicable to the Department, including but not limited to any act that would constitute a breach of either the privacy (including uploading private or personal information without an individual's consent) or any other of the legal rights of individuals.</p>
11. Warranties and disclaimers	<p>To the maximum extent permitted by law, including Australian Consumer Law, we make no warranties or representations about the Service, the Transcription Records, the Pre-Existing Transcription Records, or the Audio Recordings, including but not limited to warranties or representations that they will be complete, accurate or up-to-date, that access will be timely, uninterrupted or error-free or free from viruses, or that QTranscripts will be secure.</p> <p>We reserve the right to restrict, suspend or terminate without notice your access to the Service, at any time without notice and we will not be responsible for any loss, cost, damage or liability that may arise as a result.</p>
12. Liability	<p>To the maximum extent permitted by law, including the Australian Consumer Law, in no event shall the Department be liable for any direct and indirect loss, damage or expense – irrespective of the manner in which it occurs – which may be suffered due to your use of the Service or QTranscripts and/or the information or materials accessed through it or contained on it.</p>



<p>13. Jurisdiction and governing law</p>	<p>Your use of the Service and these Terms are governed by the law of Queensland and you submit to the non-exclusive jurisdiction of the courts exercising jurisdiction in Queensland.</p>
<p>14. Definitions</p>	<p>The following definitions apply to these Terms:</p> <p>Audio Recordings means recordings of proceedings and other hearings in Queensland Courts and Tribunals that are in the possession of the Department.</p> <p>Department means the Department of Justice and Attorney-General.</p> <p>Fee Waiver and Fee Exemption Policy means the policy by that name available from the Department.</p> <p>Pre-Existing Transcription Records means Pre-Existing Transcription Records that are in the possession of the Department.</p> <p>Service means facilitating your access to Transcription Records, Pre-Existing Transcription Records and Audio Recordings of Queensland Courts and Tribunals.</p> <p>Terms means these Terms and Conditions, which include our Privacy Policy (available at https://www.justice.qld.gov.au/legals/privacy) and Disclaimer Notices (available at https://www.justice.qld.gov.au/legals/disclaimer).</p> <p>Transcription Records means written transcripts which are produced by the Transcription Service Providers in relation to the Queensland Courts and Tribunals.</p> <p>Queensland Courts and Tribunals means legal proceedings before the following jurisdictions in Queensland:</p> <ul style="list-style-type: none"> • Court of Appeal • Supreme Court • District Court • Magistrates Court, including the Specialist Domestic and Family Violence Court and Coroners Court of Queensland. • Queensland Civil and Administrative Tribunal (QCAT) • Specialised Courts and Tribunals <ul style="list-style-type: none"> ○ Childrens Court ○ Industrial Court of Queensland ○ Land Court and Land Appeal Court of Queensland ○ Mental Health Court ○ Planning and Environment Court ○ Queensland Industrial Relations Commission

