



Lodgement of Documents under Section 37 and 38AA of the AAT Act in the Social Services and Child Support Division

This Direction is given under section 18B of the *Administrative Appeals Tribunal Act 1975* (AAT Act).

1. About this Direction

1.1 This Direction deals with the operation of sections 37 and 38AA of the AAT Act in relation to certain reviews in the Social Services and Child Support Division. It is to be read with the Practice Direction *Lodgement of Documents under Sections 37 and 38AA of the AAT Act*.

Application

1.2 This Direction applies from 15 May 2017 to any application to the AAT for a first review of a decision other than a child support first review.

Interpretation

1.3 All references to section numbers are to the AAT Act, unless otherwise specified.

1.4 In this Direction:

agency party has the same meaning as in subsection 3(1) of the AAT Act.

child support first review has the same meaning as in subsection 3(1) of the AAT Act.

first review means a review that an enactment designates as an **AAT first review**.

1.5 In accordance with the definition in section 2B of the *Acts Interpretation Act 1901*, a document means any record of information and includes anything from which sounds, images or writings can be reproduced with or without the aid of anything else.

2. Information that may be redacted in documents lodged under section 37 and section 38AA

2.1 The agency party may, without applying for a direction under section 35 of the AAT Act, redact the following information in a document that will be lodged with the AAT in accordance with subsection 37(1) or 38AA(1):

- (a) information about a person (other than a party) that is not related in any way to the decision under review;
- (b) a passport number or a tax file number of a party;
- (c) for a review in which there is more than one party (other than the agency party):
 - (i) the residential address or other contact details of a party (including an email address) or the name or address of a party's employer;
 - (ii) a Centrelink customer reference number or child support identification number of a party; or
 - (iii) the number of the account on a bank statement (but not the number of any account to or from which money is transferred in the bank statement) other than the last four digits in that account number.

Note: If the agency party considers any other information that is relevant to the review of the decision ought not be given to another party, the agency party must apply for a direction under section 35 of the AAT Act in accordance with the procedures outlined in Section 3 of the Practice Direction *Lodgement of Documents under Sections 37 and 38AA of the AAT Act*.

Justice Duncan Kerr
President
15 May 2017