

AAT Reviewable Decisions List

Decisions Subject To Review*
(Jurisdiction as at 31 May 2019)

The Administrative Appeals Tribunal (AAT) does not have a general power to review decisions made under Commonwealth legislation. The AAT can only review a decision if a law states that the decision can be reviewed by the AAT.

This document sets out the Acts and legislative instruments which state certain decisions may be reviewed by the AAT.

The list is arranged alphabetically and provides the following information:

1. Box 1: The short title of the Act or legislative instrument.
2. Box 2: The legislative provisions which provide the AAT jurisdiction to review a decision. Where applicable, the latest legislation amending the AAT jurisdiction is in bracket.
3. Box 3: The legislative provisions in which a reviewable decision may be made are in the left column.
4. Box 4: A brief description of the reviewable decisions is provided in the centre or right column.
5. Box 5: Other relevant information, including any variation to the standard 28-day time limit for lodging an application for review is set out in a note.

Where an Act, enactment or a provision:

- has not yet commenced, it will be in *italics*. A note at the end of the entry indicates the commencement date.
- is to be repealed, it is underlined with an explanatory note.
- has been repealed, it will be underlined and *italicised*. The relevant enactment or provision will generally be removed from the jurisdiction list 3 months after the date of the repeal.

Example

<i>Customs (International Obligations) Regulation 2015</i> 1	
Regulation 21(2) (SLI 32 of 2015) 2	
Regulation 21(1) 3	The following decision of a Collector: 4 - to refuse to give consent, under reg 21(1).
[Notes:	
1. This instrument is made under the Customs Act 1901. This entry includes compilation No 4 that includes amendments up to F2017L01486, registered on 13 December 2017.] 5	

To quickly link to the relevant part of the list, click on the letter below which corresponds to the first letter of the legislation:

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [L](#) [M](#) [N](#) [O](#) [P](#) **Q [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) **X****

Y Z

The AAT's Legal and Policy Section maintains this list. Any queries in relation to the list should be sent to enquiries@aat.gov.au. An updated version of the list is published periodically.

* This list includes those enactments which provide for advisory opinions. Advisory opinions are not decisions subject to review.

Disclaimer: This publication does not purport to be a determination of whether any matter falls within the AAT's jurisdiction. A conclusive determination as to whether the AAT is able to review a particular decision can only be made once the AAT has received an application for review. Therefore, if you are unsure about whether a decision falls within the AAT's jurisdiction, an application for review should be lodged with the Tribunal for a determination and/or independent legal advice sought.

A

[A New Tax System \(Australian Business Number\) Act 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953* (42 of 2009)

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following reviewable ABN decisions of the Registrar of the Australian Business Register in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to set the date of effect of registration under s 11(1); - to refuse to register a person or their representative, under s 13; - to cancel a person's registration under s 18(1); - to cancel the registration of a representative under s 18(4); - to set the date of effect of a cancellation under s 18(2) or (5); - to refuse to cancel registration under s 18(4); - to refuse not to disclose details in relation to an entity when giving a copy of an entry from the Australian Business Register under s 26(4); - to refuse not to disclose details in relation to an entity when issuing a document containing the details of matter taken from the Australian Business Register or when giving a person a certified copy of, or extract from, the Australian Business Register under s 27(7);
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[Notes:

1. Section 21 of the Act provides that a person may object against the decisions set out in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*.
2. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the AAT.
3. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[A New Tax System \(Family Assistance\) Act 1999](#)

Sections 111(1) [first review], 128(1) [second review], 138(1) [single review]

AAT First Review - Social Services and Child Support Division	
<p>Sections 105(4) and 109A(2) of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i></p>	<p>Any decision of an officer under the family assistance law that has been affirmed, varied or set aside and substituted on internal review by the Secretary of the Department of Social Services or an authorised review officer under ss 105(4) or 109A(2) of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i>.</p> <p>A decision under the family assistance law made personally by:</p> <ul style="list-style-type: none"> - the Secretary of the Department of Social Services personally (except a decision under Division 2 of Part 8C); - by another agency head in the exercise of a delegated power; - by the Chief Executive Centrelink in the exercise of a delegated power; - by the Chief Executive Medicare in the exercise of a delegated power.
AAT Second Review - General Division	
<p>Section 128(1) of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i></p>	<p>A decision made by the AAT under s 43(1) of the AAT Act on AAT first review.</p>
AAT Single Review – General Division	
<p>Section 57(1) of this Act</p>	<p>A decision of the Secretary to determine under s 57(1) that an approved child care service is the sole provider in an area of the kind of care the service provides and the service would be likely to close if the Secretary were not to make such a determination that would be in force for a period of one or more weeks.</p>

[Notes:

1. Section 105(1) of the *A New Tax System (Family Assistance) (Administration) Act 1999* provides that the Secretary may review on his or her own initiative any decision of an officer under this Act. Section 105(2) of that Act states that the Secretary may review the original decision even if an application has been made to the AAT.

2. Section 109A of the *A New Tax System (Family Assistance) (Administration) Act 1999* provides that a person affected by any decision of an officer under this Act may apply to the Secretary for review of that decision. Section 108(2) of that Act sets out decisions in relation to which a person may not apply to the Secretary for review.
3. A person affected by a care percentage decision may apply under s 109(1A) to the Secretary, to the Child Support Register, for review of the decision. Subject to the exceptions set out in s 111(2) of the *A New Tax System (Family Assistance) (Administration) Act 1999*, a person may apply to the AAT for review of a decision made under the family assistance law. An application for review of a decision under s 111 must be lodged with the AAT within 13 weeks after the person making the application is served with notice of the decision unless there are special circumstances that may justify a longer time period: s 111A of the *A New Tax System (Family Assistance) (Administration) Act 1999*.
4. Act 60 of 2015, amended the *A New Tax System (Family Assistance) (Administration) Act 1999* to introduce AAT first, second and single review with effect from 1 July 2015. The Act repealed the conferral of jurisdiction under ss 142 and 144.]

[A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)

Sections 111(1) [first review], 128(1) [second review], 138(1), 102R(1) [single review] (55 of 2016)

AAT First Review - Social Services and Child Support Division	
Sections 105(4) 109A(2)	<p>Any decision of an officer under the family assistance law that has been affirmed, varied or set aside and substituted on internal review by the Secretary of the Department of Social Services or an authorised review officer under ss 105(4) or 109A(2) of this Act, except a decision set out in s 111(2).</p> <p>Any decision under the family assistance law made personally by:</p> <ul style="list-style-type: none"> - the Secretary of the Department of Social Services (except a decision under Division 2 of Part 8C); - another agency head in the exercise of a delegated power; - the Chief Executive Centrelink in the exercise of a delegated power; - the Chief Executive Medicare in the exercise of a delegated power.
AAT Second Review – General Division	
Section 128(1)	A decision made by the AAT under s 43(1) of the AAT Act on AAT first review.

AAT Single Review – General Division	
<p>Reviewable decisions made under various sections</p>	<p>Any decision made personally by the Secretary of the Department of Social Services or by another agency head himself or herself in the exercise of a delegated power, or the Chief Executive Centrelink in the exercise of a delegated power, or the Chief Executive Medicare in the exercise of a delegated power; or</p> <p>Any decision affirmed, varied or set aside and substituted by the Secretary of the Department of Social Services or an authorised review officer, under s 109A(2):</p> <ul style="list-style-type: none"> - to refuse a child care service for the purposes of the family assistance law under s 195; - to impose another condition for the approval of an approved child care service under s 199(2); - to do one or more of the things mentioned in s 200(1)(a) to (h) in relation to an approved child care service; - to revoke the suspension of the approval of an approved child care service under s 200(3); - to suspend the approval of an approved child care service from a particular day under s 201A(1); - to revoke the suspension of the approval of an approved child care service from a particular day under s 201A(3); - to refuse to cancel an approved child care service's approval under s 202(2); - to cancel an approved child care service's approval under s 202(3); - to cancel an approved child care service's approval under s 202(4), but only if the service made submissions under s 203(1)(e) in relation to the cancellation; - not to exempt a specified child care service from a specified eligibility rule under s 205(3); - to refuse to allocate any child care places to an approved child care service or to refuse to allocate the number of child care places an approved child care service has applied for under s 207, unless the decision is based on the Minister's guidelines under s 206(c); - to reduce the number of child care places allocated to an approved child care service under s 207A; - not to approve an individual as a registered carer for the purposes of the family assistance law under s 210(1);

	<ul style="list-style-type: none">- a decision as to when the approval of an applicant as a registered carer is taken to have come into force under s 212(1);- a decision as to when to approve an individual as a registered carer is taken not to have been force under s 212(3);- to impose another condition for the continued approval of an individual as a registered carer under s 213(2);- to do one or more of the things mentioned in s 214(1)(a) to (d) in relation to a registered carer;- to cancel a registered carer's approval under s 216(3);- to suspend an approved child care service's approval under s 219TSQ(1);- to revoke the suspension of the approval of an approved child care service from a particular day under s 219TSQ(3). <p>The following decisions of the Secretary:</p> <ul style="list-style-type: none">- to revoke or vary a departure prohibition order under s 102E;- to issue a departure authorisation certificate under s 102H;- to make a decision on a person giving security in relation to return to Australia under s 102J.
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[Notes:

1. This Act sets out the review provisions for any decision made under the family assistance law which is defined in s 3 as any one or more of the following:
 - this Act;
 - *A New Tax System (Family Assistance) Act 1999*,
 - any instrument (including regulations) made under this Act or the Family Assistance Act;
 - Schedules 5 and 6 to the *A New Tax System (Family Assistance and Related Measures) Act 2000*.
2. Section 110 of this Act provides a simplified outline of the paths to review:
 - If a person is dissatisfied with a decision of a decision reviewer under Division 1, the person may apply to the AAT for review of the decision (an "AAT first review") (except certain decisions listed in s 110(2)).
 - If a person is dissatisfied with a decision of the AAT on AAT first review, the person may apply to the AAT for further review (an "AAT second review").
 - Certain decisions may only be reviewed once by the AAT (an "AAT single review").

- The rules relating to reviews by the AAT are mainly in the AAT Act, but the operation of that Act is modified in some ways by this Division.
 - The AAT Act allows a person to appeal to a court on a question of law from a decision of the AAT on AAT second review or AAT single review.
3. Subject to certain exceptions set out in s 104(1), s 105(1) provides that the Secretary may review on his or her own initiative any decision of an officer under the family assistance law. Section 105(2) states that the Secretary may review the original decision even if an application has been made to the AAT.
 4. Section 109A provides that a person affected by any decision of an officer under the family assistance law may apply to the Secretary for review of that decision. Section 108(2) sets out decisions in relation to which a person may not apply to the Secretary to review.
 5. A person affected by a care percentage decision may apply under s 109(1A) of this Act to the Secretary, or to the Child Support Registrar, for review of the decision. If a person who has applied to the AAT for review of a decision under s 109A(1) or (1A) without first applying for review to the Secretary or the Child Support Registrar, the person is taken to have applied to the Secretary or the Child Support Registrar on the day on which the person applied to the AAT.
 6. An application for review of an decision under s 111 must be lodged with the AAT within 13 weeks after the person making the application is served with notice of the decision unless there are special circumstances that may justify a longer time period: s 111A of the *A New Tax System (Family Assistance) (Administration) Act 1999*.
 7. Section 152A of this Act provides that, if:
 - an application for review of a decision relates to a person's child care benefit entitlement in respect of one or more sessions of care provided by an approved child care service to a child during a period in an income year; and
 - a decision has been made under ss 65EA, 65EB or 65EC in relation to the person's entitlement to child care rebate in respect of the child and the period; and
 - the result of the review varies or sets aside the child care benefit decision;
 - the original application for review is taken to have included an application for review of the child care rebate decision.
 8. Section 152B of this Act provides that, if:
 - an application for review of a decision relating to a person's child care benefit entitlement by single payment/in substitution in respect of one or more sessions of care provided by an approved child care service to a child during a period; and
 - a decision has been made under s 65ECA in relation to the person's entitlement to child care rebate in respect of the child and the period; and
 - the result of the review varies or sets aside the child care benefit decision;
 - the original application for review is taken to have included an application for review of the child care rebate decision.
 9. Act 60 of 2015 amended this Act to introduce AAT first, second and single review, and repealed ss 142 to 144 with effect from 1 July 2015.
 10. Section 41(2) of the AAT Act does not apply in relation to an application for first review.
 11. An application for first review, other than a decision relating to the payment of family tax benefit or the raising of debt under Division 2 of Part 2 of this Act, must be made no later than 13 weeks after the person is notified of the decision.

12. Section 138(4) of this Act sets out the list of reviewable decisions for AAT single review.]

[A New Tax System \(Goods and Services Tax\) Act 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act</i></p>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to refuse to register an entity under s 25-5(1);- to register an entity under s 25-5(2);- to decide the date of effect of registration under s 25-10;- to refuse to cancel an entity's registration under s 25-55(1);- to cancel an entity's registration under s 25-55(2);- to cancel any entity's registration, where the entity has been registered less than 12 months under s 25-57;- to decide the date on which the cancellation of an entity's registration takes effect under s 25-60;- to determine that the tax periods that apply to an entity are each individual calendar month under s 27-15(1);- to decide the date of effect of such a determination under s 27-15(2);- to refuse under s 27-22(1) to revoke an election under s 27-10;- to determine the date of effect of a revocation of election of one month tax periods under s 27-22(3);- to refuse under s 27-25(1) to revoke a determination made under s 27-15;- to decide the date of effect of a revocation under s 27-25(2);- to determine that a specified period is a tax period that applies to an entity under s 27-30;- to request a request for a determination under s 27-37;- to revoke under s 27-38(1) a determination under s 27-37;- to determine the date of a revocation under s 27-38(2);
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- to refuse to permit an entity to account on a cash basis under s 29-45(1);
- to decide the date of effect of an entity's permission to account on a cash basis under s 29-45(2);
- to revoke an entity's permission to account on a cash basis under s 29-50(3);
- to decide the date of effect of the revocation of an entity's permission to account on a cash basis, under s 29-50(4);
- to refuse an application for a decision that an event is a fund-raising event under s 40-165(1)(c);
- to approve another day of effect as the day of effect of the formation of, or a change to, a GST group under s 48-71(1)(b);
- to revoke an approval of a day of effect under s 48-71(2);
- to refuse an application for approval of a GST religious group under s 49-5;
- to refuse an application for approval or revocation under s 49-70(1);
- to revoke an approval under Div 49 under s 49-70(2);
- to refuse an application for revocation under s 49-75(1);
- to revoke the approval of a GST religious group under s 49-75(2);
- to decide the date of effect of any approval, or any revocation of an approval under Div 49 under s 49-85;
- to approve another day of effect as the day of effect of the formation of, or a change to, a GST joint venture under s 51-75(1)(b);
- to revoke an approval of a day of effect under s 51-75(2);
- to refuse an application for registration as a GST branch under s 54-5;
- to decide the date of effect of registration of a GST branch under s 54-10;
- to refuse to cancel the registration of a GST branch under s 54-75(1);
- to cancel the registration of a GST branch under s 54-75(2);

	<ul style="list-style-type: none">- to decide the date of effect of the cancellation of the registration of a GST branch under s 54-80;- to cancel the registration of an Australian resident agent, under s 57-25(1);- to determine that the tax periods that apply to a resident agent are each individual month under s 57-35(1);- to decide the date of effect of a determination, under s 57-35(2);- to cancel the registration of a representative of an incapacitated entity under s 58-25(1);- to direct a representative of an incapacitated entity to give to the Commissioner a GST return under s 58-50(1)(b);- to cancel the registration of a non-profit sub-entity under s 63-35(1);- to refuse to allow, or allow, a further period within which to make an agreement that the margin scheme is to apply under s 75-5(1A)(b);- to refuse to allow an annual apportionment election to take effect from the start of another tax period under s 131-10(2)(b);- to disallow an annual apportionment election under s 131-20(3);- to refuse a request to allow an annual tax period election to take effect from the start of another tax period under s 151-10(2)(b);- to refuse a request to be allowed to make an annual tax period election on a specified day under s 151-20(3);- to disallow an annual tax period election under s 151-25(3);- to disallow an election to pay GST by instalments, under s 162-15(2)(b);- to refuse a request to be allowed to make an election on a specified day under s 162-25(3);- to disallow an election to pay GST by instalments under s 162-30(3);- to make a declaration to negate a GST benefit under s 165-40;- to make a declaration to negate or reduce a GST disadvantage under s 165-45(3);
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	<ul style="list-style-type: none"> - to decide whether to grant a request for a declaration to negate or reduce a GST disadvantage under s 165-45(5).
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[Notes:

1. Section 110-50(1)(a) of Schedule 1 to the *Taxation Administration Act 1953* provides that a person may object against the decisions set out in the right-hand column above. The reviewable decisions are specified in s 110-50(2) of Schedule 1.
2. The following Acts introduced, amended and repealed ss 62(2) and 110-50(2) of Schedule 1 to the *Taxation Administration Act 1953*: 59 of 1999, 176 of 1999, 177 of 1999, 92 of 2000, 156 of 2000, 73 of 2001, 134 of 2004, 78 of 2005, 73 of 2006, 118 of 2009 and 74 of 2010.
3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act*.]

[A New Tax System \(Goods and Services Tax\) Regulations 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation that have been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to refuse an application by the entity under reg 33-15.03; - to require the entity to provide a bank guarantee under reg 33-15.04; - to revoke an approval of the entity under reg 33-15.08.
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[Notes:

1. This instrument is made under the *A New Tax System (Goods and Services Tax) Act 1999*.
2. Regulation 33-15.09 of Schedule 1 to the *Taxation Administration Act 1953* provides that a person may object against the decision set out in the right-hand column above. The following Regulations have introduced or amended that provision: 89 of 2000.

3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the AAT.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[A New Tax System \(Goods and Services Tax Transition\) Act 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decision of the Commissioner of Taxation that has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to refuse an application for a determination relating to rounding under s 24B.
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[Notes:

1. Section 110-50(1)(b) of Schedule 1 to the *Taxation Administration Act 1953* provides that a person may object against the decision set out in the right-hand column above. The reviewable decision is specified in s 110-50(3) of Schedule 1.
2. The following Acts have introduced, amended or repealed ss 62(3A) and 110-50(3) of Schedule 1 to the *Taxation Administration Act 1953*: 92 of 2000 and 73 of 2006.
3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[A New Tax System \(Wine Equalisation Tax\) Act 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to disallow the whole or part of a claim for a wine tax credit under s 17-45;- to decide the date of effect of approval of a person as a New Zealand participant under s 19-7;- to refuse to approve a person as a New Zealand participant under s 19-7;- to revoke a person's approval as a New Zealand participant under s 19-8;- to decide the date of effect of revocation of a person's approval as a New Zealand participant under s 19-8.
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[Notes:

1. Section 111-50(1) of Schedule 1 to the *Taxation Administration Act 1953* provides that a person may object against the decisions set out in the right-hand column above. The decisions are specified in s 111-50(2) of Schedule 1.
2. The following Acts introduced, amended or repealed s 62(2A) and s111-50(2) of Schedule 1 to the *Taxation Administration Act 1953*: 59 of 1999, 176 of 1999, 160 of 2005 and 73 of 2006.
3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Aboriginal and Torres Strait Islander Act 2005](#)

Sections 181B, 196A, 208(1) (32 of 2005)

Section 196A	<p>The following decisions of the Torres Strait Regional Authority:</p> <ul style="list-style-type: none"> - to refuse a loan to an individual under s 142F; - to refuse to give a guarantee in respect of a loan to an individual under s 142G in respect of a loan made or to be made to an individual; - to give notice to a person or body under s 142H(1) or (3); - to make a declaration under s 143R(1) or (1A); - any other decision of the TSRA included in a class of decisions declared by the regulations to be reviewable decisions for the purposes of s 196A; - any decision made under the TSRA election rules that is included in a class of decisions declared by the regulations to be reviewable decisions for the purposes of s 196A.
Section 181B	<p>A decision of Indigenous Business Australia to refuse a housing loan from the New Housing Fund to an individual.</p>

[Adelaide Airport Curfew Act 2000](#)

Sections 9(7) and 11(7) (29 of 2000)

<p>Sections 9(7)(a) 9(7)(b) 11(7)(a) 11(7)(b)</p>	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - to grant or refuse to grant permission to the operator of an international aircraft to take-off from, or land at, Adelaide Airport during a curfew shoulder period under s 9(4); - to grant permission subject to conditions to the operator of an international aircraft to take-off from, or land at, Adelaide Airport during a curfew shoulder period under s 9(5); - to grant or refuse to grant permission to the operator of a low noise heavy freight aircraft of a type specified in the regulations to take off from, or land at Adelaide Airport during a curfew period under s 11(4); - to grant permission subject to conditions to the operator of a low noise heavy freight aircraft of a type specified in the regulations to take off from, or land at Adelaide Airport during a curfew period under s 11(5).
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[Administrative Appeals Tribunal Act 1975](#)

Section 69A(2) (60 of 2015)

Section 69A(1)	The following decision of the Tribunal or an officer of the Tribunal: <ul style="list-style-type: none">- to determine the taxed amount of costs under s 69A(1).
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[Administrative Appeals Tribunal Regulation 2015](#)

Section 28 (SLI 94 of 2015)

Sections 21(h) 23	The following decisions of the Registrar: <ul style="list-style-type: none">- not to make an order that the payment of a prescribed fee amount has caused or would cause financial hardship under s 21(h);- not to order that only one prescribed fee is payable in respect of multiple applications under s 23.
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[Notes:

1. This Regulation is made under the *Administrative Appeals Tribunal Act 1975* and the *Tribunals Amalgamation Act 2015*.
2. **Section 9 provides the list of Norfolk Island enactment decisions subject to review by the AAT.**
3. Section 13 provides for a person to apply to the Tribunal for a determination of the amount of fees payable under subsections (3), (4) or (6) in relation to the compliance with a summons issued under s 40A of the AAT Act.]

[Adult Disability Assessment Determination 1999](#)

Section 179(1) of the *Social Security (Administration) Act 1999*

Section 149 of the <i>Social Security (Administration) Act 1999</i>	The following decisions made by an officer that have been reviewed by the Secretary of the Department of Social Services or an authorised review officer, and then by the Social Security Appeals Tribunal: <ul style="list-style-type: none">- to approve, or refuse to approve, a person as a treating health professional under s 1.5(1);- to approve, or refuse to approve, a class of persons as treating health professionals under s 1.5(2);- to ask for a replacement questionnaire to be completed by
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	another treating health professional if the Secretary is not satisfied that the questionnaire completed is an accurate reflection of a person's disability, emotional state, behaviour and special care needs under s 2.2(3).
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[Notes:

1. This instrument is made under s 38C of the *Social Security Act 1991*.
2. Section 3.1 of the Determination provides that the decisions identified above are taken to be decisions of an officer under the *Social Security Act 1991* for the purposes of the review provisions.]

[Accountability Principles 2014](#)

Section 85-8 of the Aged Care Act 1997

Section 33(1)	A decision by the Secretary to refuse to make a determination that a period of 12 months, other than the period starting on 1 July to be an approved provider's financial year.
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[Note:

1. These Principles were made under section 96-1 of the Aged Care Act 1997.
2. "A decision under Principles made under section 96-1 of the Act that is specified in the Principles concerned to be a decision reviewable under this section" is a reviewable decision which upon reconsideration, can be reviewed by AAT (Item 59 of s 85-1).
3. Part 6.1 of the Act applies to a reviewable decision referred to as if a reference in that Part to this Act included a reference to these principles.
4. The Principles commenced on 1 January 2019]

[Age Discrimination Act 2004](#)

Section 45 (68 of 2004)

Section 44	The decision of the Australian Human Rights Commission to grant or refuse to grant an exemption under s 44.
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[Aged Care Act 1997](#)

Section 85-8 (112 of 1997)

Section 179(1) of the *Social Security (Administration) Act 1999*

Sections	The following decisions that have been confirmed, varied or set
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85-4(4) or 85-5(5)	<p>aside on reconsideration by the Secretary of the Department of Health or the Aged Care Pricing Commissioner:</p> <ul style="list-style-type: none">- to reject an application for approval as an approved provider under s 8-1(1);- to revoke an approval as a provider of aged care under s 10-3(1);- to reject an application for a determination under s15-1 (when allocations take effect), under s 15-3(3);- to vary or revoke a provisional allocation of places to a person if a condition has not been met under s 15-4(1);- to reject an application for a variation of a provisional allocation of places under s 15-5(4);- to extend a provisional allocation period under s 15-7(5);- to reject an application for extension of a provisional allocation period under s 15-7(5);- to give a veto notice rejecting the transfer of an allocated place, other than a provisionally allocated place under s16-6(1);- to give a veto notice rejecting the transfer of a provisionally allocated place under s 16-17(1);- to determine a period for making an application to vary the conditions to which an allocation is subject, under s 17-2(5);- to refuse to determine a period for making an application to vary the conditions to which an allocation is subject under s 17-2(5);- to reject an application for variation of conditions to which an allocation of places is subject under s 17-5;- to approve a day as a variation day for conditions to which an allocation of places is subject under s 17-7(3);- to reject an application to approve a day as a variation day under s 17-7(3);- to revoke an unused allocation of a place under s 18-5(1);- to reject an application to approve a person as a care recipient under s 22-1(2);- to limit a person's approval as a care recipient under s 22-2(1);- to limit a person's approval as a care recipient to one or more levels of care under s 22-2(3);
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	<ul style="list-style-type: none">- to vary a limitation on a person's approval as a care recipient under s 22-2(4);- to determine a person's priority for home care services under s 22-2A(1);- to vary a person's priority for home care services under s 22-2A(2);- as to when a person urgently needed care and when it was practicable to apply for approval under para 22-5(2)(b);- to extend the period during which an application for approval as a care recipient can be made under s 22-5(3);- to reject an application to extend the period during which an application for approval as a care recipient can be made under s 22-5(3);- to revoke an approval of a person as a care recipient under s 23-4(1);- to suspend an approved provider from making appraisals under Section 25-3 and reappraisals under s 27-5 (appraisals of the level of care needed) under s 25-4(1);- to refuse to lift a suspension of an approved provider from making appraisals and reappraisals under s 25-4C(1);- that the Secretary is not satisfied an appraisal under s 25-3 (appraisals of the level of care needed) was sent in sufficient time under s 26-2(2);- to refuse to renew the classification of a care recipient, under s 27-6(1);- that the Secretary is not satisfied that a reappraisal under s 27-5 (reappraisal of the level of care needed) was sent in sufficient time under s 27-8(2);- to change the classification of a care recipient under s 29-1(1);- to reject an application for approval of extra service fees under s 35-1(2);- to refuse to make a determination that a residential care service is taken to meet its accreditation requirement under s 42-5(1);- to specify a period or event at the end of which, or on the occurrence of which, a determination under s 42-5(1) ceases to be in force under s42-5(4);- to revoke a determination that exceptional circumstances
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	<p>apply under s 42-6(1);</p> <p>to extend the period within which a variation of a claim for residential care subsidy can be made under s 43-4A</p> <ul style="list-style-type: none"> - to refuse to extend the period within which a variation of a claim for residential care subsidy can be made, under s 43-4A; - to determine that a judgment or settlement is to be treated as having taken into account the cost of providing residential care under s 44-20(5); - to determine that a part of the compensation under a settlement is to be treated as relating to the future costs of providing residential care under s 44-20(6); - to determine compensation payment reductions in respect of residential care subsidy under s 44-20A(4); - to refuse to make a determination that the care subsidy reduction is zero under s 44-23(2); - to specify a period at the end of which a determination that the care subsidy reduction is zero ceases to be in force under s 44-23(3); - to make a determination for the purposes of working out a care recipient's total assessable income under s 44-24(1) or paras 44-24(2)(b), (3)(b), 3A(b) or (4)(b); - to determine the value of a person's assets under s 44-26C(1) - to revoke a determination of the value of a person's assets under s 44-26C(4); - to refuse to make a determination that a care recipient is eligible for a hardship supplement of a particular amount in respect of residential care under s 44-31(1); - to specify a period or event at the end of which, or on the occurrence of which, a determination under s 44-31 will cease to be in force under s 44-31(3); - to revoke a determination that a care recipient is eligible for a hardship supplement in respect of residential care under s 44-32(1); - to extend the period within which a variation of a claim for home care subsidy can be made under s 47-4A; - to refuse to extend the period within which a variation of a claim for home care subsidy can be made under s 47-4A; - to determine that a judgement or settlement is to be treated
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	<p>as having taken into account the cost of providing home care under s 48-5(5);</p> <ul style="list-style-type: none">- to determine that a part of the compensation under a settlement is to be treated as relating to the future costs of providing home care under s 48-5(6);- to determine compensation payment reductions in respect of home care subsidy under s 48-6(4);- to refuse to make a determination that the care subsidy reduction is zero under s 48-8(2);- to specify a period at the end of which a determination that the care subsidy reduction is zero ceases to be in force under s 48-8(3);- to refuse to make a determination the a care recipient is eligible for a hardship supplement of a particular amount in respect of home care, under s 48-11(1);- to specify a period or event at the end of which, or on the occurrence of which, a determination under s 48-11 will cease to be in force under s 48-11(3);- to revoke a determination that a care recipient is eligible for a hardship supplement in respect of home care under s 48-12(1);- to refuse to approve a higher maximum amount of accommodation payment than the maximum amount of accommodation payment determined by the Minister under s 52G-3, s 52G-4(5);- to refuse to make a determination that paying an accommodation payment or accommodation contribution of more than a particular amount would cause financial hardship under s 52K-1(1)- to specify a period or event at the end of which, or on the occurrence of which, a determination under s 52K-1(1) ceases to be in force under s 52K-1(3);- to revoke a determination that paying an accommodation payment or accommodation contribution would cause financial hardship under s 52K-2(1);- to impose a sanction on an approved provider under s 65-1;- to refuse to lift a sanction under s 68-3;- to vary or revoke an allocation of a residential care grant under s 73-4(1);- to vary an allocation of a residential care grant under s 73-5(5);
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	<ul style="list-style-type: none"> - to reject an application to vary an allocation of a residential care grant under s 73-5(5); - a decision under Principles made under s 96-1 that is specified in the Principles concerned to be a decision reviewable under this section, the provision specified in the Principles as the provision under which the decision is made.
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[Notes:

1. The list of decisions in relation to which a person may request reconsideration is set out in s 85-1 of the Act.
2. Where a person requests reconsideration of a decision under s 85-5(1) or (1A) and the Secretary or the Aged Care Pricing Commissioner has not given notice of a decision with 90 days of receiving a person's request, the Secretary or the Aged Care Pricing Commissioner is taken to have confirmed the decision: s 85-5(7).
3. The Secretary of the Department of Social Services can delegate under s 96-2(4) or (6) to the Chief Executive Centrelink or the Chief Executive Medicare the following powers and functions:
 - under s 44-24 relating to making a determination for the purposes of working out a care recipient's total assessable income; or
 - under s 85-4 or 85-5 relating to reconsidering a determination for the purposes of working out a care recipient's total assessable income.
4. Under s 96-2(5) and (7), the Chief Executive Centrelink or the Chief Executive Medicare may sub-delegate the power or function to a Departmental employee. Where a decision is made under s 44-24 or under s 85-4 or s 85-5 in relation to a decision under s 44-24 by the Chief Executive Centrelink, the Chief Executive Medicare or a Departmental employee exercising its delegated or sub-delegated power, the Secretary of the Department of Social Services may review the decision pursuant to the provisions of Part 4 Division 2 of the *Social Security (Administration) Act 1999* (191 of 1999). See the entry under that Act. Application may be made to the AAT for first review of a decision by the Secretary under ss 126 or 135 of the *Social Security (Administration) Act 1999* (s 142).
5. The AAT also has jurisdiction to review certain decisions made under the Sanctions Principles 2014 and the Subsidy Principles 2014 which have been made under the *Aged Care Act 1997*. See the entry for each of those enactments for further detail.]

[Aged Care \(Transitional Provisions\) Act 1997](#)

Section 85-5 (76 of 2013)

<p>Sections 85-4(4) or 85-5(5)</p>	<p>The following reviewable decisions of the Secretary that have been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to extend the period within which a variation of a claim for residential care subsidy can be made under s 43-4A; - to refuse to extend the period within which a variation of a
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	<p>claim for residential care subsidy can be made under s 43-4A;</p> <ul style="list-style-type: none">- to grant or refuse an application for a determination described in s 44-7(1A) or 44-1(1A) (which is relevant to a person's status as a concessional resident or an assisted resident) under s 44-8AA(1);- to revoke a determination described in s 44-7(1A) or 44-81(1A) under s 44-8AA(6);- to determine the value of a person's assets under s 44-8AB(1);- to revoke a determination of the value of a person's assets under s 44-8AB(4);- to refuse to make a determination that a care recipient is eligible for an oxygen supplement under s 44-13(2);- to refuse to make a determination that a care recipient is eligible for an enteral feeding supplement under s 44-14(2);- to determine that a judgment or settlement is to be treated as having taken into account the cost of providing residential care under s 44-20(5);- to determine that a part of the compensation under a settlement is to be treated as relating to the future costs of providing residential care under s 44-20(6);- to refuse to make a determination that the daily income tested reduction is zero under s 44-22(2);- to specify a period at the end of which a determination that the daily income tested reduction is zero ceases to be in force under s 44-22(3);- to make a determination for the purposes of working out a care recipient's total assessable income under s 44-24(1) or para 44-24(2)(b), 3(b), 3A(b) or (4)(b);- to refuse to make a determination about viability supplement under s 44-29(2);- to refuse to make a determination that a care recipient is eligible for a hardship supplement under s 44-31(1);- to specify period or event at the end of which or on the occurrence of which, a determination under s 44-31 will cease to be in force under s 44-31(3);- to extend the period within which a variation of a claim for home care subsidy can be made under s 47-4A;- to refuse to extend the period within which a variation of a
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	<p>claim for home care subsidy can be made under s 47-4A;</p> <ul style="list-style-type: none"> - to refuse to make a determination that paying an accommodation bond would cause financial hardship under para 57-14(1)(a); - to refuse to make a determination that paying an accommodation bond of more than a specified maximum amount would cause financial hardship, or to specify a particular maximum amount under such a determination under para 57-14(1)(b); - to specify a period or event at the end of which, or on the occurrence of which, a determination under s 57-14(1) ceases to be in force under s 57-14(3); - to revoke a determination that paying an accommodation bond would cause financial hardship under s 57-15(1); - to refuse to make a determination that paying an accommodation charge would cause financial hardship under para 57A-9(1)(a); - to refuse to make a determination that paying an accommodation charge of more than a specified maximum daily amount would cause financial hardship, or to specify a particular maximum daily amount under such a determination under para 57A-9(1)(b); - to specify a period or event at the end of which, or on the occurrence of which, a determination under s 57A-9(1) ceases to be in force under s 57A-9(3); - to revoke a determination that paying an accommodation charge would cause financial hardship under s 57A-10(1); - decision under the Aged Care (Transitional Provisions) Principles made under s 96-1 that is specified in the Principles to be a decision reviewable under this section, the provision specified in the Principles as the provision under which the decision is made.
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[Notes:

1. The Secretary may delegate under ss 96-2(2) or 96-2(4) to the Chief Executive Centrelink or to the Chief Executive Medicare the following powers and functions:
 - under ss 44-8AA or 44-8AB; or
 - under s 44-24 relating to making a determination for the purposes of working out a care recipient's total assessable income; or
 - under ss 85-4 or 85-5 relating to reconsidering the following decisions:
 - a decision under ss 44-8AA or 44-8AB;

- a determination under s 44-24 for the purposes of working out a care recipient’s total assessable income.
2. If the Secretary delegates under ss 96-2(2) or 96-2(4) to the Chief Executive Centrelink or to the Chief Executive Medicare, either may sub-delegate the power or function to a Departmental employee: ss 96-2(3) or 96-2(5).
 3. The Secretary may review a decision of an officer under social security law whether or not any person has applied for review of the decision: s 126 of *Social Security (Administration) Act 1999* (Cth).
 4. A person may apply under s 129(1) of *Social Security (Administration) Act 1999* to the Secretary for review of a decision of an officer under the social security. However, a person may not apply for review of:
 - a decision made by the Secretary himself or herself; or
 - a decision made by the Chief Executive Centrelink himself or herself in the exercise of a delegated power: s 129(4) of *Social Security (Administration) Act 1999*.
 5. Application may be made to the AAT for review of a decision of the Secretary, the Chief Executive Centrelink or an authorised review officer made under ss 126 or 135: s 142 of *Social Security (Administration) Act 1999*.]

[Aged Care Quality and Safety Commission Rules 2018](#)

Section 103

<p>Various sections under the Rules</p>	<p>A decision made by the Commissioner (that has been reconsidered by an internal reviewer):</p> <ul style="list-style-type: none"> - not to accredit a commencing service under s 29; - not to re-accredit a residential service under s 41; - on the further period for which a residential service is to be accredited under s 41(3)(a); - to revoke the accreditation of an accredited service under s 44 or 77; - to vary an accredit service’s period of accreditation under para 77(4)(a); - to cancel a person’s registration as a quality assessor under s 94(3).
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[Note:

1. Applications may be made to the Administrative Appeals Tribunal for review of a reconsideration decision of an internal reviewer that relates to a regulatory reviewable decision. “Regulatory reviewable decision” only relates to an item (other than items 1 and 2) mentioned in the table in section 98 (see Division 2 - Definitions).

- 2. Application made be made by, or on behalf of, the affected person for the regulatory reviewable decision.
- 3. These Rules commences on 1 January 2019]

[Agricultural and Veterinary Chemicals \(Administration\) Act 1992](#)

Section 69D(1B) (79 of 2004)

Section 69D(1)	The decision of the Australian Pesticides and Veterinary Medicines Authority to refuse to give a certificate for the export of chemical products.
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[Agricultural and Veterinary Chemicals \(Administration\) Regulations 1995](#)

Regulation 3.520 (SR 242 of 2004)

Regulation 3.510	The following decisions that have been reconsidered by the Minister: <ul style="list-style-type: none">- to refuse to grant a permission or permit under Part 3;- to revoke, vary or suspend a permission or permit under Part 3.
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[Agricultural and Veterinary Chemicals Code Act 1994](#)

Section 167 of the Schedule (91 of 2014)

Reviewable decisions made under various sections	The following decisions of the Australian Pesticides and Veterinary Medicines Authority (APVMA): <ul style="list-style-type: none">- to approve or register a constituent, product or label: (i) with an instruction or relevant particular other than an instruction or particular set out in the application for the approval or registration; or (ii) subject to particular conditions under s 14(1);- a decision made under s 14(2) to refuse an application for approval or registration, other than a decision based only on requirements set out in para 8A(a) or (b);- a decision made under s 26C(2) to refuse an application for approval or registration, other than a decision based only on requirements set out in para 8A(a) or (b);- a decision made under s 29(2) to refuse an application
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	<p>to vary relevant particulars or conditions, other than a decision based only on requirements set out in para 8A(a) or (b);</p> <ul style="list-style-type: none">- to vary relevant particulars or conditions under ss 34A(1) or 34AF(3);- a decision (the information decision) under s 34J(3) that the APVMA is satisfied that it is in the public interest to use information that s 34G would otherwise prohibit the APVMA from using for making a decision (the substantive decision);- to suspend or cancel the approval of an active constituent for a proposed or existing chemical product, the registration of a chemical product or the approval of a label for containers for a chemical product, under s 34AA or Division 5 of Part 2;- to refuse to accept a late application under s 48(3);- to use protected information under para 59(2)(d);- to extend, or refuse to extend, a period under ss 74(2), 75(2), 76(2) or 78(2);- shortening, or extending or refusing to extend, a period under s 81(3);- to issue a notice under s 99;- to issue a recall notice;- a decision under Part 7 to refuse an application for a permit other than a decision based only on requirements set out in para 8A(a) or (b) or a requirement made by the APVMA under para 111(1)(b)(iii);- a decision under Part 7 to issue a permit subject to particular conditions or for a particular period only;- a decision under Part 7 to refuse to extend a permit other than a decision based only on requirements set out in para 8A(a) or (b);- to suspend or cancel a permit under ss 118, 119, 119A or 119B;- a decision under Part 8 to refuse an application for a licence other than a decision based only on requirements set out in s 122(1);- a decision under Part 8 to issue a licence subject to particular conditions referred to in s 126(1);
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	<ul style="list-style-type: none"> - to impose a new condition on a licence or varying an existing condition under s 126(2); - to suspend or cancel a licence under s 127; - to disclose information to an authority or organisation under para 162(3)(d) without the consent of the applicant or holder concerned; - to disclose information, under s 163; - to refuse to waive or remit the whole or a part of a fee under s 164(8); - a decision under this Code prescribed by the regulations.
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[Notes:

1. Where one of the decisions set out above has been made by a member of the staff of APVMA, the person may request the APVMA to reconsider the decision under s 166(2). The decision on the reconsideration is taken to be a fresh decision on the relevant matter and the person may apply to the AAT for review of that decision: s 166(5). There is no requirement to seek reconsideration before making an application to the AAT.
2. Despite s 167(1)(ea), an application may not be made to the AAT for review of the information decision if the APVMA stated in the notice of that decision given under s 34E that the APVMA believed it was necessary to make the substantive decision before the end of 28 days after giving the notice, to prevent imminent risk to public health or occupational health or safety.]

[Agricultural and Veterinary Chemicals Code Regulations 1995](#)

Regulation 47AB (SLI 219 of 2015)

Regulation 47A(2)	A decision of the Australian Pesticides and Veterinary Medicines Authority (APVMA) withdrawing an assigned notification number, under reg 47A(2).
Regulation 78C	<p>For para 167(1)(y) of the <i>Agricultural and Veterinary Chemicals Code Act 1994</i>, the following are prescribed as reviewable decisions:</p> <ul style="list-style-type: none"> - to refuse an application to change the holder of an approval or registration, under s 8L(3) of the Code; - to refuse an application for a person to be the nominated agent in the Record, Register or relevant APVMA file, under s 8M(3) of the Code;

	<ul style="list-style-type: none"> - to refuse an application to record a change of nominated agent, under s 8P(3) of the Code; - to refuse an application for the making of an interchangeable constituent determination in relation to a chemical product or class of chemical products, in whole or part, made under reg 19AEB; - to refuse an application to vary an ingredient determination, under cl 10(4) of Schedule 3AA.
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[Notes:

1. The list of reviewable decisions set out in reg 78C was amended by the *Agricultural and Veterinary Chemicals Legislation Amendment (Simplified Formulation Variations and Other Measures) Regulation 2015*, which commenced on 1 July 2016.]

[Agricultural and Veterinary Chemical Products \(Collection of Levy\) Act 1994](#)

Sections 18(7), 33 (125 of 2013)

<p>Sections 6(1)(a) 14(2) 14A(3) 18(1)</p>	<p>The following decisions of the Australian Pesticides and Veterinary Medicines Authority (APVMA):</p> <ul style="list-style-type: none"> - the determination of an amount under s 6(1)(a); - to remit, or refuse to remit, the whole or part of an amount of late payment penalty or understatement penalty under ss 14(2) or 14A(3); - to allow, or refuse to allow, a further period for the making of a request to reconsider an assessment under s 18(1).
<p>Sections 6(1)(a) 14(2) 14A(3) 18(1)</p>	<p>The following decisions of a specified collecting agency:</p> <ul style="list-style-type: none"> - the determination of an amount under s 6(1)(a); - to remit, or refuse to remit, the whole or part of an amount of late payment penalty or understatement penalty under ss 14(2) or 14A(3); - to allow, or refuse to allow, a further period for the making of a request to reconsider an assessment under s 18(1).
<p>Section 18(3)</p>	<p>The following decision of the APVMA that has been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to make an assessment as to whether any levy is payable in respect of leviable disposals of a particular chemical

	product during a particular period.
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[Notes:

1. Pursuant to s 18(8), if, as a result of an application made under para 33(b), the AAT has reviewed a determination made by the APVMA under para 6(1)(a) in relation to a chemical product as at a particular time, the AAT is not entitled to alter the determination as so reviewed by it when it is reviewing an assessment to which the determination is relevant.
2. Section 33 provides for review of decisions of a collection agency that has been specified by the Minister in an instrument under s 3A.]

[Air Navigation Act 1920](#)

Section 23A (87 of 2008)

Section 23A	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to refuse a permission under s 15D(1); - to grant a permission subject to a condition under s 15D(2)(c); - to refuse an application under s 15E(4); - to vary, suspend or cancel a permission under s 15F(1); - to refuse a permission under s 17(1). <p>The following decisions of the Secretary, under the <i>Air Navigation Regulations 1947</i>:</p> <ul style="list-style-type: none"> - to refuse to grant an international airline licence under s 23A(1)(aa)(i); - to impose a condition on an international licence under s 23A(1)(aa)(ii); - to vary, refuse to vary, suspend or cancel an international airline licence under s 23A(1)(aa)(iii).
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[Notes:

1. See the entry for the *Air Navigation Regulations 1947* in relation to the decisions under s 23A(1)(aa).]

[**Air Navigation \(Aircraft Engine Emissions\) Regulations**](#)

Regulation 9 (SR 80 of 1997)

Regulations 6(2) 6(3) 6(4)	The following decisions of the Secretary or an authorised officer: <ul style="list-style-type: none">- to refuse to give a permit or to revoke a permit under reg 6(2);- to impose a condition on a permit under reg 6(3);- a decision about the permitted air navigation specified in a permit, or the period specified in a permit during which an aircraft may be engaged in a permitted air navigation under reg 6(4).
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[**Air Navigation \(Aircraft Noise\) Regulations 2018**](#)

Section 23 (F2018L00448)

Section 23	The following decisions of the Secretary: <ul style="list-style-type: none">- refusing to issue a noise certificate under ss 8(1) or 9(1);- refusing to approve an application under ss 14(3), 16(3) or 17(3);- specifying a particular period under ss 14(5)(b)(ii) or paras 16(4)(a) or 17(4)(a);- imposing, or varying, a condition under paras 14(5)(a), 16(4)(b) or 17(4)(b);- revoking an approval under ss 14(6), 16(5) or 17(5);- revoking a noise certificate under s 13(2).
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[Note:

1. This instrument is made under the *Air Navigation Act 1920*. It commenced on 1 April 2018.]

[**Air Navigation \(Fuel Spillage\) Regulations 1999**](#)

Regulation 16(2) (SR 73 of 2001)

Regulations 9	The following decisions of the Secretary of the Department:
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12 14	<ul style="list-style-type: none">- to issue a grounding notice for an aircraft to the aircraft's operator under reg 9;- to withdraw or not to withdraw a grounding notice under reg 12;- to give, or not to give, permission to start a flight under reg 14.
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[Notes:

1. This instrument is made under the *Air Navigation Act 1920*, which takes into account amendments up to SR 2002 No 13.]

[Air Navigation \(Gold Coast Airport Curfew\) Regulations 2018](#)

Section 20 (F2018L01688)

Sections 10, 13	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none">- Under s 10, to grant, or refuse to grant, a permit to use a movement permitted under s 9(1) in relation to an eligible passenger jet aircraft; or to vary or revoke such a permit;- Under s 13, to grant, or refuse to grant, a permit to use a movement permitted under s 12(1) in relation to an eligible freight jet aircraft or to vary or revoke such a permit.
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[Notes:

1. This instrument commenced on 1 January 2019]

[Air Navigation Regulation 2016](#)

Regulation 42 (F2016L00398)

Section 23A(1)(aa) of the *Air Navigation Act 1920* (50 of 1920)

Regulation 42	<p>The following reviewable decisions of the Secretary:</p> <ul style="list-style-type: none">- to approve a tariff subject to conditions under para 26(1)(b);- to refuse to approve a tariff under para 26(1)(c);- to approve a timetable with specified variations or subject to specified conditions under para 30(1)(b);- to reject a timetable under para 30(1)(c);- to vary, suspend or cancel an approved timetable under
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	<p>para 31(1);</p> <ul style="list-style-type: none"> - to vary, suspend or remove a condition in relation to an approved timetable under para 31(1); - to impose a further condition in relation to an approved timetable under para 31(1); - to vary, or refuse to vary, an approved timetable under para 31(3); - to vary or remove, or refuse to vary or remove, a condition in relation to an approved timetable under para 31(3).
<p>Regulations 16 17 19(2) 20 22(1) 22(2)</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to grant a licence under reg 16; - to refuse to grant an international airline licence under reg 17; - to impose a condition on an international airline licence under reg 19(2); - to vary, refuse to vary, suspend or cancel an international airline licence under regs 20, 22(1) and (2).

[Notes:

1. This instrument is made under the *Air Navigation Act 1920*.
2. Section 23A(1)(aa) of the *Air Navigation Act 1920* provides that an application may be made to the AAT for review of any of the following decisions of the Secretary made under the regulations:
 - to refuse to grant an international airline licence;
 - to impose a condition on an international airline licence;
 - to vary, refuse to vary, suspend or cancel an international airline licence.]

[Air Services Act 1995](#)

Section 73(6) (81 of 1995)

<p>Sections 73(4) 58 59(1) 62(1)(c) 65(2) 67(2)</p>	<p>The following decision of the Board of Airservices Australia, or an employee of Airservices Australia that has been affirmed, revoked or varied by Airservices Australia on reconsideration:</p> <ul style="list-style-type: none"> - to remit, or refuse to remit, the whole or a part of a service charge or late payment penalty under s 58.
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	<p>The following decisions of an authorised employee that have been affirmed or varied by Airservices Australia on reconsideration:</p> <ul style="list-style-type: none">- to impose a statutory lien on an aircraft by directing the Registrar to make an entry in the Register under s 59(1);- to direct that a statutory lien is to cease to have effect under para 62(1)(c);- to seize and keep possession of an aircraft until all outstanding amounts covered by the statutory lien are paid under s 65(2).
	<p>A decision of Airservices Australia that has been affirmed or varied by Airservices Australia on reconsideration:</p> <ul style="list-style-type: none">- to sell an aircraft where an amount remains outstanding after 9 months under s 67(2).

[Air Services Regulations 1995](#)

Regulation 7.02(6) (SR 223 of 1995)

Regulation 7.02(4)	<p>The following decisions of Airservices Australia that have been affirmed or varied on reconsideration:</p> <ul style="list-style-type: none">- to pay compensation in whole or in part, or to refuse to pay compensation, in respect of loss sustained by the owner of a requisitioned aircraft or a person engaged to operate such an aircraft under reg 3.07;- to pay, or to refuse to pay, compensation for wake vortices damage under reg 5.04;- to approve in whole or in part, or to refuse to approve, a claim in respect of a security interest following the sale of an aircraft under reg 6.09.
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[Notes:

1. This instrument is made under the *Air Services Act 1995*.]

[Aircraft Noise Levy Collection Act 1995](#)

Section 10(2) (98 of 1995)

Section 10(1)	A decision of the Secretary of the Department or authorised delegate to remit, or refuse to remit, part or all of a late payment penalty.
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[Airports Act 1996](#)

Section 242(1) (30 of 1997)

Section 242	<p>Decisions made by the Minister under this Act except for:</p> <ul style="list-style-type: none"> - a decision under Division 3 of Part 2 on the grant of airport leases (s 242(2)(a)); - a decision to approve, or to refuse to approve, the transfer of an airport lease (s 242(2)(b)); - a decision to approve, or to refuse to approve, a company, an agreement or a variation, under s 33 (which deals with airport-management agreements) (s 242(2)(c)); - a decision under s 55 dealing with the practical control of airport-operator companies (s 242(2)(d)); - a decision under subsection 89(8) or (10) dealing with legislative instruments in connection with major airport developments (s 242(2)(da)); - a decision under section 96AA dealing with the cessation of approval of major development plans in exceptional circumstances (s 242(2)(db)); - a decision under Part 13 dealing with access to airports and demand management schemes for airports) (s 242(2)(e)); - a decision under s 96B to determine an airport plan for Sydney West Airport (s 242(2)(f)); - a decision under s 96D to vary an airport plan for Sydney West Airport (s 242(2)(fa)); - a decision under s 112B to declare that a specified day is the Sydney West Airport completion day for the purposes of this Act (s 242(2)(fb));
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	<ul style="list-style-type: none"> - a decision to apply, or to refuse to apply, to the Federal Court for an order or injunction (s 242(2)(g)); - a decision under s 233 dealing with authorised officers for the purposes of exercising monitoring powers (s 242(2)(ga)); - a decision under s 244 to delegate, or to refuse to delegate a power (s 242(2)(h)).
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[Notes:

1. Section 242(1) provides that application may be made to the AAT for review of certain decisions under the Act.
2. Section 242(2) of the Act sets out the decisions that are not subject to review by the AAT.
3. If the Minister makes a reviewable decision under the Act, written notice to the person must include a statement that application may be made to the AAT for review, although failure to comply does not affect the validity of the decision.
4. The Minister may, by writing, delegate to the Secretary of the Department or an SES employee or acting SES employee whether or not in the Department, as a delegate of the Minister, except an approval under s 89A.
5. Subsections 242(2)(da) and 242(2)(db) were inserted by *Airports Amendment Act 2018* which commenced on 28 September 2018]

[Airports \(Building Control\) Regulations 1996](#)

Regulation 6.01 (SLI 118 of 2009)

<p>Regulations 2.03(4) 2.03(6)</p>	<p>The following decisions of an airport-lessee company:</p> <ul style="list-style-type: none"> - to refuse to grant consent, or to impose a condition on a grant of consent under reg 2.03(4); - to fail to grant consent to an application under reg 2.03(6).
<p>Reviewable decisions made under various regulations</p>	<p>The following decisions of an airport building controller:</p> <ul style="list-style-type: none"> - to refuse to approve a building activity, to impose a condition on a building approval or to give a direction in relation to a building approval under reg 2.11(1); - a deemed refusal to approve a building activity under reg 2.11(6) (7), (7A) or (8); - to refuse to approve non-compliance with Australian building standards under reg 2.13(2)(b); - to refuse to grant a varied building approval under reg 2.16;

	<ul style="list-style-type: none">- to impose a condition on a building approval under reg 2.18(1);- to issue a stop work order on a building approval under reg 2.18(2);- to refuse to extend the duration of a building approval under reg 2.19(2);- to revoke a building approval (except at the request of the holder, under reg 2.20;- to give an estimate of the time that will be taken to investigate a building or structure for the issue of a certificate of compliance under reg 3.02(2)(a);- to refuse to issue a certificate of compliance for a building or works, under reg 3.04(2);- to impose a condition on a certificate of compliance under reg 3.04(2);- to vary a certificate of compliance under reg 3.10(1);- to give an estimate of time that will be taken to investigate a building or structure for the variation of a certificate of compliance under reg 3.10(1A)(a);- to refuse to vary a certificate of compliance under reg 3.10(1);- to revoke a certificate of compliance under reg 3.12(1);- to refuse to issue a certified copy of a certificate of compliance under reg 3.14(1);- to refuse to grant a period of time for payment of an infringement notice penalty under reg 5.04(1);- to refuse to make an arrangement for periodical payment of an infringement notice penalty under reg 5.05(2);- to refuse to withdraw an infringement notice under reg 5.06(3).
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[Airports \(Control of On-Airport Activities\) Regulations 1997](#)

Regulations 4CN, 135, 139G and 139K (SR 286 of 2001)

<p>Regulations 124 125 127 133 134</p>	<p>The following decisions of an airport-operator company:</p> <ul style="list-style-type: none"> - to revoke an authorisation, in accordance with the Airside Vehicle Control Handbook, that allows a person to issue an authority to drive airside or an authority for use airside under reg 124; - to give, or refuse to give, authority to drive airside under reg 125; - to give, or refuse to give, authority for use airside under reg 127; - to withdraw an authority to drive airside under reg 133; - to withdraw an authority for use airside under reg 134.
<p>Reviewable decisions made under various regulations</p>	<p>The following review decisions of the Secretary of the Department</p> <ul style="list-style-type: none"> - to refuse to grant a licence under reg 4AL; - to impose, vary or refuse to vary a licence condition under regs 4AP, 4AS, and 4AT respectively; - to refuse to transfer a licence under reg 4AW; - to suspend or cancel a licence under reg 4AX; - to refuse to approve the nomination of a nominee or alternative nominee under reg 4BC, or to approve a nominee or alternative nominee subject to conditions under reg 4BE; - to suspend or withdraw the approval of a nominee or alternative nominee under reg 4BH; - to suspend or cancel a sub-licence under reg 4BR; - to give or refuse to give permission to a person to engage in a gambling activity under reg 139A; - to refuse to give permission to a person to engage in a gambling activity under reg 139C; - to impose a condition on a gambling permission under reg 139D(4);

	<ul style="list-style-type: none"> - to give a holder of a continued gambling authority or gambling permission a show cause notice under reg 139H; - to cancel a continued gambling authority or gambling permission under reg 139I or 139J.
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[Airports \(Environment Protection\) Regulations 1997](#)

Section 242(1) of the *Airports Act 1996* (42 of 1996) (30 of 1997)

Regulation 9.06 (SR 13 of 1997)

<p>Regulations 5.04 5.05</p>	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - to grant, to grant subject to conditions, or to refuse an application for approval of a local standard, that is a substitute standard for the accepted limit of contamination or noise at a particular airport under reg 5.04.
<p>Regulations 6.05(3) 8.04(1) 8.05(2) 8.06(3)</p>	<p>The following reviewable decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to direct an occupier under reg 6.05(3) to comply with regs 6.05(1) or (2); - to refuse to grant a period of time for payment of an infringement notice penalty under reg 8.04(1); - to refuse to make an arrangement for periodical payment of an infringement notice penalty under reg 8.05(2); - to refuse to withdraw an infringement notice under regs 8.06(3) or 9.02(1).
<p>Regulation 9.02(1)</p>	<p>The following decisions of an airport environment officer that have been reconsidered by the Secretary:</p> <ul style="list-style-type: none"> - to grant, refuse or grant conditionally an authorisation under reg 5.09(1); - to revoke, vary or refuse to vary an authorisation under reg 5.16(1); - to determine that assignment of an authorisation is not permitted under reg 5.19(2); - to direct an occupier to give a copy of information under reg 6.01(2); - to refuse to approve a remedial plan under reg 6.14(3);

	<ul style="list-style-type: none"> - to direct a person to carry out remedial work under reg 6.18; - to direct compliance under reg 7.01(1) with a duty under reg 4.01; - to direct compliance under reg 7.02(1) with a duty under reg 4.04; - to direct compliance under reg 7.03(1) with a duty under reg 4.06; - to direct compliance with a condition of an authorisation, or to direct compliance in a particular way under reg 7.06(1).
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[Airports \(Ownership - Interests in Shares\) Regulations 1996](#)

Regulation 6.02 (SR 92 of 2001)

<p>Regulations 2.07 4.03 5.04 6.01</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to make, or refuse to make, a declaration under Regulation 2.07 as to a fund’s eligibility to be declared a substantially Australian investment fund; - to make, or refuse to make, a declaration under Regulation 4.03 as to a fund’s eligibility to be declared a distanced investment fund; - to declare a person is prescribed for the purposes of paragraph 5.04(3) under Regulation 5.04; - to revoke any of these declarations under Regulation 6.01.
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[Airports \(Protection of Airspace\) Regulations 1996](#)

Regulation 17 (SR 293 of 1996)

<p>Regulations 5 14 16</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to make, or refuse to make, a declaration as to the preservation of airspace under reg 5; - to approve, approve subject to conditions or refuse a proposal under reg 14; - to revoke, impose a condition on, or vary a condition of a proposal under reg 16.
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[Notes:

1. Applications for review of decisions under regs 14 or 16 may be made by the proponent, the airport-operator company or the building authority concerned.]

Airports Regulations 1997

Regulation 2.20 (97 of 1998)

<p>Regulations 2.05(1) 2.06(4) 2.07(1) 2.11(2) 2.13(1) 2.14(4) 2.15(1) 2.19(2)</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - not to make a declaration under reg 2.05(1); - to revoke a declaration made under reg 2.05(1) that a sublease is not prohibited, under reg 2.06(4); - not to approve a sublease to a State or Territory government under reg 2.07(1); - not to make a declaration about a proposed dealing with a sublease under reg 2.11(2); - not to make a declaration under reg 2.13(1); - to revoke a declaration made under reg 2.14(4) that a specified licence is not prohibited under reg 2.14(4); - not to approve a licence to a State or Territory government under reg 2.15(1); - not to make a declaration about a proposed dealing with a licence under reg 2.19(2).
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Antarctic Marine Living Resources Conservation Act 1981

Section 23 (30 of 1981)

<p>Sections 9 11 12</p>	<p>The following decisions of the Minister :</p> <ul style="list-style-type: none"> - to grant or refuse to grant a permit under s 9(1); - to impose vary or revoke a condition to which a permit is subject under s 9(5); - to suspend or refuse to revoke the suspension of a permit under s 11; - to cancel a permit under s 12.
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[Antarctic Marine Living Resources Conservation Regulations 1994](#)

Regulation 10 (SR 345 of 1994)

<p>Regulations 6(1) 6(3)(b) 7(2) 8(1)(a) 8(1)(b) 8(1)(c) 8(1)(d) 8(1)(e) 8(1)(f) 9</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to refuse to give an entry permit under reg 6(1); - a decision relating to the number of CEMP sites identified under reg 6(3)(b) in an entry permit; - to impose conditions on an entry permit under reg 7(2); - to add, vary or revoke the conditions to which an entry permit is subject, under reg 8(1)(a) or 8(1)(b); - to vary the list of persons to whom a permit applies, under reg 8(1)(c); - to vary the number of sites that an individual may enter, under reg 8(1)(d); - to vary the activities to which a permit applies, under reg 8(1)(e); - to vary the period for which a permit is in force, under reg 8(1)(f); - to suspend or revoke an entry permit, under reg 9.
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[Antarctic Treaty \(Environment Protection\) Act 1980](#)

Section 28 (90 of 2012)

<p>Sections 9 10 11 12 12E 12F 12H 12J 12L 12N 12P</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - any decision about granting or renewing a permit to carry on one or more specified activities during a specified period under s 9; - any decision made in relation to restrictions applicable to permits under s 10; - to vary suspend or revoke a permit under s 11; - to vary or revoke conditions to which a permit is subject or impose further conditions under s 12; - to determine the likely impact of an activity on the environment under s 12E or s 12H;
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	<ul style="list-style-type: none"> - to authorise, or authorise subject to conditions, the proponent of an activity to carry on the activity under s 12F or s 12J; - to authorise, authorise subject to conditions, or refuse to authorise the carrying on of an activity under s 12L; - to vary, refuse to vary, suspend or revoke an authorisation to carry on an activity under s 12N; - to vary or revoke conditions or impose further conditions on an authorisation under s 12P.
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[Notes:

1. Section 28(1A) provides that the AAT may not make an order under s 41(2) of the AAT Act staying, or otherwise affecting the operation or implementation of, a decision under ss 12N(1), 12N(3) or 12P(1) where the Minister has determined that irrevocable environmental damage would be likely to occur if the relevant action did not take effect immediately.
2. The AAT's jurisdiction under this Act was amended by the *Antarctic Treaty (Environment Protection) Amendment Act 2012* (90 of 2012) on 28 June 2012 to include the following decisions:

<p><i>Sections</i> 13AC(1) 13AF(1)(a) 13AF(1)(b) 13AG(1) 13AG(4) 13AH(1) 13BC(1) 13BF(1)(a) 13BF(1)(b) 13BG(1) 13BG(4, 13BH(1)</p>	<ul style="list-style-type: none"> - <i>to refuse to grant a safety approval under s 13AC(1);</i> - <i>to impose, or refuse to impose, conditions on a safety approval under Section 13AF(1)(a);</i> - <i>to vary or revoke, or refuse to vary or revoke, conditions imposed on a safety approval under Section 13AF(1)(b);</i> - <i>to vary a safety approval under Section 13AG(1);</i> - <i>to refuse to vary a safety approval under Section 13AG(4);</i> - <i>to suspend or revoke a safety approval under Section 13AH(1);</i> - <i>to refuse to grant an environmental protection approval under Section 13BC(1);</i> - <i>to impose, or refuse to impose, conditions on an environmental protection approval under Section 13BF(1)(a);</i> - <i>to vary or revoke, or refuse to vary or revoke, conditions imposed on an environmental protection approval under Section 13BF(1)(b);</i> - <i>to vary an environmental protection approval under</i>
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	<p><i>Section 13BG(4);</i></p> <ul style="list-style-type: none"> - <i>to suspend or revoke an environmental protection approval under Section 13BH(1).</i>
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3. The amendments that affect the jurisdiction of the AAT as provided in 2 above have not yet commenced and remain unincorporated as at 31 May 2019.

[Anti-Money Laundering and Counter-Terrorism Financing Act 2006](#)

Section 233F (130 of 2017)

<p>Section 233B</p>	<p>The following reviewable decisions made personally by the AUSTRAC CEO, or decisions that have been affirmed, varied or revoked on reconsideration by the AUSTRAC CEO:</p> <ul style="list-style-type: none"> - to refuse to register a person as a remittance network provider, as an independent remittance dealer, or as a remittance affiliate of a registered remittance network provider under s 75B(6) or 75C; - to impose conditions to which a person’s registration is subject under s 75E; - to cancel a person’s registration under s 75G; - to refuse to register a person as a digital currency exchange provider under ss 76D(4) and 76E; - to impose conditions to which a person’s registration is subject under s 76G; - to cancel a person’s registration under s 76J; - to require certain things of a reporting entity under s 161(2); - not to allow a longer period under s 161(2)(d)(ii); - to give a reporting entity a direction under s 191(2). - A decision that is declared by the AML/CTF Rules under paras 75H(2)(g), 75J(2)(f), 76K(2)(f) or 76L(2)(f) to be a reviewable decision for the purposes of this section.
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[Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 \(No. 1\)](#)

Section 233F of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) (F2018L00423)

Rules 76.9	The decision of the AUSTRAC CEO not to renew registration pursuant to 76.9(2).
Rules 76.14	The decision of the AUSTRAC CEO to suspend registration pursuant to 76.14(2).

[Note:

1. Section 233D of the AMLCTF Act notes that reviewable decisions by the AUSTRAC CEO personally may be reviewed by the AAT. See also Note under item 76.9(2) of the Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1).]

[Archives Act 1983](#)

Section 43(1) (79 of 1983)

Sections 43	<p>The following decisions of Archives in respect of access to a record, that have been:</p> <ul style="list-style-type: none"> - a decision refusing to grant an applicant access to a record on the ground that the record is an exempt record or is a Commonwealth record to which Division 3 does not apply under s 43(a); - a decision refusing to grant an extension of partial access to the record on the ground that the record is an exempt record and it is not practicable to make arrangements for giving the further access desired by the applicant in a form that would not disclose information or matter by reason of which the record is an exempt record under s 43(b); - a decision refusing to grant to the applicant access to the record on the ground that the record has been withheld from public access pending examination of the record under s 35; - a decision refusing to grant to the applicant access to the record on the ground that a determination has been made under s 37 that the record is to be withheld from public access or refusing to grant to the applicant access to the record otherwise than on specified conditions determined under that section; - a decision refusing to grant to the applicant access to the record in a particular form by reason of para
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	<p>36(4)(a), (b) or (d);</p> <ul style="list-style-type: none"> - a decision refusing to allow a further period for making an application under s 42(1) for a reconsideration of a decision.
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[Notes:

1. Section 40(8) of the Act provides that, where a person has applied for access, or for an extension of partial access to a record in accordance with s 40(1) and has not received notice of a decision within 90 days after the day on which the application was received by the National Archives of Australia, it is deemed to have made a decision refusing to grant access to the record on the last day of that period.
2. Section 40(10) of the Act provides that, where a complaint is made to the Ombudsman concerning failure to make and notify a decision on an application in accordance with s 40(1) before the expiration of the 90 day period, the Ombudsman may grant the applicant a certificate stating that there has been unreasonable delay. A decision refusing to grant access to the record is deemed to have been made on the day on which the certificate is granted.
3. Section 43(2) of the Act provides that, where a person is entitled to apply under s 42 for reconsideration of a decision, the person is not entitled to make an application to the Tribunal unless the decision has been reconsidered.
4. If a person is not informed of the decision on a request for reconsideration within a period of 14 days after the application for reconsideration was made, the person may apply to the Tribunal for review of the primary decision, under s 43(3).
5. Section 43(4) of the Act modifies s 29 of the *Administrative Appeals Tribunal Act 1975* to provide that an application for review of a decision, or a deemed decision, must be lodged within 60 days. An application for review lodged following a deemed refusal of a reconsideration decision may be treated by the Tribunal as having been made within time if it appears there was no unreasonable delay in making the application.
6. Where a complaint is made to the Ombudsman concerning a failure to make a decision or in relation to a decision made under the Act, an application may not be made to the Tribunal before the Ombudsman has informed the applicant of the result of the complaint: ss 40(9) and 55(4). Section 43(4) provides that, where a complaint has been made in relation to a decision, the time limit for applying for review is 60 days after the day on which the person is informed of the result.]

[Archives Regulations 2018](#)

Section 13(4)

Section 13(2)	The decision of the Director-General to refuse to waive the whole or part of a charge.
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[Notes:

1. This Regulations commenced on 22 March 2018.
2. Section 17 of the Regulations noted that if:

- a. the Director-General makes a decision under reg 11(6) of the old regulations before the commencement of this section; and
- b. immediately before that commencement, an application has not been made under reg 11(7) of the old regulations for review by the AAT of that decision; and
- c. immediately before that commencement, the time for a person to make such an application has not ended (including any extensions of that time under s 29 of the *Administrative Appeals Tribunal Act 1975*).

Despite the repeal of reg 11(7) of the old regulations, that reg, as in force immediately before the commencement of this section, continues to apply in relation to the Director-General's decision as if that repeal had not happened.

- 3. Accordingly, the decision of the Director-General to refuse to waive the payment of, or reduce the amount of, a charge under s 11(6) of the old Archives Regulations, is reviewable by the AAT.]

[ASIC Supervisory Cost Recovery Levy \(Collection\) Act 2017](#)

Section 22 (44 of 2017)

Sections 22 (a) 22(b)	The following decisions of ASIC: <ul style="list-style-type: none"> - a decision of ASIC that has been confirmed or varied under subsection 21(4) or a decision that has been taken to have been confirmed under s 21(5); - a decision of ASIC under s 21(4) to revoke a decision.
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[AusCheck Regulations 2017](#)

Regulation 26 (F2018C00726)

Regulation 26	The following decisions of the Secretary: <ul style="list-style-type: none"> - to refuse to grant an exemption in relation to an individual under subsection 5A(6); - to grant an exemption in relation to an individual under subsection 5A(6) subject to one or more conditions - to advise under Division 5 that an individual has an unfavourable criminal history
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[Notes:

- 1. This instrument is made under the *AusCheck Act 2007* and commenced on 1 August 2017.

2. The following Regulations amended s 26: F2017L01664 (*AusCheck Amendment (System Functionality) Regulations 2017*)
3. This instrument commenced on 1 October 2018]

[Australian Charities and Not-for-profits Commission Act 2012](#)

Sections 160-10(7) and 160-25(1)(a) (168 of 2012)

Section 160-15(1)	<p>The following decisions of the Commissioner of the Australian Charities and Not-for-Profits Commission in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner:</p> <ul style="list-style-type: none"> - to refuse an application for registration as a type or subtype of not-for-profit entity under s 30-20; - to revoke or not revoke a registration as a type or subtype of not-for-profit entity under s 35-10; - to give a direction under s 85-5; - to vary a direction under s 85-20(1); - to not vary or revoke a direction after considering whether to vary or revoke it in accordance with s 85-20(6); - to suspend a responsible entity under s 100-10(1); - to change the time a suspension of a responsible entity ends under s 100-10(7); - to remove a responsible entity under s 100-15(1); - to refuse to remit all or part of an administrative penalty under s 175-60(1).
Section 160-10(4)	<p>The following decision of the Commissioner of the Australian Charities and Not-for-Profits Commission:</p> <ul style="list-style-type: none"> - to refuse to allow an entity to lodge an objection after the review period has passed under s 160-10(4).

[Notes:

1. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 160-15.
2. If the Commissioner fails to make an objection decision within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is

deemed to have made a decision under s 160-15(1) to disallow the objection: s 160-20(3).

3. Division 165 specifies the conditions under which the AAT must carry out their review and contains the modifications to the application of the AAT Act.]

Australian Citizenship Act 2007

Section 52 (57 of 2013)

Section 52	The following decisions of the Minister: <ul style="list-style-type: none">- to refuse to approve a person becoming an Australian citizen under s 17, 19D, or 24;- to cancel an approval given to a person under s 24;- a decision under s 25 to cancel an approval given to a person under s 24;- to refuse to approve a person becoming an Australian citizen again under s 30;- a decision under s 33 to refuse to approve a person renouncing his or her Australian citizenship, except a refusal because of the operation of s 33(5) (about war);- a decision under s 34 or s 36(1) to revoke a person's Australian citizenship.
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[Notes:

1. If the Minister decides under s 24 to refuse to approve a person becoming an Australian citizen, the Minister's reasons did not refer to the eligibility ground relating to statelessness and the person was 18 or over at the time of applying to become an Australian citizen, the person cannot apply for review of that decision unless the person is a permanent resident: s 52(2).
2. This Act was amended by the *Australian Citizenship Amendment (Special Residence Requirements) Act 2013*. This inserted s 52(3) which sets out that for the purposes of the AAT reviewing a decision under s 24 where an Applicant has been refused approval to become an Australian citizen, the AAT must not exercise the power under s 22A(1A) or 22B(1A), and it must not review any exercise of the power or any failure to exercise the power.]

Australian Education Act 2013

Section 122 (67 of 2013)

Section 122	The following reviewable decisions that have been affirmed, varied or set aside on internal review by the Secretary or his or her
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	<p>delegate under s 120, or made personally by the Minister or the Secretary.</p> <ul style="list-style-type: none"> - to refuse to determine that a person receives primary education or secondary education at a school under s 10(2); - to determine a different level of education for a special school, special assistance school or student at a special school or special assistance school under s 15(3); - to determine a total entitlement for a school for a year if the amount of financial assistance to which the determination relates is payable under Division 2 of Part 3 under s 26(4); - to determine a total entitlement for an approved authority for a year if the amount of financial assistance to which the determination relates is payable under Division 5 of Part 3 under s 26(4); - to determine a school's SES score under s 52(3); - to refuse to approve a person as an approved authority for a school under s 73(1); - to refuse to approve a person as an approved authority for a location of a school or a level of education at a location of a school under s 73(1); - to make an approval of an approved authority subject to conditions under s 73(3); - to specify a day on and after which an approval of an approved authority is in force (other than in accordance with an application by the authority under s 73(5)); - to vary or revoke an approval of an approved authority for one or more schools (other than in accordance with an application by the authority or under para 81(1)(c) under s 80 or para 81(1)(a), (b) or (d)); - to refuse to vary or revoke an approval of an approved authority under s 80; - to specify in a variation or revocation of an approval of an approved authority a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the authority under s 80(4) or 81(5); - to refuse to approve a person as a block grant authority for a school under s 83(1); - to make an approval of a block grant authority subject to conditions under s 83(3);
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	<ul style="list-style-type: none">- to specify a day on and after which an approval of a block grant authority is in force (other than in accordance with an application by the authority) under s 83(4);- to vary or revoke an approval for a block grant authority for one or more schools (other than in accordance with an application by the authority) under s 87 or s 88(1);- to refuse to vary or revoke an approval of a block grant authority under s 87;- to specify in a variation or revocation of an approval of a block grant authority a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the authority under s 87(4) or 88(5);- to refuse to approve a person as a non-government representative body for a non-government school under s 91(1);- to make an approval of a non-government representative body subject to conditions under s 91(2);- to specify a day on and after which an approval of a non-government representative body is in force (other than in accordance with an application by the body) under s 91(3);- to vary or revoke an approval of a non-government representative body (other than in accordance with an application by the body) under s 95 or s 96(1);- to refuse to vary or revoke an approval of a non-government representative body, under s 95;- to specify in a variation or revocation of an approval of a non-government representative body a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the body under s 95(4) or 96(4);- to give a direction to an approved authority in relation to an implementation plan under s 105; <p>to determine that a State or Territory pay to the Commonwealth a specified amount under para 110(1)(a);</p> <ul style="list-style-type: none">- to reduce the amount payable to a State or Territory for a year for a school or an approved authority for a school under para 110(1)(b);
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	<ul style="list-style-type: none">- to reduce the amount payable to a State or Territory for a year for a capital grants authority, a block grant authority or a non-government representative body under para 110(1)(b).
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[Notes:

1. A list of reviewable decisions under the Act is set out in s 118.
2. The AAT also has the power under s 122(1)(b) to review a decision made by a Secretary or internal reviewer pursuant to s 120 that relates to a reviewable decision.
3. An application may not be made to the AAT for review of a decision to determine a total entitlement for an approved authority for a year if the amount of financial assistance to which the determination relates is payable under Division 5 of Part 3.
4. An application for review by the AAT may only be made by, or on behalf of the relevant person for the reviewable decision.]

[Australian Education Regulation 2013](#)

Section 122 (67 of 2013)

Reg 9B(3)	A decision by the Minister determining that a person is to be included in a non-government school's census day enrolment as a primary student or secondary student (including as a part-time student) where special circumstances justify the determination.
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[Notes:

1. A determination under reg 9B(3) is a reviewable decision for the purposes of s 118(2) of the Act, and the relevant person for the reviewable decision is the approved authority for the school concerned.
2. This was inserted by F2017L01501 (*Australian Education Amendment (2017 Measures No. 2) Regulations 2017* commencing on 1 January 2018.)

[Australian Hearing Services Act 1991](#)

Section 65(3) (82 of 1997)

Sections 8(1)(aa) 8(1)(ab) 8(1)(ac) 8(1)(ad) 62(2)	A reviewable decision made by the Managing Director personally: <ul style="list-style-type: none">- to refuse to provide hearing services to a person under para 8(1)(aa);- to a referred Comcare client under para 8(1)(ab);- to a referred Commonwealth employee under para 8(1)(ac)
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	<p>or to a designated person under para 8(1)(ad);</p> <ul style="list-style-type: none"> - to impose a charge on a person (including a decision, or a refusal to make a decision, under s 62(2)) in respect of the provision of services by the Authority under para 8(1)(aa), (ab), (ac) or (ad); but does not include a decision as to the treatment that a person should receive for a hearing impairment.
Section 64(6)	<p>The following reviewable decisions of the Authority that have been reconsidered:</p> <ul style="list-style-type: none"> - to refuse to provide hearing services to a young Australian under para 8(1)(aa); - to a referred Comcare client under para 8(1)(ab); - to a referred Commonwealth employee under para 8(1)(ac) or to a designated person under para 8(1)(ad); - to impose a charge on a person (including a decision, or a refusal to make a decision, under s 62(2)) in respect of the provision of services by the Authority under paras 9(1)(aa), (ab), (ac) or (ad); but does not include a decision as to the treatment that a person should receive for a hearing impairment.

[Notes:

1. A decision as to the treatment that a person should receive for a hearing impairment is not a reviewable decision within the meaning of s 4(1) of the Act.]

[Australian Jobs Act 2013](#)

Section 112 (69 of 2013)

Section 112	<p>The following decisions of the Authority:</p> <ul style="list-style-type: none"> - to make a determination, under s 8(5); - to make a declaration, under s 9(3) or 9(5); - to make a determination, under s 10(2); - to refuse to specify a day, under para 13(1)(c); - to specify a day, under para 13(1)(c); - to refuse to specify a later time, under para 17(1)(b);
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	<ul style="list-style-type: none"> - to specify a later time, under para 17(1)(b); - to refuse to approve a draft AIP plan, under s 18, 19 or 20; - to make a determination, under s 25(4); - to give a notice, under s 57(2) or (3); - to name a person in a report in accordance with s 57(4); - to name a person, under s 57(5).
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[Australian Meat and Live-stock Industry Act 1997](#)

Sections 14(1), 20(2), 22(9), 23(8), 24(4), 30(a), 30(b) (207 of 1997)

<p>Sections 14(1) 20(2) 22(9) 23(8) 24(4)</p>	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to refuse to grant an application for an export licence, under s 14(1); - written s 17 directions to be complied with by the holder of an export licence, under s 20(2); - to extend the s 22(2) application period within which an renewal of an export licence may be made, whether or not the period has ended or the licence has expired, under s 22(9); - to suspend an export licence, under s 23(8); - to cancel an export licence, determine that a licence not be renewed, suspend or further suspend a licence or reprimand the holder of a licence, under s 24(4).
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[Australian Meat and Live-stock Industry \(Export Licensing\) Regulations 1998](#)

Regulation 19(6) (F2016L01551)

<p>Regulation 19</p>	<p>The following decision of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to refuse to approve a variation of a licence under reg 19(6).
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[Australian National Registry of Emissions Units Act 2011](#)

Section 86 (83 of 2014)

Section 86	<p>The following reviewable decisions that have been affirmed or varied on reconsideration by the Regulator, or certain decisions made personally by the Regulator:</p> <ul style="list-style-type: none">- to refuse to extend a period under s 47(5);- to refuse to make an entry in a Registry account under s 36;- a decision under regulations made for the purposes of s 10(1) to refuse to open a Registry account;- a decision under regulations made for the purposes of s 16(1) to close a Registry account;- a decision under s 19 to alter the Registry;- to refuse to alter the Registry under s 19;- a decision under s 20 to make an alteration to the Registry;- to refuse to make an alteration to the Registry under s 20;- a decision under s28B(8) to continue to refuse to give effect to a transfer instruction;- decision under s 28C(12) not to revoke an instrument imposing conditions restricting or limiting the operation of a Registry account;- a decision under s 28C(12) not to vary an instrument imposing conditions restricting or limiting the operation of a Registry account;- a decision under s 28D(11) not to revoke an instrument suspending a Registry account;- a decision under s 28D(11) not to vary an instrument suspending a Registry account.
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[Notes:

1. A list of reviewable decisions is set out in s 82 of the Act.
2. If a person requests reconsideration of a reviewable decision and the Regulator does not inform the applicant of his or her decision within 90 days after the request is received, the Regulator is taken to have affirmed the decision: s 85(2).

[Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force \(Treatment\) Act 2006](#)

Section 29

Section 29	<p>The following decisions of the Repatriation Commission that have been affirmed or set aside and substituted under s 25:</p> <ul style="list-style-type: none">- a decision in relation to a claim under s 8 for a determination that a claimant is an eligible person to be provided with treatment under this Act;- a decision of the Commission under s 11 revoking a determination that a claimant is an eligible person to be provided with treatment under this Act;- a decision in relation to a claim under s 21 for a determination that a person is entitled to be paid travelling expenses under Part 3 of this Act.
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[Notes:

1. The list of decisions that are subject to reconsideration are set out in s 24(1) of the Act.]

[Australian Passports Act 2005](#)

Section 50(1) (122 of 2015)

Section 50	<p>The following reviewable decisions made by the Minister, or under s 49(4) by a delegate of the Minister:</p> <ul style="list-style-type: none">- to issue an Australian travel document, other than a decision made under para 9(1A)(b); or a decision to issue an Australian travel document to a child;- to refuse to issue an Australian travel document (other than a decision in relation to which a declaration under s 11(3) has been made or a decision made because of s 12(2));- to cancel an Australian travel document;- to refuse to process an application for an Australian travel document;- that an Australian travel document is one to which para 23(1)(a) or (b) applies;- under s 24 to demand the surrender of a cancelled Australian travel document, other than an Australian travel document cancelled because of para 22(2)(d);
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	<ul style="list-style-type: none">- under s 24 to demand the surrender of an invalid Australian travel document;- under s 25 to demand the surrender of an Australian travel document;- under s 49(4);- under s 53(4) to refuse a name or a signature;- not to waive an application fee imposed under the <i>Australian Passports (Application Fees) Act 2005</i>;- not to refund an application fee imposed under the <i>Australian Passports (Application Fees) Act 2005</i>;- to refund part of an application fee imposed under the <i>Australian Passports (Application Fees) Act 2005</i>.
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[Notes:

1. A list of reviewable decisions under the Act is set out in s 48.
2. The Minister may certify under s 50(2) that a decision to cancel an Australian passport in response to a refusal/cancellation request under ss 13(1) or 14(1) involved matters of international relations or criminal intelligence. Where such a certificate is given, the AAT on reviewing that decision may only make a decision:
 - affirming the Minister's decision; or
 - remitting the decision to the Minister for reconsideration in accordance with any directions or recommendations of the Tribunal.
3. This Act also provides for the review of decisions made by a delegate of the Minister or the Minister under the *Australian Passports Determination 2005*. See the entry for that enactment for further details.
4. A decision under s 9(1A)(b) includes a decision on the Minister's own initiative to issue a travel-related document to:
 - remove, deport or extradite a person from Australia; or
 - to facilitate the deportation of the person to Australia; or
 - to extradite the person to Australia; or
 - if the person is a prisoner - to effect the transfer of the person.]

[Australian Passports Determination 2015](#)

Section 50 of the *Australian Passports Act 2005*

Sections 25(10) 25A(1) 25A(3) 27 28 (or 49(4) of the <i>Australian Passports Act 2005</i>)	Any of the decisions set out below that has been: <ul style="list-style-type: none">• made personally by the Minister for Foreign Affairs;• affirmed, varied or set aside on reconsideration by the Minister or a delegate of the Minister:<ul style="list-style-type: none">- to waive, or refuse to, waive a fee under s 27;- to refund, to refund part of, or refuse to refund, a fee under s 28;- to determine under s 25(10) that a name would be unacceptable to appear on a travel document.
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[Notes:

1. Section 30 of the *Australian Passports Determination 2015* provides that the decisions specified are reviewable in accordance with ss 49 and 50 of the *Australian Passports Act 2005* as if the decisions were reviewable decisions under s 48 of the Act.
2. The Australian Passports Determination 2015 was last amended by F2015L01630]

[Australian Postal Corporation Regulations 1996](#)

Regulation 34 (SR 72 of 1996)

Regulation 34	The following decision of the Minister: <ul style="list-style-type: none">- to give, or not to give, a direction that Australia Post act in accordance with a recommendation made in a report under reg 30.
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[Notes:

1. This instrument is made under the *Australian Postal Corporation Act 1989*.]

[Australian Radiation Protection and Nuclear Safety Act 1998](#)

Sections 40(5), 42(5), 80C(5) (125 of 2015)

<p>Sections 40(5) 42(5) 80C(5)</p>	<p>The following decisions of the Chief Executive Officer that the Minister has confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to grant a licence; - to impose conditions on a licence; - to amend a licence; - to suspend or cancel a licence; - not to approve the surrender of a licence; - to issue a licence for a particular period, rather than for a longer period or indefinitely; - not to extend the period for which a licence was issued; - to give written directions to a controlled person under s 41 requiring the person to take such steps as the CEO considers appropriate to protect the health and safety of people or to avoid damage to the environment; - a decision to issue an improvement notice under s 80A.
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[Notes:

1. Sections 80A - 80C were introduced by the *Australian Radiation Protection and Nuclear Safety Amendment Act 2015*.
2. The CEO may by instrument in writing delegate any of the CEO's powers or functions to a person holding or performing the duties of a Senior Executive Service office or equivalent in the Department in relation to s 80C review of improvement notice decisions. The delegate must comply with any directions of the CEO, as set out in s 18 of the Act.]

[Australian Radiation Protection and Nuclear Safety Regulations 1999](#)

[Regulation 66\(5\) \(SLI 73 of 2015\)](#)

<p><u>Regulation 66(3)</u></p>	<p><u>The following decisions of the Chief Executive Officer of the Australian Radiation Protection and Nuclear Safety Agency the Minister has confirmed, varied or set aside on reconsideration:</u></p> <ul style="list-style-type: none"> - <u>to refuse to declare that an apparatus for the purposes of reg 4(2) is not a controlled apparatus, under reg 4(3);</u>
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	<ul style="list-style-type: none"> - <u>to refuse to declare that a facility is not a prescribed radiation facility, under reg 6(3);</u> - <u>to refuse to declare that particular kinds of conduct by a specified controlled person in relation to a specified controlled facility does not, or will not pose, an unacceptable potential hazard to the health and safety of people or to the environment, under reg 37(1);</u> - <u>to refuse to make a declaration, under regs 38(3), 38(5) or 38(6).</u>
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[Notes:

1. This instrument is made under the Australian Radiation Protection and Nuclear Safety Act 1998.
2. If a person requests reconsideration of one of the decisions set out above and the Minister does not give written notice of his or her decision within 60 days after the request is received, the Minister is taken to have confirmed the CEO's decision, reg 66(4).
3. These Regulations are repealed on 01 April 2019 by Australian Radiation Protection and Nuclear Safety Regulations 2018.]

[Australian Radiation Protection and Nuclear Safety Regulations 2018](#)

Section 86 (F2018L01694)

Section 86	<p>The decisions of the Minister on reconsideration of CEO's decision to:</p> <ul style="list-style-type: none"> - refuse to make a declaration under s 9(2), 13(2), 43(2) or 44(4) or (5); - make a declaration under s 44(2).
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[Note:

1. These regulations commenced on 8 December 2018
2. These regulations remake the *Australian Radiation Protection and Nuclear Safety Regulations 1999* which are due to sunset on 1 April 2019.]

[Australian Securities and Investments Commission Act 2001](#)

Section 244(2) (51 of 2001)

Sections 72 73	The following decisions of the Australian Securities and Investments Commission (ASIC):
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75(1)	<ul style="list-style-type: none">- to make an order in relation to securities of a body corporate under s 72, or securities generally under s 73;- to make an order under s 75(1) varying an order in force under Division 8 of Part 3;- to refuse to vary or revoke an order in force under Division 8 of Part 3.
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[Australian Security Intelligence Organisation Act 1979](#)

Sections 54(1), 54(2) (35 of 2004)

Section 54(1)	<p>The following decision of the Australian Security Intelligence Organisation (ASIO):</p> <ul style="list-style-type: none">- an adverse or qualified s 37 security assessment, including a security assessment made for the purpose of s 202(1) of the Migration Act 1958.
Section 54(2)	<p>Following the completion of a review of a security assessment by the Tribunal (other than a review of a security assessment made for the purpose of s 202(1) of the <i>Migration Act 1958</i>), an application may be made for review of the Tribunal's findings on the ground that the applicant has fresh evidence of material significance that was not available at the time of the previous review.</p>

[Notes:

1. Special provisions of the *Administrative Appeals Tribunal Act 1975* apply to the review of decisions under this Act. The Tribunal's powers of review may only be exercised in the Security Division of the Tribunal. See the *Administrative Appeals Tribunal Act 1975* for further detail.
2. The Attorney General may refer certain matters to the AAT for review under s 65 of the Act. The AAT is required to report its findings to the Attorney General and the Minister.
3. The AAT must not extend beyond the 28 days the time within which a person may apply to the AAT for a review of an adverse security assessment made for the purpose of s 202(1) of the *Migration Act 1958*: s 202(5) of the *Migration Act 1958*.
4. Officers and members of the AAT shall not disclose any information acquired by them by working on a case under this Act or they may face a penalty of two years imprisonment, s 81(1).
5. Schedule 1 of the *Australian Security Intelligence Organisation Regulation 2016* sets out the requirements for an application to be made to the AAT.]

[Australian Small Business and Family Enterprise Ombudsman Act 2015](#)

Section 92 (123 of 2015)

Section 92	An application may be made to the AAT for a review of any of the following: <ul style="list-style-type: none">- A decision under paras 9(1)(a), (b) or (c) that information is not to be treated as confidential information;- A decision under paras 41(3)(a)(ii), 56(3)(a)(ii), 58(3)(a)(ii) or 63(3)(a)(ii) that it is not in the public interest to delete information, a recommendation or an opinion from a report or an advice before the report or advice is tabled or published;- A decision under s 74(1) to publicise that a party to a dispute has refused to engage in, or has withdrawn from an alternative dispute resolution process.
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[Australian Sports Anti-Doping Authority Act 2006](#)

Section 14(4) (6 of 2006)

Section 14(4)	A decision of the Anti-Doping Rule Violation Panel (the ADRVP) to make an assertion relating to an investigation of a possible violation of the anti-doping rules by the athlete or support person.
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[Australian Sports Anti-Doping Authority Regulations 2006](#)

Section 14(4) of the *Australian Sports Anti-Doping Authority Act 2006*, and item 4.12 to Schedule 1 to the Regulations (F2015C00689)

Clause 4.12 Schedule 1, Part 4	The following decision of the Anti-Doping Rule Violation Panel (the ADRVP): <ul style="list-style-type: none">- to make an assertion relating to an investigation of a possible violation of the anti-doping rules by an athlete or support person, in accordance with items 4.08, 4.09 and 4.10 of the Schedule 1 of the Regulations.
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[Notes:

1. This instrument is made under the *Australian Sports Anti-Doping Authority Act 2006*.
2. Section 9 of the *Australian Sports Anti-Doping Authority Act 2006* requires the regulations to prescribe a National Anti-Doping Scheme (NAD Scheme). The NAD Scheme is

Schedule 1 to the *Australian Sports Anti-Doping Authority Regulations 2006*. The NAD scheme can be amended by the CEO of Australian Sports Anti-Doping Authority: s 10.

[Australian Transaction Reports and Analysis Centre Industry Contribution \(Collection\) Act 2011](#)

Section 15 (55 of 2011)

Section 14(4)	<p>The following decision of the AUSTRAC CEO that has been confirmed, varied or revoked:</p> <ul style="list-style-type: none"> - to waive the payment of the whole or part or of a levy or late payment penalty or both under s 11.
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[Notes:

1. Section 14(5) of the Act provides that if the person reviewing the decision does not confirm, revoke or vary the decision within 42 days after the request for reconsideration, he or she is taken to have confirmed the decision.]

[Automotive Transformation Scheme Regulations 2010](#)

Regulations 5.3 and 5.6 (329 of 2010)

<p>Regulations 5.3 1.29 1.30 3.8 3.13 3.15 3.16 4.3(1)</p>	<p>The following original decisions or decisions on reconsideration by the Secretary of the Department:</p> <ul style="list-style-type: none"> - that a person was a party to a transaction that was not at arm's length for the purposes of reg 1.29; - to refuse payment of assistance to an ATS participant, under reg 3.8 or 3.15; - that an ATS participant is not entitled to be paid an amount of assistance in relation to a period covered by a quarterly return, under reg 3.13; - that an ATS participant was not entitled to a payment under the Scheme, under reg 3.16; - that a person is liable to pay an amount of Scheme debt, under reg 4.3(1);
<p>Regulation 5.6</p>	<p>The following decisions of the Secretary of the Department that have been confirmed, revoked or varied on reconsideration:</p> <ul style="list-style-type: none"> - that registering the applicant would not further the object

	<p>set out in s 3(1) of the Act, under reg 2.2;</p> <ul style="list-style-type: none"> - to refuse permission to a group of companies to seek registration as an ATS participant as if it were a single person, under reg 2.10; - to impose conditions on the grant of permission to a group of companies to seek registration as an ATS participant as if it were a single person, under reg 2.10(4); - to refuse to register a person as an MVP, an ACP, an AMTP or an ASP, under reg 2.15; - that a person is not a fit and proper person, under reg 2.16; - to deregister an ATS participant, under reg 2.28; - to refuse recovery of a Scheme debt by offsetting, under reg 4.2(2); - that the payment of interest would not cause the ATS participant financial hardship, under reg 4.4(3); - to refuse an application for an extension of time for the payment of a Scheme debt or to grant a lesser extension, under reg 4.5; - to direct a third party who owes, or may later owe, money to an ATS participant to pay some or all of the available money to the Commonwealth, under reg 4.6.
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[Notes:

1. This instrument is made under the *Automotive Transformation Scheme Act 2009*.
2. The list of decisions that are subject to reconsideration under the Regulations are set out in regs 5.3 and 5.6. The following instruments introduced and have amended this provision: 82 of 2010 and 329 of 2010.
3. A person may request the Secretary to reconsider a decision of the kind mentioned in regs 5.3 or 5.6: reg 5.1(3). If the Secretary does not confirm, revoke or vary the decision within 30 days after the day on which the Secretary receives the request, the Secretary is taken to have confirmed the decision: reg 5.2(3).]

[Aviation Transport Security Act 2004](#)

Section 126 (41 of 2010)

Section 126	<p>The following decisions by the Secretary:</p> <ul style="list-style-type: none"> - to refuse to approve a transport security program, under s 19(2) or (4);
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	<ul style="list-style-type: none"> - to direct a participant to vary a program, under s 21; - to direct a participant to revise a program, under s 23; - to refuse to approve alterations of a transport security program, under s 23A; - to cancel a transport security program, under s 25 or 26; - to declare that a particular airport, or a part of a particular airport, is a security controlled airport, under s 28(2); - to assign a category to a particular security controlled airport, under s 28(6); - to determine under s 74G(1) that a person has an adverse aviation security status.
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[Notes

1. If an aviation industry participant gives the Secretary a transport security program and the Secretary does not approve, or refuse to approve, the program within the consideration period as defined, the Secretary is taken to have refused to approve the program at the end of that period: s 19(4) of the Act.]

Aviation Transport Security Regulations 2005

Regulations 8.02, 8.03, 8.03A, 8.04, 8.05 and 8.06 (F2016L01656)

<p>Regulations 3.01C 6.07 6.10 8.02</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - a decision for the purposes of s 133(1), and under s 126(1) of the Act, to assign a category to a particular security controlled airport, under reg 3.01C; - to grant or refuse to exempt an issuing body from giving effect to its Aviation Security Identification Card (ASIC) program in a particular case or respect or particular period or subject to a condition mentioned in the exemption, under reg 6.07; - to approve or refuse to approve variation or proposed variation of an ASIC program by the issuing body, under reg 6.10; <p>The following decisions of the Secretary in relation to Aviation Security Identification Card (ASICs) and related matters:</p> <ul style="list-style-type: none"> • Decisions in relation to issuing bodies to refuse to authorise a person as an issuing body;
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	<ul style="list-style-type: none"> (a) to impose a condition on an issuing body; (b) to direct an issuing body to vary its ASIC program; (c) to refuse to approve a variation of an issuing body's ASIC program; (d) to refuse to exempt an issuing body from giving effect to its ASIC program in a particular case or respect; (e) to impose a condition on an exemption; (f) to revoke an issuing body's authorisation; (g) to refuse to revoke an issuing body's authorisation. <ul style="list-style-type: none"> • Decisions in relation to adverse aviation security status on the basis of a qualified security assessment. • Decisions in relation to issue, suspension and cancellation of ASICs: <ul style="list-style-type: none"> (aa) to direct an issuing body not to issue an ASIC to a person; <ul style="list-style-type: none"> (a) to refuse to approve the issue of an ASIC; (b) to impose a condition on an ASIC; (c) to direct an issuing body to cancel an ASIC; (d) to refuse to exempt an issuing body from giving effect to a direction from the Secretary to cancel an ASIC; (e) to direct the suspension of an ASIC; (f) to give the issuing body for an ASIC a direction under s 6.31(3); (g) to refuse to set aside the cancellation of an ASIC under reg 6.43B or 6.43C; (h) to set aside the cancellation of an ASIC subject to a condition under reg 6.43D; (i) to grant, or to refuse to grant, an issuing body an exemption from needing the relevant airport operator's approval to issue an airport-specific ASIC to a person for an airport, under reg 6.27A. • Decisions to refuse a person alternative identification requirements under reg 6.27AC; • Decisions in relation to wearing and use of ASICs. <ul style="list-style-type: none"> (a) to refuse to exempt somebody from displaying a valid ASIC in a secure area, or part of such an area; (b) to impose a condition on such an exemption. • Decisions in relation to the substituted exercise of the powers of an issuing body: <ul style="list-style-type: none"> (a) to authorise, or refuse to authorise, a person to perform the functions, or exercise the powers, of an issuing body; (b) to authorise a person to perform the functions or exercise the powers of an issuing body subject to a condition.
Regulation 8.03	The following decisions of an issuing body:

	<p>(a) to refuse to issue an ASIC to somebody; (b) to issue an ASIC subject to (a); (c) to cancel an ASIC.</p>
Regulation 8.03A	<p>The following decisions in relation to known consignors:</p> <p>(a) to refuse to approve an applicant as a known consignor; (b) to revoke the approval of a person as a known consignor; (c) to refuse to accept amendments to a known consignor security program.</p>
Regulation 8.04	<p>The following decisions in relation to regulated air cargo agents</p> <p>(a) to refuse to designate an applicant as a RACA; (b) to revoke the designation of a person as a RACA; (c) to refuse to accept amendments to a RACA security program.</p>
Regulation 8.05	<p>The following decisions in relation to AACAs</p> <p>(a) to refuse to accredit a person as an AACAs; (b) to revoke an AACAs's accreditation; (c) to refuse to accept amendments to an AACAs security program.</p>
Regulation 8.06	<p>A decision not to approve an aircraft operator as a VIC issuer.</p>

[Notes:

1. This instrument is made under the *Aviation Transport Security Act 2004* and the *Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act 2004*.
2. The Secretary is required to make a decision in relation to a range of applications under these Regulations within a specified period: regs 4.50(2), 4.51D(5)(b), 6.07(6), 6.10(3), 6.16(2); 6.29(3), 6.37F(5), 6.39A(4), 6.43B and 6.43C. An application is taken to have been refused where a decision is not made within the specified period: regs 4.50(3), 4.51D(6), 6.07(7), 6.10(4), 6.16(3), 6.29(4), 6.37F(6), 6.39A(5), 6.43B(6) and 6.43C(4).]

B

Banking Act 1959

Section 51C(1) (25 of 2008)

<p>Section 51B(3)</p>	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to refuse an application under s 9 - to impose conditions or additional conditions on a body corporate's section 9 authority (s 9AA(6)(a)); - to vary conditions imposed on a body corporate's section 9 authority (s 9AA(6)(b)); - to refuse an application under s 9 - to revoke a body corporate's s 9 authority (unless APRA has determined, under s 9A(4), that the procedures in subsection (3) do not apply); - to refuse to determine that one or more provisions of the Act do not apply to a particular person, under s 11; - to vary or revoke an order that applies to a particular person under s 11; - to refuse an application under s 11AA (s 11AA(5)); - to impose conditions, or additional conditions on a body corporate's NOHC authority under s 11AAA (s11AAA(5)(a)); - to vary conditions imposed on a body corporate's NOHC authority under s 11AAA (s11AAA(5)(b)); - a decision to give notice under s 11AE(2) that either the body corporate or subsidiary of the body corporate to become an authorised NOHC of the ADI (s 11AE(2)); - to refuse to revoke a non-operating holding company authority granted to a body corporate under s 11AB; - to revoke a non-operating holding company authority granted to a body corporate (unless APRA has determined, under s 11AB(4), that the procedures in subsection (3) do not apply) under s 11AB; - to determine or vary a prudential standard referred to in s 11AF(1)(d) under s 11AF;
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	<ul style="list-style-type: none"> - to give a direction under s 11CA(1) as a result of the ground referred to in paras (1)(a), (b), (c), (d) or (e); - to give direction under s 11CA(1AA) as a result of the ground referred to in paras (1AA)(a), (b), (c) or (d); - to give direction under s 11CA(1AC) as a result of the ground referred to in paras (1AC)(a) or (b), to the extent that the paragraph relates to a ground referred to in paras (1AA)(a), (b), (c) or (d); - to refuse to certify an industry support contract under s 11CB; - to give or vary a direction to parties to comply with an industry support contract under s 11CC; - to revoke the certification of an industry support contract under s 11CC; - to direct an authorised deposit-taking institution to remove a person as an auditor under s 17(2); - to direct an authorised deposit-taking institution or authorised non-operating holding company to remove a person from being a director or senior manager of an authorised deposit-taking institution, a senior manager of the Australian operations of a foreign authorised deposit-taking institution or a director or senior manager of an authorised non-operating holding company, under s 23(2); - a decision to give notice regarding the occurrence of a body corporate or a subsidiary of a body corporate becomes an authorised NOHC of the general insurer under s 23A(2) (s 23A(7)); - to make or vary a non-ADI lender rule referred to in para 38C(2)(c); <p style="margin-left: 40px;">to make an instrument under s 38D(2) in relation to a non-ADI lender rule to give a direction to a non-ADI lender to take specific action to comply under s 38K(1);</p> <ul style="list-style-type: none"> - to direct an authorised deposit-taking institution not to issue a covered bond under s 29(1); - to direct covered bond special purpose vehicles to return certain assets. To direct a covered bond special purpose vehicle to return to its issuing authorised deposit-taking institution an asset to the extent that, at the time the direction is given, the asset does not secure covered bond liabilities of the issuing deposit-taking institution, under s 31F(1); - to refuse written approval for an authorised deposit-taking
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	<p>institution to keep financial records in another country specified in the approval under s 60(1)(b);</p> <ul style="list-style-type: none"> - to grant written approval for an authorised deposit-taking institution to keep financial records subject to conditions under s 60(2); - to refuse consent to a particular person to use certain words and expressions in relation to their financial business under s 66; - to impose conditions or additional conditions on a consent that applies to a particular person and their use of certain words and expressions in relation to their financial business under s 66; - to vary conditions imposed on a consent that applies to a particular person and their use of certain words and expressions in relation to their financial business under s 66; - to revoke a consent that applies to a particular person and their use of certain words and expressions in relation to their financial business under s 66; - to determine or vary a determination that applies to a particular ADI under s 66AA(9); - to impose conditions, or additional conditions, on a consent in relation to restriction on establishment or maintenance of representative offices of overseas banks under s 67; - to vary or revoke conditions imposed on a consent in relation to restriction on establishment or maintenance of representative offices of overseas banks under s 67; - to revoke a consent in relation to restriction on establishment or maintenance of representative offices of overseas banks under s 67.
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[Notes:

1. A person may request reconsideration of any decision of APRA to which Part VI of the Act applies. The following provisions provide that Part VI of the Act applies to a decision: ss 9(9), 9A(8), 11(5), 11AA(8), 11AB(8), 11AF(7C), 11CA(5A), 11CB(2), 11CC(7), 17(8), 23(8), 66(2C) and 67(5).
2. The following Acts have introduced, amended or repealed provisions which provide that Part VI applies to a particular decision: No. 116 of 2003, No. 25 of 2008 and No. 82 of 2010.
3. If APRA does not confirm, revoke or vary a decision before the end of the period of 21 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 51B(4).

4. If a person makes a request under s 51B(1) in respect of a reviewable decision of APRA, s 41 of the *Administrative Appeals Tribunal Act 1975* applies as if the making of the request were the making of an application to the AAT for review of that decision: s 51C(3). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

Bankruptcy Act 1966

Sections 55(3AC), 57(3AC), 128H(7), 128H(8), 139ZF, 139ZIT, 149Q, 186C(8), 186C(11), 186H(6), 186K(8), 186L(8), 186LB(9), 186M(6), 282(2)(d), 283, section 96-1 of Schedule 2 (11 of 2016)

<p>Sections 55(3AC) 57(3AC) 128H(7)-(8) 185E(4) 185ED(4) 185MD(4) 185PD(4) 186C(8)</p>	<p>The following decisions of the Official Receiver:</p> <ul style="list-style-type: none"> - rejection of a debtor's petition, under s 55(3AA); - rejection of a joint debtor's petition, under s 57(3AA); - where a superannuation account-freezing notice is in force, to refuse to give consent to the trustee of an eligible superannuation plan, or the trustee of a bankrupt's estate, for the cashing, debiting, roll-over, transfer or forfeiture, in whole or in part, of a member's superannuation interest, under s 128H(3); - to accept, or refuse to accept, a debt agreement proposal for processing under s 185E(4); - to cancel the acceptance of a debt agreement proposal for processing, under s 185ED(4); - a written declaration withdrawing a proposal to vary a debt agreement for the purposes of s 185M, under s 185MD(2); - a declaration for the purposes of s 185PD(2), under s 185PD(4);
<p>Sections 139ZF 139ZG(2)(c) 139ZIC(1) 139ZIT 139ZIE, 139ZIEA 139ZIG 139ZIH 139ZIHA 139ZII 149Q, 186C(8) 186C(11)</p>	<p>A decision of the Inspector-General on the review of a decision by a trustee to make an assessment or refusal of a request to review a decision by a trustee to make an assessment, under s 139ZF;</p> <p>The reviewable decisions of the Inspector-General that have been confirmed, varied or set aside on internal review, or a refusal of a request to review a reviewable decision, in relation to the following:</p> <ul style="list-style-type: none"> - a s 139P(1) or 139PQ(1) assessment decision on the liability of a person to pay a contribution, or a change in the liability of a bankrupt, under s 139ZG(2)(c); - a decision of the Inspector-General on the review of a reviewable decision, or a decision by the Inspector-General

<p>186H(6) 186K(8) 186L(8) 186LB(9) 186M(6) 282(2)(d) 283</p>	<p>refusing a request to review a reviewable decision, under s139ZIT;</p> <ul style="list-style-type: none"> - to make, refuse, or revoke a s 139ZIC(1) determination, under s139ZIT; - to specify a period or the requirements in a supervised account notice for the purposes of s 139ZIE(1)(a)(ii), under s 139ZIT; - to specify requirements in a supervised account notice for the purposes of s 139ZIE(1)(a)(ix), under s 139ZIT; - to refuse to exercise the powers conferred for the purposes of s 139ZIEA(1), under s 139ZIT; - to refuse, give consent, vary, or revoke consent for the purposes of s139ZIG(3), 139ZIH(5), 139ZIHA(5) or 139ZII(3), under s 139ZIT; - a decision refusing a request to review, or a decision on the review of a decision of the trustee to file a notice of objection, under s 149Q; - a refusal to approve an application made for the purposes of s 186B, under s 186C(8); - an approval for the purposes of s186B, if the applicant is registered as a debt agreement administrator, the applicant's registration as a debt agreement administrator is subject to specified conditions, under s 186C(11); - that conditions on a person's registration as a debt agreement administrator should not be changed or removed, or that specified modifications should be made to those conditions, under s 186H(6); - to cancel an individual's s (2) or (4) registration as a debt agreement administrator, under s 186K(8); - to cancel a company's s (2) or (4) registration as a debt agreement administrator, under s 186L(8); - to refuse to provide para (2)(c) written consent (an account freezing notice) to a bank directing the bank not to make or not permit withdrawal from a debt agreement administration trust account, under s 186LB(9); - a declaration that a person is ineligible to act as an administrator of debt agreements for a period of three years, under s 186M(6); - to refuse an application or to grant a lesser extension than was applied for in a particular case to extend the time for payment of interest charge or realisations charge, under s
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	<p>282(2)(d);</p> <ul style="list-style-type: none"> - to refuse an application to remit an amount of interest charge, or a lesser amount of interest charge, realisations charge or late payment penalty than was applied for, under s 283.
<p>Schedule 2 Insolvency Practice Schedule (Bankruptcy) Part 4 Division 96, 96-1</p>	<p>The following reviewable decisions of a committee about an application for registration or about a condition of registration:</p> <ul style="list-style-type: none"> - a decision of a committee in relation to an application for registration as a trustee, under s 20-20; - a decision of a committee in relation to an application for the variation or removal of a condition of registration, under s 20-55; - a decision of the Inspector-General to give a direction to a registered trustee not to accept further appointments, under s 40-15; - a decision of the Inspector-General to suspend the registration of a person as a trustee, under s 40-25; - a decision of the Inspector-General to cancel the registration of a person as a trustee, under s 40-30; - a decision of the committee under s 40-55 (disciplinary action by committee); - a decision of a committee in relation to an application to lift or shorten the suspension of person's registration as a trustee, under s 40-85.

[Notes:

1. Section 139ZE(6) provides that, if the Inspector-General in Bankruptcy has not given the bankrupt notice of his or her decision on a request under s 139ZA for review of a trustee's decision within 60 days, the Inspector-General in Bankruptcy is taken to have reviewed the decision and confirmed it under s 139ZD(a).
2. Section 139ZIB definitions sets out what are Reviewable Decisions.
3. Section 139ZIS(6) provides that, if the Inspector-General in Bankruptcy has not given the bankrupt notice of his or her decision on a request under s 139ZIO for review of a trustee's decision within 60 days, the Inspector-General in Bankruptcy is taken to have reviewed the decision and confirmed it under s 139ZIR(1)(a).
4. Section 149P(6) provides that, if the Inspector-General in Bankruptcy has not given the bankrupt notice of his or her decision on a request under s 149K for review of a trustee's decision within 60 days, the Inspector-General in Bankruptcy is taken to have reviewed the decision and confirmed it under s 149N(3).
5. Sections 155A-155K were repealed under the *Insolvency Law Reform Act* 2016, which commenced 29 February 2016.

6. The *Insolvency Law Reform Act 2016* (11 of 2016) amended this Act to include new reviewable decisions under s 96-1 of Schedule 2, which commenced 29 February 2016.]

Bankruptcy Regulations 1996

Regulation 8.40, 1305 and 16.12 (SLI 137 of 2006)

<p>Regulations 8.35(3) 13.04(3)(a) 16.11(1)</p>	<p>The following decisions of the Inspector-General in Bankruptcy:</p> <ul style="list-style-type: none"> - a determination in relation to the eligibility of controlling trustees, other than Official Trustee or registered trustee for the purposes of s 188(2A) of the Act is not eligible to act, under reg 8.35(1); - a determination that a person who is, or has been, a controlling trustee has failed to properly exercise the powers, or carry out the duties of, a controlling trustee including meeting a standard applicable to a controlling trustee set out in Schedule 4A, under reg 8.35(2); - to determine under reg 8.35(2) that a person who is, or has been, a controlling trustee has refused or failed to cooperate with the Inspector-General in an inquiry or investigation under para 12(1)(b) of the Act; - to decide whether or not information in respect of a person who is a debtor or bankrupt should be entered, removed or corrected on the National Personal Insolvency Index, under reg 13.04(3)(a); - to refuse under reg 16.11(1) to waive or remit the whole or part of any part of the fees payable under the provisions specified in the note below.
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[Notes:

1. This instrument is made under the *Bankruptcy Act 1966*.
2. Regulation 16.11(1) provides that the Inspector-General in Bankruptcy may waive or remit the whole or any part of the fees payable under the following provisions:
 - regulation 16.09;
 - item 1, 2, 3, 4, 9, 11, 12 or 13 of the table following cl 2.01(1) of the Fees and Remuneration Determination;
 - clause 2.02, 2.08 or 2.09 of the Fees and Remuneration Determination.]

Bass Strait Central Zone Scallop Fishery Management Plan 2002

Section 165(7) of *Fisheries Management Act 1991*

<p>Section 165 of the <i>Fisheries Management Act 1991</i></p>	<p>The following decision of the Australian Fisheries Management Authority which have been reconsidered under s 165(5) of the <i>Fisheries Management Act</i>.</p> <ul style="list-style-type: none">- in relation to a person's registration for grant of statutory fishing rights under this Plan.
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[Notes:

1. This instrument is made under s 17 of the *Fisheries Management Act 1991*.]

Biological Control Act 1984

Sections 56(1), 578 (139 of 1984)

<p>Section 56(1)</p>	<p>The following decisions of the Commonwealth Biological Control Authority:</p> <ul style="list-style-type: none">- a decision for the purposes of ss 19, 28 or 33 not to hold an inquiry;- a decision for the purposes of ss 20 or 31, being a decision that is inconsistent with a finding or recommendation of a Commission referred to in Part VII or the Industries Assistance Commission;- a decision for the purposes of s 29, being a decision that is inconsistent with a finding or recommendation of a Commission referred to in Part VII or the Productivity Commission;- a decision not to publish a notice in any newspaper or journal, under s 26;- a decision for the purposes of s 30;- to revoke a declaration under s 53.
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[Biosecurity Act 2015](#)

Sections 76, 578 (61 of 2015)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Director of Human Biosecurity:</p> <ul style="list-style-type: none">- to direct an individual to comply with an isolation measure or a traveller movement measure, under s 72(5)(a). <p>The following reviewable decisions made by the Director of Biosecurity or the Director of Human Biosecurity personally, or on reconsideration by the Director of Biosecurity or internal reviewer:</p> <ul style="list-style-type: none">- to give approval for requiring high-value goods to be destroyed, under s 136(2);- to refuse to grant a permit authorising goods to be brought or imported into Australian territory, under s 179(1);- to impose a condition on a permit authorising goods to be brought or imported into Australian territory, under ss 180(1) and (2);- to vary a condition imposed on a permit authorising goods to be brought or imported into Australian territory, under s180(2);- to vary, or refuse to vary, a permit authorising goods to be brought or imported into Australian territory, under s 181(1)(a);- to suspend a permit authorising goods to be brought or imported into Australian territory, under s 181(1)(b);- to revoke a permit authorising goods to be brought or imported into Australian territory, under s 181(1)(c);- to give approval for requiring conveyance to be destroyed, under s 210(2);- to refuse to approve a method of ballast water management, under s 273(2);- to refuse to approve a discharge of ballast water to a ballast water reception facility, under s 278(2);- to refuse to grant an exemption for a discharge of ballast water, under s 280(2);- to grant an exemption for a discharge of ballast water subject to conditions, under s 280(2);- to vary or revoke an exemption for a discharge of ballast water, under s 281;
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	<ul style="list-style-type: none">- to refuse to grant an exemption from the requirement in s 285A(1) or (2), under s 285B;- to refuse to approve a ballast water management plan or an amendment of a ballast water management plan, under s 287;- to cancel the approval of a ballast water management plan, under s 287;- to refuse to issue, endorse or amend a ballast water management certificate, or to refuse to extend the period during which such a certificate is in force, under s 290;- to withdraw a ballast water management certificate, under s 290;- to give a direction relating to a vessel, under s 303(2);- to refuse to vary or revoke a direction relating to a vessel, under s 304(1);- to give approval for requiring high-value goods to be destroyed, under s 342(2);- to give approval for requiring a conveyance to be destroyed, under s 343(2);- to give approval for requiring premises to be destroyed, under s 344(3);- to refuse to approve a proposed arrangement, under s 406(1);- to refuse to approve a varied arrangement, under s 406(1);- to approve a proposed arrangement subject to conditions, under s 406(3);- to vary the conditions of an approved arrangement, under s 413(1)(a);- to require a biosecurity industry participant to vary an approved arrangement, under s 413(1)(b);- to refuse to suspend a part of an approved arrangement, under s 417(4);- to suspend an approved arrangement or a part of an approved arrangement, under s 418(1);- to extend the period during which an approved arrangement or a part of an approved arrangement is suspended, under
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	<p>s 420(3);</p> <ul style="list-style-type: none"> - to revoke and approved arrangement, under s 423(1); - to suspend or revoke a permit, authorisation or permission because of an unpaid cost-recovery charge, under s 597.
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[Notes:

1. Section 574 provides a list of reviewable decisions.
2. Section 72(2) provides that the Director of Human Biosecurity must review the diagnosis (if any) of disease specified in a human biosecurity control order (and the continued inclusion of a biosecurity measure) in a control order. The AAT may hear an application for merits review of the Director’s direction: s 72(5)(a).
3. During a biosecurity emergency period, a person is not entitled to seek review under the AAT Act of any decision in relation to a declaration disease or pest: s 469.]

[Bounty \(Commercial Motor Vehicles\) Amendment Act \(No. 2\) 1985](#)

Section 22A (182 of 1985)

Section 22A	A determination, decision or requirement of the Comptroller-General of a kind referred to in s 22(1)
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[Notes:

1. The *Bounty (Commercial Motor Vehicles) Amendment Act (No. 2) 1985* (10 of 1985) amends the 2 of 1978 (the Principal Act) setting down 31 December 1985 as the day after which a bounty is not to become payable under the Act.
2. The *Bounty (Commercial Motor Vehicles) Amendment Act (No 2) 1985* (182 of 1985) commenced on 16 December 1985. It prescribes bountiable percentages relating vehicle assembly during 1986 – 1988 and makes provision for review of decisions by the AAT. This Act remains in force.]

[Broadcasting Services Act 1992](#)

Sections 204(1), clauses 62(5), (7) and (9) of Schedule 4, clauses 92(1) and (3) of Schedule 5, clause 58 of Schedule 6, clauses 113(1), (3), (5), (7), (9) and (11) of Schedule 7 (C2018A00028)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Australian Communications and Media Authority:</p> <ul style="list-style-type: none">- refusal to allocate an additional licence, s 38A;- refusal to allocate an additional licence, s 38B;- cancellation of licence, s 38C;- refusal to allocate licence, s 40(1);- direction that a licence not be allocated for the purposes of s 40(1), under s 40(7);- that a person is not a suitable applicant or licensee (Commercial), s 41(2);- variation of licence conditions or imposition of new conditions (Commercial), s 43(1);- to enter a newspaper in Register, s 59(3);- refuse to remove newspaper from Register, s 59(4);- to enter a newspaper in Register, s 59(4A);- refusal to remove newspaper from Register, s 59(4B);- refusal to approve transaction or determination of period of approval, s 61AJ;- refusal to extend time for compliance, s 61AK;- refusal to extend time for compliance, s 61AP;- to affirm or revoke a decision made for the purposes of s 61AZE(1), under s 61AZF;- refuse to approve temporary breach or determination of period of approval, s 67(4);- to refuse to extend time for compliance, s 68(2);- refuse to extend time for compliance, s 71(3);- that a person is not a suitable applicant or licensee (Community), s 83(2);
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	<ul style="list-style-type: none">- variation of licence conditions or imposition of new conditions (Community), s 87(1);- refusal to approve the transfer of a community broadcasting licence, s 91A;- that a person is not a suitable applicant or licensee (Temporary community), s 92D(2);- variation of licence conditions (other than timing conditions), imposition of new conditions or variation of licence period (Temporary community), s 92J;- refusal to allocate licence, s 96(1);- that a person is not a suitable applicant or licensee, s 98(2);- variation of conditions or imposition of new conditions, s 99(2);- variation of class licence conditions or imposition of new conditions, s 120(1);- refusal of permission, s 121E(1);- grant of permission, s 121E(1);- that s 121FC(1) applies to a company, as set out in s 121FC(1);- cancellation of an international broadcasting licence, s 121FK(1);- refusal to make a nominated broadcaster declaration, s 121FLC;- revocation of a nominated broadcaster declaration, s 121FLG;- cancellation of an international broadcasting licence, s 121FLH;- refusal to include a code of practice in the Register, s 123(4);- to make an exemption order or target reduction order, s 130ZUA;- refusal to make an exemption order or target reduction order, s 130ZUA;- to make an exemption order or target reduction order, s 130ZY;- refusal to make an exemption order or target reduction
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	<p>order, s 130ZY</p> <ul style="list-style-type: none"> - suspension or cancellation of licence, s 143; - declaration that a person is a program supplier of a commercial television broadcasting licensee, s 146D(4); - refusal to remit the whole or part of a late payment penalty, s 205AF(3).
Schedule 2: 7(2A), 8(3), 9(2A)	<p>The following decisions:</p> <ul style="list-style-type: none"> - refusal or grant of permission under s 7(2A), s 8(3) or s 9(2A) of Schedule 2;
Schedule 8: 15(1), 15(2), 15(3), 15(4), 26(2)	<ul style="list-style-type: none"> - refuse, vary or revoke an exemption determination under ss 15(1), (2), (3), or (4) of Schedule 8; - to give, vary or refuse to revoke, a remedial direction, under s 26(2) of Schedule 8;
Section 204(3)	A decision made by the ACMA under a gambling promotion program standard, so long as the standard provides that the decision is a reviewable decision for the purposes of this section
Section 204(4)	A decision made by the ACMA under the online content service provider rules, so long as those rules provide that the decision is a reviewable decision for the purposes of this section.
Section 205	<p>The following decisions under a conditional access scheme registered under s 130ZCA:</p> <ul style="list-style-type: none"> - refusal to issue a reception certificate under a conditional access scheme registered under s 130ZCA; - revocation of a reception certificate under a conditional access scheme registered under s 130ZCA; <p>The following decisions made by the ACMA:</p> <ul style="list-style-type: none"> - decisions under a gambling promotion program standard made by the ACMA, so long as the standard provides that the decision is a reviewable decision for the purposes of s 205: s204(3) - decisions under the online content service provider rules, so long as those rules provide that the decision is a reviewable decision for the purposes of s 205: s 204(4)

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[Notes:

1. Sections 204 and 205, cl 58 in Schedule 6, and cl 113 in Schedule 7 set out reviewable decisions, the provisions of the Act that apply, and who may make application to the AAT for review.
2. Section 204(2) provides that application may be made to the AAT for review of certain decisions relating to reception certificates under a conditional access scheme registered under s 130ZCA of the Act.
3. Paragraphs 62(1) and (3) of Schedule 4 to the Act provide that application may be made to the AAT for review of certain decisions made under the Commercial Television Conversion Scheme and the National Television Conversion Scheme. See the entries for those enactments for more detail.
4. Paragraph 92(1)(h) of Schedule 5 to the Act provides that application may be made to the AAT for review of any decision made under an online provider determination determined under cl 80 of Schedule 5 where the decision relates to an internet service provider or internet content host.
5. Paragraph 113(11)(a) of Schedule 7 to the Act provides that application may be made to the AAT for review of any decision made under a designated content/hosting service provider determination determined under cl 104(5) where the decision relates to a designated content/hosting service provider.
6. The amendment of s 204(1) to remove the table item dealing with refusal to allocate licence under s 38C does not apply in relation to a decision made before 19 March 2015: (22 of 2015).]

[Building Energy Efficiency Disclosure Act 2010](#)

Section 69 (1 of 2015)

<p>Reviewable decisions made under various sections</p>	<p>A reviewable decision made by the Secretary personally; or a decision affirmed, varied or set aside on reconsideration by the Secretary, under s 68(4):</p> <ul style="list-style-type: none"> - to refuse to issue a building energy efficiency certificate, under s 13A; - to issue a building energy efficiency certificate with a start day other than the start day included in the application for the certificate, under s 13A; - to refuse to grant an exemption from the operation of ss 11, 12 or 15, under s 17(3); - to revoke or vary the grant of an exemption from the operation of ss 11, 12 or 15, under s 17(5); - to refuse to accredit a person as an assessor, under s 25;
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	<ul style="list-style-type: none"> - to impose additional conditions on the accreditation of an assessor, under s 27(2); - to vary or revoke a condition on the accreditation of an assessor under, s 27(4); - to suspend the accreditation of a person as an assessor, under s 28(1); - to refuse to lift the suspension of accreditation of a person as an assessor, under s 29(1); - to refuse to waive all or a specified part of the requirement under para 24(2)(b) to produce information or under para 24(2)(c) to pay a fee, under s 29(2); - to revoke the accreditation of a person as an assessor, under s 30.
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[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 67. The following Acts introduced or have amended the list of reviewable decisions: No. 67 of 2010, No. 1 of 2015.
2. *Building Energy Disclosure Amendment Act 2015* (1 of 2015) introduced s 13A, repealed ss 18(10)-(12) and amended ss 17(3) and (5), with effect from 1 July 2015].

[Business Names Registration Act 2011](#)

Sections 58(1) and (3) (126 of 2011)

Section 27	<p>The following decisions made personally by the Minister:</p> <ul style="list-style-type: none"> - a refusal to determine, or the revocation of a determination, that a business name of a kind that is undesirable is available to an entity, under s 27(2); - a determination that a word or expression specified in the determination is restricted in relation to a specified entity or specified business unless a condition or conditions specified in the determination are met, under s 28(2).
Section 58	<p>A reviewable decision made by ASIC, or the Minister, that has been reconsidered:</p> <ul style="list-style-type: none"> - to register, or refuse to register, a business name to an entity, under s 24; - to refuse to determine, or to revoke a determination, that a business name of a kind that is undesirable is available to

	<p>an entity, under s 27(2);</p> <ul style="list-style-type: none"> - a determination that a word or expression specified in the determination is restricted in relation to a specified entity or specified business unless a condition or conditions specified in the determination are met, under s 28(2); - a determination of a longer review period, or the refusal to determine a longer review period, for review of registration decisions, under s 29(5); - to refuse to determine that an entity that would otherwise be disqualified is not to be disqualified, under s 32(3); - to refuse to determine an alternative registration period in relation to the registration of a business name to an entity, under s 33(3) or (4); - the deletion, refusal to include, correction or annotation of information in relation to a business name on the Business Names Register, under s 37(6) or (7); - to refuse to enter an entity's name on the Business Names Register as a notified successor in relation to a business name, under s 40(5); - to cancel the registration of a business name to an entity, under ss 43, 47 or 48; - to refuse to determine a longer review period for reviewing cancellation decisions, under s 54(3); - to revoke a determination of an alternative registration period in relation to the renewal of the registration of a business name to an entity, under s 55(4) or (5); - to refuse to decide that it is appropriate to an entity from disclosure, under s 60(6); - to refuse to receive a document submitted by an entity, under s 69(1) or (5).
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[Notes:

1. A list of reviewable decisions and who may apply for reconsideration is set out in s 56.
2. Section 58(4) provides who may apply for review of decisions made by the Treasurer personally.
3. If the review body has not decided an application by an entity for reconsideration of a decision (where the reconsideration body is ASIC – within 28 days) and where the reconsideration body is the Minister, within 60 days, the entity may give notice it wishes to treat the decision as having been affirmed, s 57(8).]

[Business Names Registration \(Transitional and Consequential Provisions\) Act 2011](#)

Items 29(1) and (3) of Schedule 1 (127 of 2011)

Item 11(4), Schedule 1	A determination of the Minister to cancel the registration of a business name of an entity, under item 11(4).
Item 28(6), Schedule 1	<p>A reviewable decision of ASIC, or the Minister personally, that has been affirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - that a person carries on, or intends to carry on, a business alone under a business name, rather than in association with other persons, under para 2(1)(b) or 7(1)(a) of Schedule 1; - that a person carries on, or intends to carry on, a business under a business name in association with one or more other persons under para 3(1)(b) or 7(1)(b) of Schedule 1; - rejection of an alternative word or expression to distinguish an entity, under item 18(9) of Schedule 1; - to specify a word or expression to distinguish an entity, under para 18(10)(b) of Schedule 1; - to remove a word or expression to distinguish an entity on the Business Names Register under item 20(3) of Schedule 1.

[Notes:

1. A list of reviewable decisions and who may apply for reconsideration is set out in item 27 of Schedule 1.
2. Item 29(4) of Schedule 1 provides who may apply for review of decisions made by the Minister personally.
3. If a request for reconsideration made to ASIC is not decided within 28 days after the application is lodged the applicant may at any time give the review body written notice that it wishes to treat the decision as affirmed: item 28(8)(a) of Schedule 1.
4. If a request for reconsideration made to the Minister is not decided within 60 days after the application is lodged the applicant may at any time give the review body written notice that it wishes to treat the decision as affirmed: item 28(8)(b) of Schedule 1.]

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[Carbon Credits \(Carbon Farming Initiative\) Act 2011](#)

Section 244 (11 of 2016)

<p>Reviewable decisions made under various sections</p>	<p>The following reviewable decisions of the Regulator that have been affirmed, varied or revoked on internal reconsideration:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate, under s 15; - to state that a specified number is the unit entitlement in respect of a certificate of entitlement, under s 15(3); - to refuse to declare that an offsets project is an eligible offsets project, under s 27; - under regulations or legislative rules made for the purposes of s 29(1), to vary an eligible offsets project declaration; under regulations or legislative rules made for the purposes of any of the following provisions, to refuse to vary an eligible offsets project declaration: s 29(1); 30(1); or 31(2); - under regulations or legislative rules made for the purposes of any of the following provisions, to revoke an eligible offsets project declaration: s 32(1), 33(1), 34(1), 35(1), 36(1), 37(1), 38(1), 139(1); - under regulations or legislative rules made for the purposes of either of the following provisions, to refuse to revoke an eligible offsets project declaration: s 32(1); s 33(1); - under regulations or legislative rules made for the purposes of s 57, to make a determination; - under s 88, 89, 90 or 91 to require a person to relinquish a specified number of Australian carbon credit units; - to make a declaration, under s 97(2); - to vary, or refuse to vary, a carbon maintenance obligation declaration, under s 98; - to refuse to revoke a carbon maintenance obligation, under s 99; - to refuse to approve the application of a methodology determination to an eligible offsets project, under s 130; - to refuse to extend a period, under s 153(5);
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	<ul style="list-style-type: none"> - to require a person to relinquish a specified number of Australian carbon credit units, under s 164; - to refuse a request not to set out the project area or project areas for an eligible offsets project in the Emissions Reduction Fund Register, under s 169; - to refuse to remit the whole or part of an amount under s 180(2);
Section 244	<ul style="list-style-type: none"> - A reviewable decision affirmed or varied by the Regulator on reconsideration, under s 242(1); - A decision that was not made by a delegate of the Regulator, under s 242(2).

[Notes:

1. The list of reviewable decisions under the Act is set out in s 240. The following Acts introduced or have amended the list of decisions: No. 101 of 2011, No. 108 of 2012 and No. 119 of 2014.
2. If a person requests reconsideration of a reviewable decision and the Regulator does not inform the applicant of his or her decision within 90 days after the request is received, the Regulator is taken to have affirmed the decision, s 243(2).]

[Chemical Weapons \(Prohibition\) Act 1994](#)

Section 27 (9 of 1998)

<p>Sections 18(1) 18(3) 20 23 24 25 26</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - refusing to grant a permit, under s 18(1); - to specify, or not to specify, the day a permit comes into force, under s 18(3); - to refuse to renew a permit, under s 20; - to impose a condition on a s 18 permit, or a permit renewed, under s 20; - to vary a permit, under s 23; - to refuse to transfer a permit, under s 24; - to revoke a permit, under s 25.
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[Child Support \(Registration and Collection\) Act 1988](#)

Sections 72T [Single review], 89 [First review] and 96A [Second review]

	Decisions reviewable as ‘AAT First Review’ in the Social Services and Child Support Division (SSCSD)
<p>Section 89</p>	<p>The following decisions of the Child Support Registrar:</p> <ol style="list-style-type: none"> 1. A decision under s 83(1) on an application for an extension of time; 2. A decision under s 87(1) on an objection to an original decision, pursuant to s 80 (see below section for more information); 3. A decision to make a determination under s 87AA(2) or a decision not to make such a determination; 4. A decision to make a determination under s 110Y(3) or 110Z(3) or a decision not to make such a determination.
	<p>Under s 80, an objection may be lodged against the following original decisions of the Child Support Registrar:</p> <ul style="list-style-type: none"> • to register a registrable maintenance liability; • as to particulars entered in the Child Support Register in relation to a registrable maintenance liability; • as to particulars varied in the Child Support Register in relation to a registrable maintenance liability; • to delete an entry from the Child Support Register in relation to a registrable maintenance liability; • to credit, under section 71, 71A or 71C of the Act, an amount received by the payee of a registrable maintenance liability or carer liability, or a third party, against the amount payable under the liability; • to make an appealable refusal decision (see section 4 of the Act) in relation to a registrable maintenance liability or carer liability; • to make an appealable collection refusal decision (see section 4 of the Act) in relation to a registrable maintenance liability or carer liability; • in relation to the remission of a penalty under subsection 54(1) or (2) or section 68 of the Act; • to accept an application for administrative assessment of child support for a child under subsection 30(1) of the Assessment

	<p>Act;</p> <ul style="list-style-type: none"> • to refuse to accept an application for administrative assessment under subsection 30(2) of the Assessment Act; • as to the particulars of an administrative assessment; • to refuse under subsection 63AD(1) of the Assessment Act to accept an election made by a parent under subsection 63AC(1) of that Act; • to make a determination in relation to a parent under subsection 63AE(1) of the Assessment Act; • in relation to the remission of a penalty under section 64AH of the Assessment Act; • to terminate a child support agreement under paragraph 80G(1)(d) or (e) of the Assessment Act; • to accept or to refuse to accept an agreement in relation to a child under section 92 or 98U of the Assessment Act; • as to the particulars of a notional assessment; • to make or to refuse to make a determination under Part 6A of the Assessment Act. <p>Under section 80A, an objection may be lodged against an original decision of the Child Support Registrar that is a care percentage decision (see section 4 of the Act)</p> <p>Note: “Assessment Act” is the <i>Child Support (Assessment) Act 1989</i></p>
	<p>Decisions reviewable as ‘AAT Second Review’ in the General Division</p>
<p>Section 96A</p>	<p>The following decisions of the AAT;</p> <ul style="list-style-type: none"> • a decision under section 92 to refuse an extension application; • a decision under subsection 43(1) of the AAT Act on AAT first review of a care percentage decision; • a decision under subsection 95N(2) to make, or not to make, a determination.

	Decisions reviewable in the General Division (as ‘AAT single review’)
Section 72T	<p>The following decisions of the Registrar:</p> <ul style="list-style-type: none"> • revocation and variation of departure prohibition orders in certain circumstances, s 72I; • issuing of a departure authorisation certificate, under certain circumstances, s 72L; • value and timeframe for security, by bond, deposit or any other means, assuring a person’s return to Australia, as agreed and specified in the departure authorisation certificate, under s 72M.

[Notes:

1. If a person is dissatisfied with the reconsideration on an objection, he/she can apply to the AAT for review of the decision (an ‘AAT first review’): s 79D. The decisions against which objections may be lodged are found in this Act and the *Child Support (Assessment) Act 1989*.
2. For AAT First Review:
 - a. Section 90 sets out the time limit on these applications. 28 day time limit does not apply in relation to an AAT first review of a care percentage decision.
 - b. If a person is a resident of a reciprocating jurisdiction (meaning it is in a foreign country or part of a foreign country prescribed by the regulations), an application for AAT first review of a decision must be made within 90 days of the relevant notice served on the person or given to the person.
3. An application for review of a Child Support Registrar’s decision under s 72I, s 72L and s 72M can only be made in the General Division of the AAT once.

[Civil Aviation Act 1988](#)

Section 31(2) (67 of 2016)

Section 31	<p>The following reviewable decisions of the Civil Aviation Safety Authority:</p> <ul style="list-style-type: none"> - A refusal to grant or issue, or a cancellation, suspension or variation of, a certificate, permission, permit or licence granted or issued under this Act or the regulations; - The imposition or variation of a condition, or the cancellation, suspension or variation of an authorisation, contained in such a certificate, permission, permit or licence;
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	<ul style="list-style-type: none"> - A decision under s 30EF(3) (about reinstating a civil aviation authorisation that has been suspended or cancelled under Division 3D.
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Civil Aviation (Buildings Control) Regulations 1988

Regulation 9(1) (SR 103 of 1993)

Regulations 8(2) 8(3) 11(1)	The following decisions of the Civil Aviation Safety Authority (CASA) or an authorised person: <ul style="list-style-type: none"> - to refuse or grant an application for approval to construct a building or structure subject to conditions, under reg 8(2) - to impose, vary or revoke conditions subject to which an approval was given or with respect to the marking or lighting of a building or structure, under reg 8(3) - A direction of CASA for the removal, marking or lighting of hazards to air navigation in certain circumstances as set out, under reg 11(1).
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Civil Aviation Regulations 1988

Regulation 297A (SLI 274 of 2013)

Reviewable decisions under various regulations	The following reviewable decisions made by CASA: <ul style="list-style-type: none"> - refusing to approve a change to a certificate of approval, under s 30A; - refusing to issue an airworthiness authority or issuing an airworthiness authority subject to conditions, under s 33B; - refusing to grant an aircraft welding authority, under s 33D; - refusing to renew an aircraft welding authority, under s 33G; - refusing to approve a change to an aircraft welding authority, under s 33H; - imposing a condition on an aircraft welding authority, under s 33I; - refusing to approve a system of maintenance, under s 42M; - refusing to approve a change, or modifying a change, to an approved system of maintenance, under s 42R;
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	<ul style="list-style-type: none">- refusing to approve a system of certification of completion of maintenance, under s 42ZG;- refusing to approve a change to a system of certification of completion of maintenance, s 42ZK;- refusing to grant an exemption from, or a variation of, a requirement to which Division 7 of Part 4A applies; or granting or approving the exemption or variation subject to conditions, under s 42ZS;- refusing to approve the appointment of a person as a maintenance controller; or approving the appointment of a person as a maintenance controller subject to conditions, under s 42ZW;- suspension, cancellation or refusing to approve the appointment of a person to be a maintenance controller, under s 42ZX;- refusing to issue or renew a balloon flight crew rating, under s 5.14;- revoking a person's approval to give balloon flying training for the issue of a balloon flight crew rating, or a grade of flight crew rating, under s 5.20;- refusing to issue an aircraft a balloon class endorsement (within the meaning given by sub-reg 5.01(1)), under s 5.23;- revoking an approval of a person's appointment as a chief balloon flying instructor, under s 5.58;- refusing to issue a special flight authorisation, under s 135A;- refusing to approve an application for an RVSM airworthiness approval, under s 181G;- suspending an RVSM airworthiness approval, under s 181I;- cancelling an RVSM airworthiness approval, under s 181J;- refusing to approve an application for an RVSM operational approval, under s 181M;- suspending an RVSM operational approval, under s 181O;- cancelling an RVSM operational approval, under s181P;- refusing to approve an organisation to administer the operation of limited category aircraft engaged in special purpose operation as mentioned in reg 21.185(3) of CASR, under Section 262AN;
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	<ul style="list-style-type: none"> - suspending a license or authority (within the meaning given by reg 263(1), under Section 265; - varying, suspending or cancelling an approval, authority, certificate or licence (within the meaning given by reg 263(1), under s 269; - that CASA is satisfied that a person has committed an act mentioned in reg 298A(1), under s298A(4).
Regulation 297A(2)	<p>The following decisions of an authorised person mentioned in items 7, 8, 11 or 12 of Table 297A:</p> <ul style="list-style-type: none"> - under reg 42M refusing to approve a system of maintenance; - under reg 42R refusing to approve a change to an approved system of maintenance; - under reg 42ZK refusing to approve a change to a system of certification of completion of maintenance; - under reg 42ZS (a) refusing to grant an exemption from, or a variation of, a requirement to which Division 7 of Part 4A applies; or (b) granting or approving the exemption or variation subject to conditions.

[Notes:

1. The list of reviewable decisions is set out in reg 297A(1).
2. These regulations also provide that a decision under reg 99.415 of the *Civil Aviation Safety Regulations 1998* is a reviewable decision.]

[Civil Aviation Safety Regulations 1998](#)

Regulation 201.004 (SLI 247 of 2015)

Regulation 201.004(2) of the *Civil Aviation Regulations 1988*

Item 1	<p>The following decisions of CASA mentioned in table 201.004:</p> <p>Under a provision of these Regulations:</p> <ul style="list-style-type: none"> (a) refusing to grant or issue an authorisation; (b) cancelling or suspending an authorisation otherwise than on the application of the authorisation-holder; (c) varying an authorisation otherwise than on the application of the authorisation-holder;
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	(d) refusing to vary an authorisation.
Item 2	Under a provision of these Regulations imposing a condition on, or varying a condition of, an authorisation otherwise than on the application of the authorisation-holder.
Item 2A	Under subpart 11.D refusing, because of reg 47.131B, to cancel the registration of an aircraft.
Item 3	Under Division 11.F.1 or 11.F.2 refusing to grant an exemption.
Item 4	Under reg 21.043 refusing to consider an application for a type certificate.
Item 4A	Under reg 21.176(5) or Division 132.D.2: (a) to assign a permit index number to the aircraft; (b) to refuse to assign a new permit index number requested by the aircraft's registered operator.
Item 5	Under reg 21.855 refusing approval to remove or alter information on a critical part.
Item 6	Under reg 21.870 agreeing that it is impractical to mark information on a part.
Item 7	Under reg 39.004(2) or (3) refusing to issue an instrument of approval or exclusion.
Item 8	Under reg 39.007 refusing to revoke or amend an Australian airworthiness directive.
Item 8A	Under reg 42.640 directing that an authorisation issued by a continuing airworthiness management organisation to a pilot licence holder be changed or cancelled.
Item 9	Under reg 45.060 refusing approval to place a design, mark or symbol on an aircraft.
Item 10	Under reg 45.065 refusing approval to display different markings.
Item 10A	Under reg 45.070 refusing approval to display different markings, or no markings, for the purposes of an exhibition.
Item 10B	Under reg 45.100 refusing approval to display different words, or no words, for the purposes of an exhibition.
Item 10C	Under reg 45.135 refusing approval of a method of displaying aircraft markings.
Item 11	Under reg 45.140 refusing approval to attach an aircraft identification plate other than in accordance with reg 45.125.
Item 12A	Under reg 47.110 refusing, because of sub-reg 47.110(9), to amend the Australian Civil Aircraft Register and give a certificate of registration.

<p>Item 13</p> <p>Item 14</p> <p>Item 15</p> <p>Item 16</p> <p>Item 17</p> <p>Item 18</p> <p>Item 19</p> <p>Item 20</p> <p>Item 21</p> <p>Item 22</p> <p>Item 23</p> <p>Item 24</p> <p>Item 25</p>	<p>Under reg 47.132 cancelling the registration of an aircraft.</p> <p>Under reg 47.175 assigning fewer dealer's marks to an aircraft dealer than were applied for by the dealer.</p> <p>Under subpart 67.B refusing to appoint a person as a DAME or DAO.</p> <p>Under reg 67.095 cancelling the appointment of a person as a DAME or DAO.</p> <p>Under reg 90.010 refusing to exclude an aircraft or aeronautical product from the operation of a provision of Part 90.</p> <p>Under reg 137.040 refusing to approve a standard operations manual.</p> <p>Under reg 137.045(6) refusing to accept:</p> <ul style="list-style-type: none"> (a) an application for an AOC submitted later than required under reg 137.045(1); (b) a manual or schedule of differences that is submitted later than required under reg 137.045(4); (c) an application for the variation of an AOC submitted later than required under reg 137.045(5). <p>Under reg 137.080 refusing to approve a proposed amendment to an operations manual.</p> <p>Under reg 137.085 refusing to approve a proposed amendment to a schedule of differences.</p> <p>Under reg 137.090 refusing to approve a proposed amendment to a standard operations manual.</p> <p>Under reg 139.145 giving a direction.</p> <p>Under reg 139.252 designating, or refusing to designate, an aerodrome as an aerodrome to which A-SMGCS applies.</p> <p>Under subpart 139C:</p> <ul style="list-style-type: none"> (a) refusing to register an aerodrome; (b) suspending or cancelling the registration of an aerodrome.
<p>Regulations 201.004(3)</p>	<p>The following decisions made by other decision-makers mentioned in reg 201.004(5):</p> <ul style="list-style-type: none"> (a) under a provision of these Regulations; and (b) by a person mentioned in sub-reg (4) who may make the decision under the provision. <p>For the purposes of reg 201.004(3) the decisions are the following:</p>

	<p>(a) a decision refusing to grant or issue an authorisation;</p> <p>(b) a decision varying an authorisation otherwise than on the application of the authorisation-holder;</p> <p>(c) a decision refusing to vary an authorisation;</p> <p>(d) a decision imposing a condition on, or varying a condition of, an authorisation otherwise than on the application of the authorisation-holder;</p> <p>(e) under reg 21.176(5) or Division 132.D.2, a decision by a limited category organisation:</p> <p style="padding-left: 40px;">(i) to assign a permit index number to a limited category aircraft; or</p> <p style="padding-left: 40px;">(ii) to refuse to assign a new permit index number requested by the registered operator of a limited category aircraft.</p> <p>For the purposes of reg 201.004(3)(b) the persons are the following:</p> <ul style="list-style-type: none">- an authorised person;- an examiner;- an instructor;- the holder of an approval under reg 61.040, 141.035 or 142.040;- a limited category organisation.
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[Notes:

1. The list of reviewable decisions is set out at reg 201.004.
2. SLI 245 of 2015 amended the reviewable decisions list, with effect from 4 July 2016, as follows:
 - repealed reg 45.155;
 - repealed and substituted regs 45.090, 45.105 and 45.150; and
 - introduced regs 45.070, 45.100 and 45.135.
3. SLI 246 of 2015 amended the reviewable decisions list with effect from 15 December 2015 by repealing regs 202.343, 202.344 and 202.345.
4. *Civil Aviation Legislation Amendment (Part 132) Regulation 2016* amended the reviewable decision list with effect from 28 January 2017 by amending reg 21.176.]

[Classification \(Publications, Films and Computer Games\) Act 1995](#)

Sections 6H(6), 17D, 22G, 22J, 31 (92 of 2017)

<p>Sections 6H(1) 14 17D 22G 22J 31 91</p>	<p>The following decisions of the Director:</p> <ul style="list-style-type: none"> - to exempt a particular publication, film, computer game, event or organisation from any or all provisions of Division 2 of this Act or of the conditional cultural exemption rules; - to declare that any or all provisions of Division 2 or of the conditional cultural exemption rules apply subject to such modifications as are set out in the declaration in relation to a particular publication, film, computer game, event or organisation; - a decision relating to an application for classification of a film or assessment of a television series film, s 14(4)(f); - to revoke an authorisation to assess certain computer games, under s 17A; - to give a barring notice to assessors of certain computer games, under s 17B; - to give a barring notice to an applicant for classification of computer games, under s 17C; - revocation of additional content assessor status, under s 22E(1); - to issue a barring notice to an additional content assessor, under s 22F(1); <p>to issue a barring notice to an applicant, under s 22H(1).</p> <p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - a scheme for advertising of unclassified films and unclassified computer games that is determined by legislative instrument, specifying conditions and requirements relating to industry self-assessment, under s 31(1); - various conditions on which unclassified films and unclassified computer games may be advertised including messages, classification circumstances and timeframes that must be displayed and conditions in relation to unclassified films and computer games that may not be advertised, under s 31(2). <p>The following decisions of the Minister or a delegate of the Minister:</p> <ul style="list-style-type: none"> - Waiver of all or part of the payment of fees payable, or notionally payable, in respect of various entities, including charities and not-for-profits and others, as set out in the Act in s 91(1).
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[Clean Energy Legislation \(Carbon Tax Repeal\) Act 2014](#)

Section 357(3) (83 of 2014)

Section 357(2)	<p>The following decision of the Regulator to:</p> <ul style="list-style-type: none"> - refuse to remit the whole or part of a late payment penalty under s 357(2).
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[Clothing and Household Textile \(Building Innovative Capability\) Scheme 2010](#)

Section 7.2(6) (F2010L01383)

Sections 7.2(2) or 7.3(2)(b)	<p>Subject to the exceptions set out in note 2 below, any decision of the Secretary of the Department that has been, or is taken to be confirmed or varied on reconsideration under s 7.2(2) or 7.3(2)(b).</p>
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[Notes:

1. This scheme is made under s 37ZM of the *Textile, Clothing and Footwear Investment and Innovation Programs Act 1999*. This entry encompasses compilation F2013C00569 and takes into account amendments up to *Clothing and Household Textile (Building Innovative Capability) Amendment Scheme 2012 (No 1)* (F2012L01894).
2. Subject to the exceptions set out in s 7.1(2), an entity dissatisfied with a decision of the Secretary under the scheme may request that the Secretary reconsider the decision under s 7.1. Subsection 7.1(1) does not apply to any decision arising from the application of:
 - Section 6.13, 6.19, 6.22 or 6.23 in relation to the entitlement to be paid an innovation grant, or to the amount of an innovation grant; or
 - Section 5.8 or 5.15 in relation to the eligibility for an advance of an innovation grant, or to the amount of an advance.
3. If the Secretary does not confirm, revoke or vary a decision in respect of which a reconsideration request is made under s 7.1 before the end of the period of 30 days after receiving the application, the Secretary is taken to have confirmed the decision: s 7.2(3).]

[Coal Mining Industry \(Long Service Leave\) Administration Act 1992](#)

Section 52B (60 of 1992)

Sections 39BC 44(1)-(2)	<p>The following decisions by the Board of Directors of the Corporation:</p>
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	<ul style="list-style-type: none"> - to refuse to approve a waiver agreement under s 39BC; - to refuse to approve a variation of agreement under s 39BC; - pay or refuse to pay reimbursements to the employer out of the Fund under s 44(1) or (2).
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[Coal Mining Industry \(Long Service Leave\) Payroll Levy Collection Act 1992](#)

Section 8(7) (61 of 1992)

Section 8(2)	<p>The following decision of the Coal Mining Industry (Long Service Leave Funding) Corporation:</p> <ul style="list-style-type: none"> - to refuse to remit an additional levy or a part of an additional levy under s 8(2).
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[Coastal Trading \(Revitalising Australian Shipping\) Act 2012](#)

Section 107 (55 of 2012)

<p>Sections 11 12 25(3) 35 36 39 55 56 58 59(3)</p>	<p>The following decisions of the Minister :</p> <ul style="list-style-type: none"> - to refuse to exempt a particular vessel or a particular person from this Act, or to grant an exemption subject to conditions, under s 11; - to refuse to make a declaration in relation to a vessel, under s12; - to cancel a general licence, under s 25(3); - to grant an application for a temporary licence, where the holder of a general licence has given the Minister a notice, under s 35; - to cancel a temporary licence, under s 59(3); - a person who made an application for a temporary licence under s 28 may apply to the AAT for review of a decision by the Minister to refuse the application under s 39; - a person who applied for a variation of a temporary licence under s 52 may apply to the AAT for review of a decision by the Minister to refuse the application, under s 58; - the holder of a general licence who gave the Minister a
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	<p>notice in response to an application for a temporary licence may apply to the AAT for review of a decision by the Minister to grant the application under s 35 or a decision by the Minister to have taken to have granted the application, under s 36;</p> <ul style="list-style-type: none"> - the holder of a general licence who gave the Minister a notice in response to an application for a variation of a temporary licence under s 51 may apply to the AAT for review of a decision by the Minister to grant the application under s 55 or a decision by the Minister to have taken to have granted the application, under s 56.
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[Notes:

1. Sections 107(6) and 107(7) set out the limitation period to seek review of a decision.
2. The Minister may delegate all or any of his or her functions and powers under the Act: s 111(1).]

[Commerce \(Trade Descriptions\) Act 1905](#)

Section 15(1) (93 of 2017)

<p>Section 15</p>	<p>The following decisions of the Comptroller-General of Customs:</p> <ul style="list-style-type: none"> - relating to prohibition of imports not bearing prescribed trade description. If the Comptroller-General is satisfied that a contravention of a prescribed trade description of imports was not intentional or reckless, issue a notice requiring to the owner or importer of goods to apply the prescribed description, or export the goods, within a specified period, under s 7(3); - relating to forfeiture of falsely marked goods. If the Comptroller-General is satisfied that a contravention was not intention or reckless, the Comptroller-General may, by notice to the owner or importer, require correction of the false trade description within a specified period. If the owner complies with the notice, the goods will not be forfeited to the Crown, under s 10(3); - relating to prohibition of exports not bearing the prescribed trade description. If the Comptroller-General is satisfied that the entry for export, putting on board a ship for export, or bringing to a wharf or place for export, of goods to which the prescribed trade description had been applied was not intentional or reckless, the Comptroller-General may by notice require the owner or exporter require to withdraw that entry, to remove the goods from that ship, or remove the goods from that wharf or place, within a
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	<p>specified period, under s 11(3);</p> <ul style="list-style-type: none"> - relating to exportation of falsely marked goods. If the Comptroller-General is satisfied that entry for export, putting on board a ship for export or bringing to a wharf or place for export, of goods to which a false trade description has been applied was not intentional or reckless, the Comptroller-General may by notice to the owner or exported of the goods concerned require to correct the false trade description before the exportation of those goods within a period specified in the notice or withdraw that entry, to remove the goods from that ship, or to remove the goods from that wharf or place, within the period specified, s13(3).
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Commonwealth Electoral Act 1918

Sections 121(1), 141(5) (61 of 2016)

<p>Section 121</p>	<p>The following decisions made by the Electoral Commissioner personally, or by a delegate of the Electoral Commissioner who is the Deputy Electoral Commissioner or an Australian Electoral Officer:</p> <ul style="list-style-type: none"> - to refuse to include in a Roll, or transfer to a Roll, a name considered inappropriate, under s 93A or 98A; - to refuse an application for enrolment from outside Australia made under s 94A(1), 95(1) or 96(1); - to reject a claim for enrolment, for transfer of enrolment or for age 16 enrolment, under s 102; - to refuse a request for address not to be shown on Roll, under s 104(1) or(2); - to refuse a request that a person’s address should be entered on a Roll under, s 104(8); - to alter a Roll (including a decision to add or remove a person’s name from the Roll), under s 105; - to dismiss an objection or not to determine an objection because of s 118(1A); - to remove a person’s name from a Roll pursuant to an objection, under s 118; - to refuse an application made under s 184A(1) ; - to cancel a person’s registration as a general postal voter or an internal review decision made under s120(5).
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<p>Section 120(5)</p>	<p>The following decisions made by a delegate of the Electoral Commissioner, other than the Deputy Electoral Commissioner or an Australian Electoral Officer, that have been confirmed, varied or set aside and substituted by the Electoral Commissioner on internal review:</p> <ul style="list-style-type: none"> - to refuse to include a person's name in a Roll, under s 93A; - to refuse an application made under s 94A(1) by a person for enrolment for a sub-division from outside Australia; - to refuse an application by a person to have his or her name placed on a Roll and be treated as an eligible overseas elector, under s 95(1); - to refuse an application by a person for enrolment as an itinerant elector, under s 96; - to refuse to include a person's name in a Roll, or transfer a person's name to a Roll, under s 98A; - to reject a claim for enrolment, for transfer of enrolment, or for age 16 enrolment, under s 102(1); - to take action to update or transfer a person's enrolment, under s 103A(3) or (4); - to take action to enrol a person, under s 103B(3) or (4); - to refuse a request made under s 104(1) or (2) that a person's address not be entered on a Roll or that it be deleted from a Roll, under s 104(4); - to determine that a person's address should be entered on a Roll, under s 104(8); - to alter an entry on the Roll for a person (including a decision to add or remove a person's name from a Roll), adding or removing a person's name from the Roll), under s 105; - to dismiss an objection made by a person, or because of s 118(1A), not to determine an objection made by a person, under s 116 or 118; - to remove a person's name from the Roll on an objection, under s 118; - to refuse an application to register a person as a general postal voter, under s 185; - to cancel a person's registration as a general postal voter, under s 185C(1).
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Section 141(5)	<p>The following reviewable decisions of the Electoral Commission, or of a delegate of the Australian Electoral Commission, that have been affirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to register a political party, or to refuse an application for registration of a political party, under Part XI; - to enter, or refuse to enter a logo of a political party in the Register; - to grant an application, or uphold an objection, or refuse to uphold an objection, or to refuse an application, under s 134(1); - to deregister a political party, under s 137(6). <p>1.</p> <p>-</p>
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[Notes:

1. An internal review decision is reviewable by the AAT (see Part X, Review of Decisions, s 121).
2. A list of reviewable decisions under Part XI of the Act (Registration of political parties) is set out in s 141 of the Act.
3. Section 141(5) sets out that application may be made to the AAT for review of a reviewable decision made by the Electoral Commission or a decision under subsection (2) or (4). For the purposes of a review referred to in subsection (5), the AAT is to be constituted by 3 members, at least one of whom is a Judge of the Federal Court of Australia.]

[Compensation \(Japanese Internment\) Act 2001](#)

Section 7(2) (41 of 2001)

Section 7(2)	A decision of the Repatriation Commission on a claim for compensation payment under this Act.
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[Competition and Consumer Act 2010](#)

Section 10.84, 95ZC(6) (134 of 2003)

Part X	Reviewable decisions of the Registrar under Part X, other than decisions to provisionally or finally register a conference agreement, or as to the form of a register.
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Section 95ZC(6)	Decisions of the Commission to refuse to exclude confidential information from a document to be placed on the register in relation to a locality notice, under s 95ZC(5).
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[Notes:

1. This Act was formerly the *Trade Practices Act 1974* and was renamed by Act 103 of 2010. This change took effect on 1 January 2011.]

[Contingence Aids Payment Scheme 2010](#)

Sections 14(5) and 15(5) of the *National Health Act 1953* (68 of 2010)

Sections 14(4) and 15(4) of the <i>National Health Act 1953</i>	The following reconsideration decisions of the Chief Executive Medicare: <ul style="list-style-type: none">- to decide that a person is not eligible to participate in the Scheme, under s 5(2).- to decide that a person is not eligible to participate in this Scheme and the date the person ceased to be eligible, under s 7.
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[Notes:

1. This Scheme is made under the *National Health Act 1953*.
2. Sections 14 and 15 of the *National Health Act 1953* provide for the reconsideration of decisions by the Chief Executive Medicare under the scheme and the review of such decisions by the AAT.
3. Section 24 of the Scheme sets out arrangements in relation to review of decisions.]

[Copyright Act 1968](#)

Section 195B(5) (49 of 2017)

Section 195B(5)	The following reviewable decisions of the Attorney-General: <ul style="list-style-type: none">- to refuse to make a declaration, in respect of an institution, under s 10A(1);- revoking a declaration made in respect of an institution, under s 10A(1); The following reviewable decisions of the Minister: <ul style="list-style-type: none">- a decision of the Minister under para 135P(1A)(b),
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	<p>135ZZB(1A)(b), 135ZZT(1A)(b) or 135ZZZO(2)(b) refusing to declare a body as a collecting society;</p> <ul style="list-style-type: none"> - a decision of the Minister under para 135Q(2)(a), 135ZZC(2)(a), 135ZZU(2)(a) or 135ZZP(2)(a) revoking a declaration of a body as a collecting society. <p>The following reviewable decisions of the Comptroller-General of Customs:</p> <ul style="list-style-type: none"> - to declare a notice given under s 135(2) to be ineffective, under s 135(6A); - to refuse to seize s 135AA(1) or (2) copies of copyright material, under s 135(7); - to refuse to allow a late claim for the release of seized copies, under s 135AEC; - refusing to seize s 136AJ copyright material, under s 135(7); <p>to refuse to give permission to an objector or importer to inspect seized copies under s 135AD(1).</p>
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[Notes:

1. The list of reviewable decisions under this Act is set out in s 195B(1). The following Acts have introduced or amended the list of reviewable decisions: 32 of 1989, (as rep by 107 of 1993, 107 of 1993, am 149 of 1994, 104 of 1998, 158 of 2006, 94 of 2010, 35 of 2012, 41 of 2015, 49 of 2017.
2. Certain reviewable decisions of the Attorney-General and the Comptroller-General of Customs require that a written notice advising that an objector or importer may make application to the AAT for review of that decision. Failure to issue a notice does not affect the validity of the decision, under s 195B(2)-(3).
3. Act No. 49 of 2017 amends s 195B removing the provision for review of decisions of the Attorney-General. If the amending Act is not proclaimed before, it will take effect from 22 December 2017.]

Copyright Regulations 1969

Regulation 23W(6) (SLI 328 of 2006)

Regulation 23W(6)	<p>The following decision of the person specified in the infringement notice as the nominated person:</p> <ul style="list-style-type: none"> - to refuse to withdraw an infringement notice under reg 23W.
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[Notes:

1. If the nominated person has not withdrawn, or refused to withdraw, an infringement notice within 14 days after the application for withdrawal is received, the nominated person is taken to have refused to withdraw the notice: reg 23W(5).]

[Coral Sea Marine Park Management Plan 2018](#)

Section 4.3.3.2 of the Management Plan; Regulation 14.16(8) of the *Environment Protection and Biodiversity Conservation Regulations 2000*

Section 4.3.3.2	A reconsideration decision made by the Director of National Parks in relation to decisions about other types of authorisations which had been made by the Director.
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[Notes:

1. Part 4.3.3 sets out review of decisions and review by the AAT of the reconsidered decision.
2. This Plan commenced on 1 July 2018 and is made under s 370 of the Environmental Protection and Biodiversity Conversation Act 1999 (EPBC Act).]

[Corporations Act 2001](#)

Section 1317B (11 of 2016) and s 921V (7 of 2017)

Various sections	A decision of the Minister, the Australian Securities and Investments Commission (ASIC), the Companies Auditors Disciplinary Board, or a committee convened under Part 2 of Schedule 2 of the Act.
Sections 921V(7)(a) 921V(7)(b).	The following decisions of the Standards body: <ul style="list-style-type: none">- under para (3)(b) to refuse to approve the person's foreign qualification;- a decision by the standards body under subsection (5) to specify one or more courses to be completed by the person.

[Notes:

1. Section 1317C sets out the decisions under the Corporations Act 2001 to which s 1317B does not apply.
2. Section 921V(7) inserts a new Division 8C into the Act. It sets out the AAT can review a decision of the Standards body. Standards body means the body corporate in relation to which a declaration made under s 921X is in force.]

[Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#)

Section 623-1 (124 of 2006)

<p>Section 617</p>	<p>The following reviewable decisions by the Registrar of Aboriginal and Torres Strait Islander Corporations that have been affirmed, varied, or set aside on reconsideration:</p> <ul style="list-style-type: none">- to treat an application for registration as being withdrawn, under ss 21-10(3), 22-10(3) or 23-10(3);- to refuse to grant an application for registration as an Aboriginal and Torres Strait Islander corporation, under s 26-1(1);- to alter the registration of an Aboriginal and Torres Strait Islander corporation that is registered as a small corporation, under s 37-5(1);- to alter the registration of an Aboriginal and Torres Strait Islander corporation that is registered as a medium corporation, under s 37-5(2);- to alter the registration of an Aboriginal and Torres Strait Islander corporation that is registered as a large corporation, under s 37-5(3);- to make, or refuse to make, a direction about persons who would otherwise be disqualified from administering a compromise or arrangement, under para 411(7)(f) of the <i>Corporations Act 2001</i> as applied by s 45-1;- to refuse to register a constitutional change lodged under s 69-20 by the corporation, under s 69-30(1);- to register, or refuse to register, a constitutional change lodged under s 69-25 by a special administrator, under s 69-30(1);- to change an Aboriginal and Torres Strait Islander corporation's constitution where internal governance rules requirements are not being met under s 69-35(2);- to change an Aboriginal and Torres Strait Islander corporation's constitution where there has been oppressive conduct, under s 69-35(3);- to refuse to grant an exemption from the requirement to have at least 5 members, under s 77-10;- to allow an Aboriginal and Torres Strait Islander corporation to have a different minimum number of members to the number requested, under s 77-15;
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	<ul style="list-style-type: none">- to refuse a name being available to an Aboriginal and Torres Strait Islander corporation, under s 85-5(2);- to consent to a name being available to an Aboriginal and Torres Strait Islander corporation, under s 85-5(2);- to impose conditions on an agreement to a name being available to an Aboriginal and Torres Strait Islander corporation, under s 85-5(3);- to direct an Aboriginal and Torres Strait Islander corporation to change its name, under s 88-5(1);- to direct an Aboriginal and Torres Strait Islander corporation to change its document access address, under s 115-15(1);- to refuse to make a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from an exemptible provision of Chapter 4, under s 187-5(1);- to revoke, vary or suspend a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from an exemptible provision of Chapter 4, under s 187-5(5);- to grant an application by directors seeking to deny a request by members to call a general meeting, under s 201-10(4);- to refuse an application by directors seeking to deny a request by members to call a general meeting, under s 201-10(4);- to extend, or refuse to extend, the period in which an AGM may be held, under s 201-155(2);- to refuse to make a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from provisions of Chapter 5, under s 225-5(1);- to revoke, vary or suspend a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from provisions of Chapter 5, under s 225-5(4);- to disqualify a person from managing an Aboriginal and Torres Strait Islander corporation, under s 279-30(1);- to refuse to give a person permission to manage an Aboriginal and Torres Strait Islander corporation, under s 279-30(7);- to impose conditions or exceptions on the grant of permission to allow a person to manage an Aboriginal and Torres Strait Islander corporation, under s 279-30(7);
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	<ul style="list-style-type: none">- to make a declaration in relation to voting on a proposed resolution by or on behalf of a related party, under s 290-35(4);- to refuse to make a determination concerning a person's residential address, under para 304-15(2)(b);- to refuse to make a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from an exemptible provision of Chapter 6, under s 310-5(1);- to revoke, vary or suspend a determination exempting an Aboriginal and Torres Strait Islander corporation, or its directors, from an exemptible provision of Chapter 6, under s 310-5(5);- to determine that an Aboriginal and Torres Strait Islander corporation prepare a report, under para 336-1(1)(a);- to determine that an Aboriginal and Torres Strait Islander corporation provide particular information, under para 336-1(1)(b);- to determine that extra requirements be met in respect of a financial report, under s 336-1(7);- to refuse to exempt an Aboriginal and Torres Strait Islander corporation, its directors or its auditor from record-keeping and/or reporting requirements, under s 353-3(1);- to revoke, vary or suspend a determination exempting an Aboriginal and Torres Strait Islander corporation, its directors or auditor from record-keeping and/or reporting requirements, under s 353-3(4);- to certify and grant leave to re-lodge lost or destroyed registered documents, under s 404-15(4);- to refuse to certify and grant leave to re-lodge lost or destroyed registered documents, under s 404-15(4);- to refuse to receive or register a document submitted for lodgement, under s 407-1;- to issue a notice requiring directors of an Aboriginal and Torres Strait Islander corporation to take the action specified in the notice to comply with the Act or the company's constitution, under s 439-20(1);- to issue a notice requiring directors of an Aboriginal and Torres Strait Islander corporation to take the action specified in the notice to cause particular circumstances to cease to exist, under s 439-20(3);
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	<ul style="list-style-type: none"> - to issue a notice requiring directors of an Aboriginal and Torres Strait Islander corporation to take the action specified in the notice to prevent particular circumstances from occurring or developing, under s 439-20(5); - to determine that an Aboriginal and Torres Strait Islander corporation be under special administration, under s 487-1(1); - to extend the period for which an Aboriginal or Torres Strait Islander corporation is under special administration, under s 487-15(1); - to terminate the appointment of a special administrator for a reason specified in para 505-5(b), (c) or (d), under s 505-1(4); - to make, or refuse to make, a direction persons who are not to act as receivers under para 418(1)(f) of the Corporations Act 2001, as applied by s 516-1; - to make, or refuse to make, a direction about persons who are not taken to be connected with an Aboriginal and Torres Strait Islander corporation under para 448C(3)(b) of the <i>Corporations Act 2001</i> as applied by s 521-1 or Section 532(6)(b) of the <i>Corporations Act 2001</i>, as applied by s 526-35; - to refuse a claim of entitlement to be paid money that is unclaimed property under s 551-15(2).
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[Notes:

1. The list of reviewable decisions that may be reconsidered under the Act is set out in s 617-1.
2. A person whose interests are affected by a reviewable decision may request reconsideration of that decision under s 620-5(1). The Registrar may reconsider a reviewable decision on its own motion under s 620-1(1) even if an application has been lodged with the AAT: s 620-1(2)(b).
3. Where a person has requested reconsideration of a reviewable decision under s 620-5(1), the decision is taken to have been affirmed if the person does not receive notice of a decision within 90 days after the reconsideration request was received: s 620-1(7).]

[Criminal Code Act 1995](#)

Sections 72.30 and 105.51(5) of the *Criminal Code* (3 of 2007)

<p>Sections 72.30 105.51(5)</p>	<p>The following decisions of the Attorney-General or the Minister for Defence:</p>
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	<ul style="list-style-type: none"> - Authorisation decisions, to refuse to give an authorisation relating to unmarked plastic explosives under s 72.18(1), (s 72.19(1)); - to specify a condition or restriction in an authorisation under s 72.18(1) (s 72.19(1)). <p>The following decisions of an issuing authority:</p> <ul style="list-style-type: none"> - to make an initial preventative detention order, or to extend, or further extend, the period for which an order is in force, under ss105.8 or 105.12.
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[Notes:

1. An application for review of a decision to specify a condition or restriction in an authorisation under ss 72.18(1), 72.19(1), 72.20(1) or 72.21(2) may only be made by a person to whom the authorisation applies: s 72.30 of the *Criminal Code*.
2. An application for review of a decision relating to a preventative detention order cannot be made while a preventative detention order is in force: s 105.51(5) of the *Criminal Code*.
3. Applications for review of decisions relating to preventative detention orders must be dealt with in the AAT's Security Appeals Division: s 105.51(6) of the *Criminal Code*.
4. Provisions of the AAT 1975 may be modified by regulations made under the *Criminal Code Act 1995*: s 105.51(7) of the *Criminal Code*.]

[Customs Act 1901](#)

Section 273GA (6 of 1901)

Section 9 of the *Customs Tariff Act 1995*

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Comptroller-General of Customs:</p> <ul style="list-style-type: none"> - a determination for the purposes of s 28(2); - a determination for the purposes of s 28(3); - to refuse to authorise a journey for the purposes of para 58A(6)(c); - to refuse to register a person as a special reporter, under s 67ED; - to refuse to renew a person's registration as a special reporter, under s 67EK; - to cancel the registration of a special reporter generally or in relation to low value cargo of a particular kind, under s 67EM;
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	<ul style="list-style-type: none">- to refuse to register a person or a partnership as a re-mail reporter, under s 67G;- to impose a condition on a re-mail reporter's registration, under s 67G or 67J;- to vary a condition of a re-mail reporter's registration, under s 67J;- to cancel a re-mail reporter's registration, under s 67K;- to refuse to grant a depot licence, under s 77G;- to refuse to extend the period within which further information concerning a depot licence application is to be supplied, under s 77J;- not to vary a depot licence, under s 77LA(1);- not to allow a further period, under s 77LA(3);- to refuse to grant an extension of time, under s 77P;- to vary the conditions of a depot licence, under s 77Q;- to revoke a depot licence, under s 77V;- to cancel a depot licence, under s 77VC;- to give a direction, under s 102F;- to approve, or refuse to give approval, under para 105(2)(a) relating to the capacity of containers;- to refuse to grant, cancel, or modify a person's confirming exporter status, under s 114B;- to refuse to grant a Certificate of Clearance, under s 118;- to make a quota order, under s 132B;- to revoke or vary a quota order, under s 132C;- to specify a rate of exchange, under s 161J(2);- a decision under s 164B in relation to the refund of export duty;- to make a demand under s 165(3) for payment of an amount of drawback, refund or rebate of duty that was overpaid;- to refuse to enter into a trusted trader, agreement, under s 176A(1);
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	<ul style="list-style-type: none"> - to vary, suspend or terminate a trusted trader agreement, under s 178A(1); - to reject an application for a tariff concession order (TCO), under s 269H(1); - to reject a TCO application for the purposes of s 269SJ in relation to goods, under s 269HA; - a decision under s 269L(4) to the effect that the Comptroller-General of Customs is not satisfied that a proposed amendment of a description of goods to be covered by a TCO does not contravene s 269L(3); - a decision rejecting a tariff concession order application, under s 269HA; - a decision under s 269SA(1) or (2) for the purposes of a TCO application and the consequence of commencement or cessation of production before TCO decision; - a decision by the Comptroller-General of Customs under s 269SD(1AB), (1), (1A), (2), (2A) or (5).
<p>Sections 269P(1) 269Q(1) 269SC(1) 269SC(4)</p>	<p>The following decisions of the Comptroller-General of Customs that have been reconsidered:</p> <ul style="list-style-type: none"> - a decision of the Comptroller-General of Customs under s 269SH on a reconsideration of a decision of the Comptroller-General of Customs, under s 269P(1); - a decision of the Comptroller-General of Customs under s 269SH on a reconsideration of a decision of the Comptroller-General of Customs, under s 269Q(1); - a decision of the Comptroller-General of Customs under s 269SH on a reconsideration of a decision of the Comptroller-General of Customs, under s 269SC(1); - a decision of the Comptroller-General of Customs for the purposes of s 269SH on a reconsideration of a decision of the Comptroller-General of Customs, under s 269SC(4).
<p>Sections 35A 126 163 167 168</p>	<p>The following decisions of a Collector:</p> <ul style="list-style-type: none"> - to make a demand under s 35A; - to refuse to allow the export of goods under s 126; - a decision in relation to the an application for a refund, rebate or remission of duty under s 163;

	<ul style="list-style-type: none"> - to demand the payment of duty which is paid under protest under s 167; - a decision under s 168 in relation to an application for a drawback of duty.
<p>Sections 69 70 71 71AAAC 71AAAM 71AAAN 71C 71DJ 71E 114C</p>	<p>The following decisions of an officer of Customs:</p> <ul style="list-style-type: none"> - to refuse to grant, revoke, or impose a permission, under s 69; - to refuse to grant, or to revoke a permission, under s 70; - to refuse to authorise the delivery of goods into home consumption, under s 71; - to suspend an authority to deliver goods into home consumption, under ss 71AAAC or 71AAAM; - to cancel an authority to deliver goods into home consumption, under s 71AAAN; - to cancel or suspend an authority to deal with goods, under s 71C or 71DJ; - to refuse an application of a permission to move goods, under s71E; - to specify under s 77E(4) conditions to which a permission, under s 77E is subject; - to cancel or suspend an authority to deal with goods, under s 114C.
Part V	Decisions of the Comptroller-General of Customs or a Collector for the purposes of Part V which deals with warehouses.
Part XI	Decisions of the Minister, the Comptroller-General of Customs, or a Collector for the purposes of Part XI which deals with agents and customs brokers.

[Notes:

1. The AAT's jurisdiction under this Act was amended as indicated above by the *Customs Amendment (Miscellaneous Measures) Act 2013*. The changes commenced on 31 March 2013. Further amendments were made by the *Customs and Auscheck Legislation Amendment (Organised Crime and Other Measures) Act 2013*. These changes commenced on 28 May 2013.
2. An application for review of a decision relating to a demand paid under protest under s 167 of the Act must be made within 6 months after the date of the payment or, in case

the sum is paid as the duty payable under a Customs Tariff or Customs Tariff alteration proposed in Parliament, within 6 months after the date of assent to the Act by which the Customs Tariff or Customs Tariff alteration proposed in Parliament is made law: s 273GA(5) of the Act.

3. Section 119(3) does not apply where a Certificate of Clearance is granted to the ship or aircraft referred to in that subsection as a result of a review by the AAT: s 273GA(3).
4. A person may not make an application to the AAT in respect of a decision made under s 269SH on a reconsideration of a decision of the CEO under ss 269P(1), 269Q(1) or 269SC(1) or (4) unless the person is an affected person within the meaning of s 269SH and is adversely affected by the decision on the reconsideration: s 273GA(6A).
5. If a person applies for reconsideration of a decision on a TCO application under s 269P(1) or 269Q(1) and the CEO of Customs fails to make a decision within 90 days after receiving the application for reconsideration, the CEO is taken to have affirmed the original decision: s 269SH(6). If a person applies for reconsideration of a decision under s 269C(1) or 269C(4) in relation to an application to revoke a TCO and the CEO of Customs fails to make a decision within 60 days after receiving the application for reconsideration, the CEO is taken to have affirmed the original decision: s 269SH(6).
6. Applications may be made to the AAT for review of a decision of the Comptroller-General of Customs under s 9 of the *Customs Tariff Act 1995*.]

[Customs \(International Obligations\) Regulation 2015](#)

Regulation 21(2) (SLI 32 of 2015)

Regulation 21(1)	The following decision of a Collector: - to refuse to give consent, under reg 21(1).
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[Notes:

1. This instrument is made under the *Customs Act 1901*. This entry includes compilation No 4 that includes amendments up to F2017L01486, registered on 13 December 2017.]

[Customs \(Prohibited Exports\) Regulations 1958](#)

Regulations 3(8), 8(8), 8A(6), 9AB(11), 10F (SLI 187 of 2009); 13EF (F2018L00503)

Regulation 3(8)	The following decisions of the Attorney-General or an authorised person: - to refuse to give a permission to export a good to which reg 3 applies, under reg 3(4); - to give a permission subject to conditions, under reg 3(6); - to revoke a permission, under reg 3(7).
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<p>Regulations 9AB(11)(a) 9AB(11)(b) 9AB(11)(c)</p>	<p>The following decisions of the Minister (specified in the Instrument):</p> <ul style="list-style-type: none"> - not to grant a permission to export cat fur, dog fur or a fur product, under reg 9AB(3); - to grant a permission to export cat fur, dog fur or a fur product subject to a condition or requirement, under reg 9AB(8); - to revoke a permission to export cat fur, dog fur or a fur product, under reg 9AB(9).
<p>Regulations 8(3) 8(7) 10(1)(a)(ii) 10AB(4)(b) 10A(2) 10A(2A) 10A(4) 10A(4B)</p>	<p>The following decisions of the Secretary (of the specified Department):</p> <ul style="list-style-type: none"> - to refuse to grant permission for the exportation of goods specified in Schedule 6, under reg 8(3); - to grant permission for the exportation of goods specified in Schedule 6, subject to conditions or requirements, under reg 8(3); - to revoke a permission for the exportation of goods specified in Schedule 6, under reg 8(7); - to refuse to grant a permission for a licensed exporter to export a drug specified in Schedule 8, under reg 10(1)(a)(ii); - not to allow the export of a precursor substance, under reg 10AB(4)(b); - to refuse to grant a licence to act as an exporter, under reg 10A(2) or 10A(2A); - to revoke a licence to act as an exporter, under reg 10A(4) or 10A(4B).
<p>Regulations 8A(2) 8A(3) 8A(4)</p>	<p>The following decisions of the Minister (specified in the Instrument):</p> <ul style="list-style-type: none"> - to refuse to grant permission to export viable material derived from human embryo clones under reg 8A(2); - to grant a permission specifying a condition or requirement under reg 8A(3); - to revoke a permission under reg 8A(4).
<p>Regulations 13EE(6) 13EE(1)</p>	<p>The following decisions:</p> <ul style="list-style-type: none"> - a reviewable defence and strategic goods decision (as set out under reg 13EE(1)) made by the Defence Minister personally;

	<p>or</p> <ul style="list-style-type: none"> - a decision of the Defence Minister under reg 13EE(6) (which deals with internal review).
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[Notes:

1. Pursuant to reg 3(9) the Attorney-General may certify that a decision to give or refuse to give permission should be made solely by the Attorney-General and should not be reviewable by the AAT. While such a certificate is in force, reg 3(8) does not apply to the permission or the refusal.
2. The reviewable defence and strategic goods decision:
 - a. a decision under reg 13E(3) to refuse to grant a permission;
 - b. a decision under reg 13E(6) to impose a condition on a permission;
 - c. a decision under reg 13EC(1) to impose a new condition on a permission;
 - d. a decision under reg 13EC(2) to vary a condition imposed on a permission;
 - e. a decision under reg 13ED(1) to revoke a permission.]

[Customs \(Prohibited Imports\) Regulations 1956](#)

Regulations 4A(4), 4W(11), 5HA(8), 5L(6) (SLI 188 of 2009)

Section 14ZZ of the *Taxation Administration Act 1953*

Regulation 4A(2)	<p>The following decisions of the Attorney-General:</p> <ul style="list-style-type: none"> - to refuse to give a permission to import a good to which reg 4A applies, under reg 4A(2); - to grant a permission subject to conditions, under reg 4A(2).
Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - not to grant permission to import unmanufactured tobacco leaf, under reg 4D(4); - to specify a condition for a permission, under reg 4D(5); - to revoke a permission, under reg 4D(6).
Regulations 4W(11)(a), 4W(11)(b), 4W(11)(c)	<p>The following decisions of the Minister for Home Affairs or of an authorised person:</p> <ul style="list-style-type: none"> - not to grant a permission to import cat fur, dog fur or a cat

	<p>or dog fur product, under reg 4W(3);</p> <ul style="list-style-type: none"> - to grant a permission to import cat fur, dog fur or a cat or dog fur product subject to a condition or requirement, under reg 4W(8); - to revoke a permission to import cat fur, dog fur or a cat or dog fur product, under reg 4W(9).
<p>Regulation 5HA(3)</p>	<p>The following decisions of the Secretary of the Department or an authorised person that have been confirmed or revoked by the Minister on reconsideration:</p> <ul style="list-style-type: none"> - to grant, or refuse to grant, a licence or permission to import a drug, under reg 5(5); - to specify conditions or requirements on the permission to import, under reg 5(13); - to vary the period during which a drug may be imported, under reg 5(15); - to revoke a licence, under reg 5(17); - to revoke a permission, under reg 5(18); - to grant, or refuse to grant, a permission to import antibiotic substances, under reg 5A(1); - to impose conditions on a permission, under reg 5A(4); - to revoke a permission, under reg 5A(6); - to grant, or refuse to grant, permission to import goods specified in Schedule 8 to the Regulations, under reg 5H(2); - to revoke a permission, under reg 5H(4).
<p>Regulations 5L(2) 5L(3) 5L(4)</p>	<p>The following decisions of the Minister or an authorised person:</p> <ul style="list-style-type: none"> - to refuse to grant permission to import viable material derived from human embryo clones, under reg 5L(2); - to grant a permission specifying a condition or requirement, under reg 5L(3); - to revoke a permission, under reg 5L(4).

[Notes:

1. Pursuant to reg 4A(5) the Attorney-General may certify that a decision to give or refuse to give a permission should be made solely by the Attorney-General and should not be

reviewable by the AAT. While such a certificate is in force, reg 4A(4) does not apply to the permission or the refusal.

2. Regulation 4D(9) of the *Customs (Prohibited Imports) Regulations 1956* provides that a person may object against the decisions under reg 4D specified in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*.
3. A person dissatisfied with a decision under reg 4D may object against it in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the AAT.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Customs Tariff Act 1995](#)

Section 273H of the Customs Act 1901 (15 of 1996)

Section 9(2)	The following decision of the Comptroller-General of Customs: <ul style="list-style-type: none">- to determine under s 9 the proportion of the value of goods that is the value of a part, component or ingredient of any goods for the purposes of the Act.
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D

[Dairy Adjustment Levy Collection Regulations 2000](#)

Regulation 19(5) (SR 98 of 2000)

<p>Regulations 11(5) 17(3)</p>	<p>The following original or reconsideration decisions of the Secretary of the Department that have been revoked, confirmed or substituted on reconsideration</p> <ul style="list-style-type: none"> - to refuse to enter into an agreement, under reg 11(5); - to refuse to make a refund of levy, under reg 17(3).
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[Notes:

1. This instrument is made under the *Dairy Produce Act 1986*. This entry takes into account the compilation prepared on 5 April 2002 and takes into account amendments up to SR 2002 No 60.]

[Dairy Produce Act 1986](#)

Subclause 130(5) of Schedule 2 (32 of 2003)

<p>Clauses 25(1)(c) 37R</p>	<p>The following decision of the Dairy Adjustment Authority that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - a decision under the Dairy Structured Adjustment Program, under cl 25(1)(c); - a decision of the Supplementary Dairy Assistance scheme, or the Minister, under cl 37R.
<p>Clause 130(3) of Schedule 2</p>	<p>The following decision of the Secretary that has been reconsidered:</p> <ul style="list-style-type: none"> - to refuse to extinguish a person's liability relating to cl 107(3), for the whole or part of an amount of late payment penalty, under cl 107(3).

[Notes:

1. If the DAA confirms or varies a decision on reconsideration they must provide a written statement to the entity advising if dissatisfied they may apply to the AAT for review. Failure to provide notice does not affect the validity of a decision, cls 25(1)(4), 26(2), 27(1)(d).

AAT Jurisdiction as at 31 May 2019

2. Clause 130(9) of Schedule 2 to the Act provides that a decision under cl107(3) is subject to reconsideration.
3. The Secretary must reconsider the decision within 45 days after receiving a request for reconsideration under cl 130(1) of Schedule 2.
4. Various Schemes are made pursuant to this Act, including the *Dairy Structural Adjustment Program Scheme 2000* and the *Supplementary Dairy Assistance Scheme 2001*. These Schemes contain reviewable decisions - see the entry for these Schemes in this list.]

[Defence Act 1903](#)

Section 61CZB, 72TM (95 of 2014)

Sections 61CZB 72TF	The following determination of a Conscientious Objection Tribunal: <ul style="list-style-type: none">- to determine whether a person is exempt from service because of conscientious beliefs, under s 61CZB. The following decision of the Minister, or a delegate of the Minister: <ul style="list-style-type: none">- to give, or not to give, written permission for a person to be at a place in the Woomera Prohibited Area, under s72TF.
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[Notes:

1. The application of the AAT Act to a Conscientious Objector Tribunal determination is modified by s 61CZC.
2. A party to a decision of the AAT may appeal to the Federal Court on a question of law only, under s 61CZD.]

[Defence Determination 2016/19, Conditions of Service](#)

Clause 11.2.24 (F2017C01220)

Clause 11.2.23.4	A reconsideration decision of the Secretary of the Department: <ul style="list-style-type: none">- to confirm, vary or revoke a decision, under cl 11.2.23.4.
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[Notes:

1. This instrument is made under s 58B of the *Defence Act 1903*.]

[Defence Force \(Home Loans Assistance\) Act 1990](#)

Section 34(3) (14 of 1991)

<p>Section 33(6)</p>	<p>The following reviewable decisions of the Secretary of the Department of Defence that have been affirmed or varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to make a determination, under s 4(1A); - to refuse to issue an entitlement certificate, under s 11(1); - to cancel an entitlement certificate, under s 13(1); - to refuse to grant approval in relation to a loan increase, under s 15 or 18; - to determine that subsidy is not payable, under s20(2); - to give a notice that subsidy will not be paid on a loan on or after the date of the notice, under s 27; - to refuse an application to reduce an amount owed to the Commonwealth, under s 31; - to refuse to write off or waive an amount owed to the Commonwealth or to allow a person to pay the due amount by instalments, under s 32; - to revoke an approval; - to refuse to extend the period for making an application for reconsideration of a decision, under s 33(3).
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[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 3. The following Acts introduced or have amended the list of reviewable decisions: 14 of 1991 and 135 of 2003.]

[Defence Force Retirement and Death Benefits Act 1973](#)

Section 107 (58 of 2011)

<p>Section107</p>	<p>The following decisions:</p> <ul style="list-style-type: none"> - of the Commonwealth Superannuation Corporation that has been confirmed or varied by the Corporation on reconsideration, under para 99(4A)(a) or (b); - of the Commonwealth Superannuation Corporation or a delegate of the Corporation that has been confirmed or varied by the Defence Force Case Assessment Panel on
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	<p>reconsideration, under para 102(1)(a);</p> <ul style="list-style-type: none"> - of the Commonwealth Superannuation Corporation or a delegate of the Corporation that has been confirmed or varied by the Corporation on reconsideration, following a recommendation of the Defence Force Case Assessment Panel, under para 106(1)(c) or (d).
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[Notes:

1. A decision of the Commonwealth Superannuation Corporation is defined as a decision of the Corporation or a delegate of the Corporation under this Act, the *Defence Force Retirements Benefits Act 1948* or any other Act that relates to retirement benefits for members of the Defence Force and modifies or affects the provisions of the *Defence Force Retirements Benefits Act 1948*: s 3.
2. Section 99(4) of the Act provides that after receiving a reconsideration request the CSC may: itself reconsider the decision; refer the decision to the Defence Force Case Assessment Panel for reconsideration or; refer the decision to the Panel for it to make for a recommendation to the CSC in relation to the decision.
3. Item 15(2) of Schedule 2 to the *Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011* provides that despite the amendment to s 99 of the *Defence Force Retirement and Death Benefits Act 1973* an application may be made to the Tribunal for review of a decision made by the Authority, or a delegate of the Authority before 1 July 2011, provided the period for making an application for review has not ended.]

[Defence Force \(Superannuation\) \(Productivity Benefit\) Determination 1988](#)

Clause 12 (Determination 1 of 1993; *Gazette* GN5, 1993)

<p>Clause 11(3)</p>	<p>The following decision of the Commonwealth Superannuation Corporation (CSC) that has been reconsidered, under cl 11(3):</p> <ul style="list-style-type: none"> - to determine under cl 6(3) whether a person is unlikely to work again in gainful employment for which the person is reasonably qualified by education, training or experience.
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[Notes:

1. This Determination was made under s 52 of the *Defence Act 1903*.
2. The decision subject to reconsideration is identified in cl 11(1) of the Determination. The following Determinations introduced or have amended this provision: 1 of 1993 and 1 of 2009 (F2009L01472).]

[Defence Home Ownership Assistance Scheme Act 2008](#)

Section 76 (27 of 2008)

Section 75(2)	<p>The following reviewable decisions of the Secretary that have been reconsidered by the Minister for Defence, or an internal review decision by the Secretary personally or a delegate of the Secretary:</p> <ul style="list-style-type: none">- to refuse to consider an application for a subsidy certificate, under s 15(2);- to refuse to give a subsidy certificate, under s 16(3);- to vary a subsidy certificate, under s 24(1);- to cancel a subsidy certificate, under s 25;- to refuse to authorise the payment of subsidy, under s 27(2);- to refuse to authorise the continued payment of monthly subsidy, under s 27(4);- to state in a notice for the purposes of s 43 to state a day for subsidy to stop being payable to a person that is later than the day requested by the person, under s 43(3);- to revoke an authorisation of the payment of subsidy under s 44(2);- to vary an authorisation of the payment of subsidy (when this Act applies as if a subsidised borrower has not been a member of the Reserves), under s 45(2);- to determine the end of a period of warlike service, under s 48(3);- to recover a due amount for the purposes of Section 68 in the way provided, under s 68(1);- to refuse to extend the time for making an application for review of a decision, under s 74(3);- A decision under the regulations that is declared by the regulations to be a reviewable decision for the purposes of s 71.
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[Notes:

1. The list of reviewable decisions under the Act is set out in s 71. The following Acts introduced or have amended this list, Act No. 27 of 2008.

2. The Secretary must provide a person affected by a reviewable decision with written notice including the reasons for the decision and the person's right to have the decision reviewed. A failure to comply does not affect the validity of the decision, ss 71-76.
3. A declared loan provider is not entitled to apply to the AAT for review of a decision under the Act: s 76(2).
4. This Act also sets out the review mechanism for decisions made under the *Defence Home Ownership Assistance Scheme Regulations 2008* that have been declared by those regulations to be reviewable decisions, see item 13 of the list of reviewable decisions set out in s 71. See the separate entry for the Regulations for further information.]

[Defence Home Ownership Assistance Scheme Regulations 2018](#)

Section 76 of the *Defence Home Ownership Assistance Scheme Act 2008*

Section 71 of the Act	<p>The following decisions made by the Secretary that has been internally reviewed:</p> <ul style="list-style-type: none">- a determination that service performed by a person as a member of the Permanent Forces or the Reserves be treated as effective service (s 17(1));- a decision that a person's compensable disability (within the meaning of the Act) caused or contributed to the person's failure to apply for an entitlement certificate before that day (s 19(3)(b)).
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[Notes:

1. These Regulations commenced on 1 October 2018, and repealed the *Defence Home Ownership Assistance Scheme Regulations 2008*.
2. "Reviewable decisions" is set out in reg 22 of the Regulations]

[Defence Regulation 2016](#)

Section 78 (F2016L01568); Section 68T (F2018LL00315)

Section 78	<p>The following decisions of the Minister for Defence:</p> <ul style="list-style-type: none">- a decision to refuse an application for consent, under s 77;- a decision under s 77 relating to a condition.
Section 68T	<p>The following decisions:</p> <ul style="list-style-type: none">- to refuse to grant approval to construct a building, structure or object under s 68F(1);

	<ul style="list-style-type: none"> - to impose a condition subject to which a building, structure or object may be constructed under s 68F(2); - to refuse to grant approval for the purposes of subsection 68J(1) under s 68K(1); - to impose a condition on an approval for the purposes of subsection 68J(1) under s 68K(2); - a direction under subsection 68M(1) or 68N(2) to remove a building, structure or object; - a direction under subsection 68M(1) or 68N(2) with respect to the marking, lighting, screening, modification or relocation of a building, structure or object.
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[Notes:

1. Under s 93, if an appeal or application (the old appeal or application) was made to the AAT under the old regulations before the commencement day, and before the commencement day, the old appeal or application had not been determined under the old regulation, the old regulations continue to apply in relation to the old appeal or application as if the repeal had not happened despite the repeal of the old regulations by Schedule 2 to this instrument.
2. Section 68T was inserted pursuant to *Defence Amendment (Defence Aviation Areas) Regulations 2018* (F2018L00315), which commenced on 26 March 2018.]

[Defence Reserve Service \(Protection\) Act 2001](#)

Section 71 (11 of 2001)

Section 66	Decisions of the “prescribed authority” (i.e. the Office of Reserve Service Protection) to refuse to make a loan or give a guarantee, under s 66.
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[Notes:

1. The “prescribed authority” is defined as the Office of Reserve Service Protection under the *Defence Reserve Service (Protection) Regulations 2001*.]

[Defence Service Homes Act 1918](#)

Section 44(3) (128 of 1995)

Section 43(6)	The following reviewable decisions of the Secretary of the Department of Veterans’ Affairs that have been affirmed or varied on reconsideration:
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	<ul style="list-style-type: none"> - revocation of surrender election, under s 4BB(2); - to refuse to issue a certificate of entitlement, under s 16, 17, 17A, 18, 19, 20, 21, 22 or 23; - to refuse to issue a certificate of assignment, under s 23A; - to determine an amount for which subsidy is payable, under s 25; - to cancel a subsidy, under s 26; - to give the Bank a notice of intended cancellation of subsidy, under s 27; - to cancel a subsidy, under s 27A; - to require a person to pay an amount, under s 29; - to determine a maximum term, under s 36; - to refuse to extend the period for making an application for review, under s 43; or - to give, or refuse to give, an approval under s 45A.
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[Defence Trade Controls Act 2012](#)

Section 65 (153 of 2012) (31 of 2015)

<p>Reviewable decisions made under various sections</p>	<p>The following reviewable decisions of the Minister made personally, or by a delegate that has been affirmed varied or set aside on internal review:</p> <ul style="list-style-type: none"> - to refuse to give a person a permit for a supply covered by an application for a permit, under s 11; - to revoke a permit, under s 11; - to impose a permit condition, under s 11(7) or 12(1) or a decision to vary a permit condition, under s 12(2); - to give a person notice, under s 14(1); - to refuse to give a person an approval, under s 14A; - to impose an approval condition, under s 14A(7); - to revoke an approval, under s 14A; - to give a person a notice, under s 14B(1);
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	<ul style="list-style-type: none">- to give a person a notice, under s 15A(1);- to give a person a notice, under s 15B(1);- to refuse to give a person a permit for an arrangement covered by the person's application for a permit, under s 16;- to revoke a permit, under s 16;- to impose a permit condition, under s 16(7) or 17(1) or a decision to vary a permit condition, under s 17(2);- to refuse to register a person as a broker, under s 20;- to refuse to renew a person's registration as a broker, under s 21;- to impose a registration condition under s 20(7) or 22(1), or to vary a registration condition, under s 22(2);- to cancel a person's registration as a broker, under s 23;- to refuse to approve a person as a member of the Australian Community, under s 27;- to impose an approval condition under para 28(1)(a) or s 28(2), or impose an approval condition, or a decision under s 28(3) to vary an approval condition;- to suspend an approval, under s 29;- to cancel an approval, under s 30;- a decision for the purposes of s 35 to refuse to give a person a notice, under s 35(2). <p>The following reviewable decision of the Secretary:</p> <ul style="list-style-type: none">- to issue a notice, under s 14C(1).
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[Notes:

1. This Act commenced on 6 June 2013.
2. A list of reviewable decisions is set out in s 63(1) of this Act. The following Acts have introduced or amended this list: 31 of 2015.
3. Where a person has requested reconsideration of a reviewable decision under s 64, the decision is taken to have been affirmed by the Minister if the person does not receive notice of the decision within 90 days after the person requested the Minister review the decision, under s 64(8).
4. Amendments made by 31 of 2015 to introduce reviewable decisions under ss 14(1) to 15B(1) commenced on 2 April 2016.]

Dental Benefits Act 2008

Section 56D(7); Section 56G(3); Section 58AA(14)

Sections 56(2), 56A(1), (3), or (5)	The following decisions of the Chief Executive Medicare that has been confirmed, vary or revoke upon reconsideration: <ul style="list-style-type: none">- to give notice recovering an amount as Commonwealth debt under ss 56(2), 56A(1), (3), or (5).
Reviewable decisions made under various sections	The following decisions of the Chief Executive Medicare: <ul style="list-style-type: none">- an assessment of the person's liability to pay administrative penalty in accordance with sections 56E and 56F;- to give garnishee notice to a person concerning a recoverable amount under ss 56(2), 56A(1), (3), (5) or (8).

[Note:

1. This legislation commenced on 1 July 2018.]

Defence Trade Controls Regulation 2013

Regulation 22 (SLI 93 of 2013)

Regulations 20(6) 21(1)	The following decisions made by the Minister on internal review, or was made by the Minister personally : <ul style="list-style-type: none">- to refuse to approve a person as an intermediate consignee under reg 20(6);- to cancel, by writing, a person's approval as an approved intermediate consignee under reg 21(1)
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Designs Act 2003

Section 136 (147 of 2003)

Sections 24(2), 29, 30, 43, 59, 108,	The following decisions of the Registrar of Designs: <ul style="list-style-type: none">- to refuse an application that does not meet the minimum filing requirements, under s 24(2);- to make or refuse to make a determination, under s 29;
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137	<ul style="list-style-type: none">- to refuse an application for a design application to proceed in a person's name, under s 30;- to refuse to register a design, under s 43;- to refuse to publish a design, under s 59;- to prohibit or restrict the publication of information about the subject matter of a design application, under s108;- to refuse an application for an extension of time, under s 137.
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[Designs Regulations 2004](#)

Regulation 11.31(2) (SR 117 of 2004)

Regulation 9.05(5)(c)(ii)	The following decision of the Registrar: <ul style="list-style-type: none">- to amend an entry in the register, under para 9.05(5)(c)(ii).
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[Development Allowance Authority Act 1992](#)

Section 120(1) (163 of 1994)

Section 120	A decision of the Development Allowance Authority under Parts 2, 3, 4, 5, 6, and 8 of Chapter 2, Part 3 of Chapter 3 and Part 4 of Chapter 4 that have been confirmed or varied on reconsideration.
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[Notes:

1. Section 119(1) of the Act provides that a person may request reconsideration of a 'reviewable decision'. 'Reviewable decision' is defined in s 93AA to mean a decision of the Authority under Part 2, 3, 4, 5, 6 or 8 of Chapter 2, Part 3 of Chapter 3 or Part 4 of Chapter 4.]

[Disability \(Access to Premises – Buildings\) Standards 2010](#)

Clause 5.4 (F2010L00668)

Clause 5.1	The following decisions of the Commission: <ul style="list-style-type: none">- to grant or refuse to grant an exemption from compliance with some or all of Part H2 of the Access Code for Buildings.
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[Notes:

1. This instrument is made under s 31(1) of the *Disability Discrimination Act 1992*. This entry takes into account F2011C00214 that is a compilation prepared on 1 May 2011 taking into account amendments up to Disability (Access to Premises – Buildings) Amendment Standards 2010 (No 1).]

[Disability Discrimination Act 1992](#)

Section 56 (135 of 1992)

Section 55(1), 55(2)	The following decisions of the Commissioner: <ul style="list-style-type: none">- to grant by instrument to a person or persons, an exemption from the operation of a provision of Division 1 or 2 of the Act, under s 55(1);- to grant, to a person in respect of whom an exemption from a provision of Division 1 or 2 has been granted under s 55(1), being an application made before the expiration of the period to which the exemption was granted, grant a further exemption from the operation of that provision, under s 55(2).
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[Disability Services Act 1986](#)

Section 26(6) (F2011C00213)

Section 26(4)	A reviewable decision of the Secretary, or a delegate of the Secretary, under Part III of the Act (which relates to the provision of rehabilitation services) that has been affirmed or varied on reconsideration.
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[Disability Standards for Accessible Public Transport 2002](#)

Section 33A.4

Section 33A.1	Decision of the Commission to grant exemptions from compliance with some or all of these Standards under s 33A.1
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[Notes:

1. This instrument is made under s 31(1) of the *Disability Discrimination Act 1992*. This entry includes F2011C00213 that is a compilation prepared on 1 May 2011 taking into account amendments up to *Disability Standards for Accessible Public Transport Amendment 2010 (No 1)*.]

E

Eastern Tuna and Billfish Fishery Management Plan 2010

Section 165(7) of the *Fisheries Management Act 1991*

<p>Section 165(5) of the <i>Fisheries Management Act 1991</i></p>	<p>The following decision of the Australian Fisheries Management Authority that have been reconsidered under s 165(5) of the <i>Fisheries Management Act 1991</i>:</p> <ul style="list-style-type: none"> - to register a person as an eligible person for a grant of a fishing right under cl 4.7.
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[Notes:

1. This Plan was made under s 17(1) of the *Fisheries Management Act 1991*. Refer to the entry in this list for the Act for other relevant information.
2. Note 1 of the Plan provides that a decision under cl 4.7 is a decision under s 26 of the *Fisheries Management Act 1991*, which after reconsideration by AFMA, is reviewable under s 165 of that Act.]

Education Services for Overseas Students Act 2000

Section 169AG (171 of 2015)

<p>Sections 169AB 53A(1)</p>	<p>The following internal review decisions, or reviewable decisions of a delegate of the Education Services for Overseas Students agency for a registered provider:</p> <ul style="list-style-type: none"> - a decision by the ESOS agency for a provider to refuse to register the provider, under s 10; - a decision by the ESOS agency for a registered provider to register the provider for a particular period, under s 10; - a decision by the ESOS agency for a provider or registered provider to impose a condition on, or to vary or remove a condition of, the provider's registration, under s 10B; - a decision by the ESOS agency for a registered provider to refuse to renew the provider's registration, under s 10E; - a decision by the ESOS agency for a registered provider to renew the provider's registration for a particular period, under s 10E; - a decision by the ESOS agency for a registered provider to refuse to add a course at a location to the provider's registration, under s 10J;
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	<ul style="list-style-type: none"> - a decision by the ESOS agency for a registered provider to extend the provider's period of registration, under s 10L; - a decision by the ESOS agency for a registered provider not to notify the provider, under s 46A(4); - a decision by the ESOS agency for a registered provider to take action against the provider, under s 83; - A decision by the ESOS agency for a registered provider not to give the provider a notice, under s 89(4) or 95(3). - A determination by the Tuition Protection Service Director of an amount of TPS levy payable by a provider or registered provider, under s 53A(1).
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[Notes:

1. Section 169AB, introduced by Act 171 of 2015, sets out the list of reviewable decisions.
2. Item 96(8) of Schedule 2 to the *Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012* provides that for the following decisions, the *Education Services for Overseas Students Act 2000* applies as if s 176 of that Act included a reference to these decisions:
 - to refuse to amalgamate all of the provider's registrations into one registration under item 96(4) of Schedule 2
 - to choose which registration is to become the provider's single registration under item 95(5) of Schedule 2.
3. Item 95(6) of Schedule 2 to the *Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012* provides that for the following decisions, the *Education Services for Overseas Students Act 2000* applies as if s 176 of that Act included a reference to these decisions:
 - a. A decision under item 95(3) to determine the location or locations at which the provider is to be registered to provide the course, and.
 - b. To choose which registration to add a new course to under item 95(4) of Schedule 2.]

[Enhancing Online Safety Act 2015](#)

Section 88 (96 of 2018)

Section 88	<p>The following decisions of the Commissioner:</p> <ul style="list-style-type: none"> - to refuse to make a declaration of a social media service as a tier 1 social media service, under s 23(5); - to revoke a declaration made for the purposes of s 23(4) that a social media service is a tier 1 social media service, under s 25;
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	<ul style="list-style-type: none"> - to give or refuse to give a social media service notice to the provider of a social media service, under s 35; - to give an end-user notice, under s 42; - to give removal notice under s 44D, 44E or 44F; - to give a remedial direction under s 44K
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Environment Protection and Biodiversity Conservation Act 1999

Sections 206A(1), 221A(1), 243A(1), 263A(1), 303GJ(1), 473(1) (165 of 2006)

<p>Reviewable decisions under various sections</p>	<p>The following decisions of a delegate of the Minister:</p> <ul style="list-style-type: none"> - to issue, or refuse to issue, a permit relating to listed threatened species or ecological communities, under s 201(1); - to specify a condition of a permit relating to listed threatened species or ecological communities, under s 202(1); - to vary or revoke a condition of a permit relating to listed threatened species and ecological communities, under s 202(2)(a); - to impose a further condition on a permit relating to listed threatened species or ecological communities, under s 202(2)(b); - to transfer, or refuse to transfer, a permit relating to listed threatened species or ecological communities, under s 205; - to suspend or cancel a permit relating to listed threatened species or ecological communities, under s 206; - to issue, or refuse to issue, a permit relating to migratory species, under s 216(1); - to specify a condition of a permit relating to migratory species, under s 217(1); - to vary or revoke a condition of a permit relating to migratory species, under Section 217(2)(a); - to impose a further condition on a permit relating to migratory species, under s 217(2)(b); - to transfer, or refuse to transfer, a permit relating to migratory species, under s 220; - to suspend or cancel a permit relating to migratory species, under s 221;
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	<ul style="list-style-type: none">- to issue, or refuse to issue, a permit relating to whales or other cetaceans, under s 238(1);- to specify a condition of a permit relating to whales or other cetaceans, under s 239(1);- to vary or revoke a condition of a permit relating to whales or other cetaceans, under s 239(2)(a);- to impose a further condition on a permit relating to whales or other cetaceans, under s 239(2)(b);- to transfer, or refuse to transfer, a permit relating to whales or other cetaceans, under s 242;- to suspend or cancel a permit relating to whales or other cetaceans, under s 243;- to issue, or refuse to issue, a permit relating to listed marine species, under s 258(1);- to specify a condition of a permit relating to listed marine species, under s 259(1);- to vary or revoke a condition of a permit relating to listed marine species, under s 259(2)(a);- to impose a further condition on a permit relating to listed marine species, under s 259(2)(b);- to transfer, or refuse to transfer, a permit relating to listed marine species, under s 262;- to suspend or cancel a permit relating to listed marine species, under s 263;- to issue, or refuse to issue, a certificate under s 303CC(5) that a specimen was acquired before the provisions of CITES applies to the specimen;- to issue, or refuse to issue, a permit relating to the international movement of wildlife specimens under ss 303CG(1), 303DG(1), 303EN(1), 303GB(1), 303GC(2) or 303GD(5);- to make, or refuse to make, a declaration under s 303FN(2), 303FO(2) or 303FP(3);- to vary under s 303FT(7) a declaration made under ss 303FN(2), 303FO(2) or 303FP(3);- to revoke under s 303FT(6), (9) or (10) a declaration made under ss 303FN(2), 303FO(2) or 303FP(3);- to specify a condition of a permit relating to the international
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	<p>movement of wildlife specimens, under s 303GE(2);</p> <ul style="list-style-type: none"> - to vary or revoke a condition of a permit relating to the international movement of wildlife specimens, under s 303GE(3)(a); - to impose a further condition on a permit relating to the international movement of wildlife specimens, under s 303GE(3)(b); - to transfer, or refuse to transfer, a permit relating to the international movement of wildlife specimens, under s 303GH(2); - to suspend or cancel a permit relating to the international movement of wildlife specimens, under s 303GI(2); - to give advice regarding whether a person's actions would contravene a particular conservation order, under s 471(3)(b). <p>The decision of the Secretary under a determination made under s 303EU which relates to the marking of specified kinds of specimens for the purposes of identification.</p>
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[Notes:

1. If a person applies for a permit relating to a CITES species under ss 303CE, 303DE or 303EL and a decision has not been made within 40 business days after:
 - receipt of the application;
 - the receipt of further information from the applicant or certain other events relating to controlled action and non-Part 13A permits;

a decision is taken to have been made to refuse the application: s 303CI, 303DH and 303EO of this Act and s 25(5) of the AAT Act.
2. A Commonwealth agency may not apply for review of a decision of the Minister under s 471(3)(b): s 473(2).

[Environment Protection and Biodiversity Conservation Regulations 2000](#)

Regulation 14.16(8) (SR 181 of 2000)

Regulation 14.16(6)	<p>The following reconsideration decisions of the Director:</p> <ul style="list-style-type: none"> - any decision under Part 17 about a permit other than decision, under reg 17.09(2) or 17.12(4).
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[Notes:

1. This instrument is made under the *Environment Protection and Biodiversity Conservation Act 1999*.]

[Environment Protection and Management Ordinance 1987](#)

Section 23 (1 of 1987)

Section 23	<p>The following decisions:</p> <ul style="list-style-type: none"> - to refuse to issue a permit, under s 15; - to suspend or revoke a permit, under s 19; - to seize an aircraft, under s 22(3); - to order the forfeiture of an aircraft, under s 22(6).
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[Notes:

1. This ordinance is made under the *Heard Island and McDonald Islands Act 1953*. Ordinance 1 of 1987 is a compilation that commences 17 October 2014 and includes amendments up to *Spent and Redundant Instruments Repeal Regulation 2014 (No 2)*.]

[Environment Protection \(Sea Dumping\) Act 1981](#)

Section 24(1) (107 of 2000)

Sections 19 20 21 23	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to grant, or refuse to grant, a permit, under s 19; - to vary, suspend or revoke a permit, under s 20; - to impose conditions in respect of a permit, under s 21; - to revoke, suspend or vary a condition or cancel a suspension of a condition, under s 21; - to vary a permit or revoke, suspend or vary a condition of a permit or cancel a suspension of a condition, under s 23.
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[Notes:

1. Subsection 24(2) provides that an application may not be made in relation to the following decisions:
 - a decision of the Minister under s 19 in connection with an application for a permit where an inquiry has been held under Part 8 of the *Environment Protection and Biodiversity Conservation Act 1999* in relation to the conduct in respect of which the application is made;
 - a decision of the Minister under s 19(7) granting, or refusing to grant, a permit.]

[ETR Payments Administrative Scheme \(FaHCSIA\) Determination 2012](#)

Section 128 of the *A New Tax System (Family Assistance) (Administration) Act 1999*

Section 113 of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i>	A decision of an officer under the Determination in relation to an ETR payment for a person that has been reviewed by the Secretary of the Department, or an authorised review officer, and subsequently the Social Security Division of the Administrative Appeals Tribunal.
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[Notes:

1. This instrument is made under the *Family Assistance and Other Legislation Amendment (Schoolkids Bonus Budget Measures) Act 2012*.
2. Section 6.01 of the Determination provides that Part 5 of the *A New Tax System (Family Assistance) (Administration) Act 1999* applies, as far as it is capable of doing so, to a decision under this determination in relation to an ETR payment for a person as if the decision were a decision relating to an ETR payment for an individual under the family assistance law.

[Excise Act 1901](#)

Section 165A (62 of 2014)

Section 14ZZ of the *Taxation Administration Act 1953*

Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	<p>The following reviewable decisions of the Collector of Customs in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner of Taxation under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to grant, or refuse to grant, a licence under s 39A;- to specify conditions in a licence, under s 39D(3);- to vary or revoke a condition on a licence or impose an additional condition on a licence, under s 39D(4) or 39DA(1);- to renew a licence, under s 39F(1);- to renew a licence with conditions different from the original licence, under s 39F(2);- to refuse to renew a licence, under s 39F(3);- to suspend a licence, under s 39G;- to revoke the suspension of a licence, under s 39J;
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	<ul style="list-style-type: none"> - to take certain action in relation to a period during which a licence is suspended, under s 39K(6); - to cancel a licence, under s 39L; - to require a person to pay duty payable in relation to goods and to remove the goods to another place, under s 39L(4); - to remove goods, to sell or otherwise dispose of goods, under s 39N; - a demand made, under s 60; - a decision under s 61C to refuse to give permission, impose a condition, or revoke permission given under that section; - to make a decision under s 61D in relation to outwards duty free shops; - to make a decision under s 61E in relation to inwards duty free shops; - to make a demand under ss 60, 77AA, 77FH, or 77M; - to make a decision under s 78 in relation to a remission, refund or rebate of excise duty; - to make a decision under s 79 in relation to a drawback of excise duty; - to demand the payment of duty which is paid under protest, under s 154.
<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Chief Executive Officer of Customs in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner of Taxation under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to give an approval, or refuse to give an approval, under s 58(5)(a); - to make a quota order, under s 59A; - to vary a quota order under s 59B; - to refuse to give an approval under ss 77FD or 77FF; - to specify conditions in an approval given under ss 77FD or 77FF; - to demand the repayment of the whole, or a part, of a rebate of duty under s 80(2); - to make a decision under s 165A as to the amount of duty short paid or overpaid.

[Notes:

1. Sections 39Q and 162C(1) and (2) of this Act provide that a person may object against the decisions specified in the right-hand column above in the manner set out in Part IVC of the *Taxation Administration Act 1953*.
2. The following Act introduced s 39Q of this Act: 115 of 2000. The following Acts have amended s 162C(1) and (2) of this Act in relation to the operation of Part IVC of the *Taxation Administration Act 1953*: 25 of 2001, 54 of 2003 and 74 of 2006. s 78A was repealed by 54 of 2003.
3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
4. An objection in relation to a demand to pay duty which the owner of the goods has deposited under s 154 of the Act must be made within 6 months after the date of the deposit: s 162C(3) of the Act
5. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
6. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Excise Regulation 2015](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Chief Executive of Customs in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - not to approve payment of drawback for goods under reg 14(3).
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[Notes:

1. This Instrument is made under the *Excise Act 1901*
2. A person dissatisfied with any of the above decisions may object to them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
3. An application for review of an objective decision must be lodged with the AAT within 60 days after the person making the application is served the notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner has not made an objection decision on a taxation objection by the end of the period of 60 days after being given a written notice requiring the Commissioner

to make an objection decision, then the Commissioner is taken to have made a decision under s 14ZY(1) to disallow the taxation objection.

5. This Regulation will sunset on 1 April 2025.]

[Explosives Transport Regulations 2002](#)

Regulation 19 (SR 92 of 2002)

Regulation 16	The following decisions of the Competent Authority: <ul style="list-style-type: none">- to grant, refuse to grant, or impose a particular condition on an exemption under reg 16 from compliance with a provision of these Regulations.
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[Export Charges \(Collection\) Act 2015](#)

Section 19 (92 of 2015)

Section 19	A decision of the Secretary of the Department: <ul style="list-style-type: none">- to suspend or revoke an export control instrument of a person, under s 12(2); A decision of an internal reviewer: <ul style="list-style-type: none">- made under s 17 that relates to a decision to suspend or revoke an export control instrument of a person, under s 12(2).
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[Export Control \(Animals\) Order 2004](#)

Section 6.03 of this Order and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (Gazette S483, 1/12/04) (F2005L01806, 29/6/05)

Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>	Decisions made by the Secretary of the Department or an authorised officer under these Orders (other than a decision to grant an export permit or a government certificate) that have been reconsidered by the Secretary under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i> .
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[Notes:

1. This Order is made under the *Export Control (Orders) Regulations 1982*.

2. Section 6.03 provides that Part 16 of the *Export Control (Prescribed Goods — General) Order 2005*, which provides for the review of decisions, applies to decisions made under these Orders. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.]

[Export Control \(Beef Export to the USA Tariff Rate Quota\) Order 2016](#)

Section 19 of this Order (F2016L01087) and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (Gazette S483, 1/12/04)

Section 19	The following reconsideration decisions of the Secretary of the Department: <ul style="list-style-type: none">- to vary or not to vary, or to cancel or not to cancel a tariff rate quota certificate in relation to the export of a consignment of beef in a quota year subject to the conditions, under s 8 or 16;- a decision in relation to a tariff rate quota certificate, made under s 18.
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[Notes:

1. This Order is made under s 23A of the *Export Control Act 1982*.
2. This Order commenced on 1 July 2016 and will self-repeal on 31 Dec 2022.]

[Export Control \(Dairy Produce Tariff Rate Quotas\) Order 2016](#)

Section 35 of this Order (F2016L01758) and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (F2005L02705)

Section 34(1)	The following reconsideration decisions of the Secretary of the Department: <ul style="list-style-type: none">- not to allocate a quota entitlement for a category for a quota year to a person because of ss 14(3) or 24(4);- to impose under ss 18(b) or 25(b), a condition on a person's quota entitlement for a category for a quota year;to vary or cancel a person's quota entitlement for a category for a quota year, or a tariff rate quota certificate issued to a person, under s 32(1);- to vary the conditions to which a person's quota entitlement for a category for a quota year is subject, under s 32(2)- to refuse a request of a person, under s 32(4) or (6)
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[Notes:

1. This Order was made under s 23A of the *Export Control Act 1982*.]

[Export Control \(Eggs and Egg Products\) Orders 2005](#)

Order 90 of these Orders and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (F2005L02703)

Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>	Decisions of the Secretary or a delegate under these Orders that have been reconsidered for the purposes of s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i> (other than decisions set out in Note 2 below).
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[Notes:

1. These Orders are made under reg 3 of the *Export Control (Orders) Regulations 1982*. This entry includes F207C00766 that is a compilation prepared on 12 October 2007 taking into account amendments up to *Export Control (Eggs and Egg Products) Amendment Orders 2007 (No 1)*.
2. The following decisions are not reviewable:
 - Division VI of Part 2 which deals with exemptions from compliance with these Orders;
 - orders 78 and 79 which deal with regulatory arrangements for alternative compliance;
 - order 87 which deals with reconsideration decisions of an authorized officer's decision to give a notice requiring action to be taken;
 - Part 2 of Schedule 1 which deals with exemptions from the need to be registered;
 - clauses 13, 14, 17 and 19 of Schedule 9 which deal with export permits;
 - Part 2 of Schedule 9 which deals with government certificates.
3. Order 90 provides that Part 16 of the *Export Control (Prescribed Goods — General) Order 2005*, which provides for the review of decisions, applies to decisions made under these Orders other than those specified in Order 91. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.]

[Export Control \(Fees\) Order 2015](#)

Order 21 of these Orders and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (F2005L02703)

Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>	Decisions made by the Secretary of the Department under order 21 that have been reconsidered under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i> .
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[Notes:

1. This instrument is made under reg 3 of the *Export Control (Orders) Regulations 1982*. This entry includes F2016C01043, registered on 12 December 2016, compilation No 2, that includes amendments up to F2016L01797.]

[Export Control \(Fish and Fish Products\) Orders 2005](#)

Order 96 of these Orders and Section 16.05 of the *Export Control (Prescribed Goods — General) Order 2005* (F2005L02705)

Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>	Decisions made by the Secretary of the Department under these Orders that have been reconsidered under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i> (other than decisions set out in Note 2 below).
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[Notes:

1. These Orders are made under the *Export Control (Orders) Regulations 1982*.
2. Decisions under the following provisions are not reviewable:
 - Division VI of Part 2 which deals with exemptions from compliance with these Orders; orders 84 and 85 which deal with regulatory arrangements for alternative compliance;
 - order 93 which deals with reconsideration decisions of an authorized officer's decision to give a notice requiring action to be taken;
 - Part 2 of Schedule 1 which deals with exemptions from the need to be registered;
 - Clauses 13, 14, 17 and 19 of Schedule 9 which deal with export permits;
 - Part 2 of Schedule 9 which deals with government certificates.
3. Order 96 provides that Part 16 of the *Export Control (Prescribed Goods — General) Order 2005*, which provides for the review of decisions, applies to decisions made under these Orders. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.]

[Export Control \(Hardwood Wood Chips\) Regulations 1996](#)

Regulation 37(1) (SR 54 of 1998)

Reviewable decisions made under various regulations	<p>The following reviewable decisions of the Minister:</p> <ul style="list-style-type: none"> - to grant, or refuse to grant, a transitional licence, under reg 9 - to impose conditions or restrictions on a transitional licence, under reg 12;
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	<ul style="list-style-type: none"> - to reduce the authorised export mass for a transitional licence which was granted before a Regional Forest Agreement came into force for that region, under reg 12A; - to approve, or refuse to approve, a person to provide a report to the Minister for the purposes of an application for a degraded forest licence, under s 14(2); - to grant, or refuse to grant, a degraded forest licence, under reg 15; - to impose conditions or restrictions on a degraded forest licence, under reg 17; - to grant, or refuse to grant, a regional forest agreement licence, under reg 21; - to impose conditions or restrictions on a regional forest agreement licence, under reg 23; - to grant, or refuse to grant, a restricted shipment licence, under reg 25; - to impose conditions or restrictions on a restricted shipment licence, under reg 27; - to consent, or refuse to consent, to the surrender and exchange of a licence, under reg 29; - to consent, or refuse to consent, to the surrender of a licence in exchange for more than 1 licence, under reg 30; - to consent, or refuse to consent, to the assignment of a licence, under reg 31; - to revoke a licence, under reg 33.
<p>Regulation 36(2)(a)(ii)</p>	<p>The following decision of the Minister or a delegate of the Minister:</p> <ul style="list-style-type: none"> - to allow, or refuse to allow an extended period within which to seek reconsideration, under reg 36(2)(a)(ii).
<p>Regulation 36(5)</p>	<p>A decision of a delegate of the Minister under reg 9, 12, 12A, 14(2), 15, 17, 21, 23, 25, 27, 29, 30, 31 or 33 that has been confirmed, varied or set aside by the Minister or another delegate of the Minister on reconsideration.</p>

[Notes:

1. Regulation 37(2) modifies the operation of s 27 of the *Administrative Appeals Tribunal Act 1975* to specify the persons who may lodge an application for review of certain decisions as follows:
 - Regulations 9, 12, 15, 17, 21, 23, 25 or 27 - the person who was the applicant for the licence to which the decision relates;
 - Regulation 14(2) - the person to whom the approval to which the decision relates was to have been given;
 - Regulations 29 or 30 - the person who applied to surrender and exchange the licence to which the decision relates;
 - Regulation 31 - the person to whom the licence to which the decision relates was to have been assigned;
 - Regulation 12A or 33 - the holder of the licence to which the decision relates;
 - Regulation 36(2)(a) or 36(5) - the person at whose request the Minister or delegate made the decision.]

[Export Control \(High Quality Beef Export to the European Union Tariff Rate Quotas\) Order 2016](#)

Section 39 (F2016L00624)

Section 38	Any decision of the Secretary on reconsideration to cancel an exporter's unused total tariff quota entitlement for a quota year.
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[Notes:

1. This Order commenced on 4 May 2016.
2. If the initial decision made under s 38 relates to cancellation of an exporter's unused total tariff rate quota entitlement (the cancelled entitlement) for a quota year under s 27(1), the AAT may only set aside the initial decision if, at the time of setting aside that decision, the amount worked out by subtracting:
 - (a) the sum of the total tariff rate quota entitlements of all exporters for the quota year; from
 - (b) the access amount for the quota year;is at least equal to the amount of the cancelled entitlement.]

[Export Control \(Japan-Australia Economic Partnership Agreement Tariff Rate Quotas\) Order 2016](#)

Section 17 (F2016L00283)

Sections 10(3) 11(3) 13	A reconsideration decision of the Secretary not to issue a tariff rate quota certificate or to cancel a tariff rate quota certificate.
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[Notes:

1. This Order commenced on 10 March 2016 and will cease on 1 April 2026.]

[Export Control \(Meat and Meat Products\) Orders 2005](#)

Orders 86 and Clauses 13.1 and 27 of Schedule 10 (F2005L00154)

Order 83	Reviewable decisions of the Secretary or a delegate of the Secretary under these Orders that have been reconsidered under Order 83, except decisions set out in Note 2 below.
Clauses 11.1 or 24.3 of Schedule 10	The following decisions of the Secretary of the Department of Agriculture: - to determine the allocation of inspection services for the occupier's registered establishment under cl 11.1 or cl 24.3 of Schedule 10.

[Notes:

1. These Orders are made under Regulation 3 of the *Export Control (Orders) Regulations 1982*.
2. Decisions made under the following provisions are not reviewable:
 - Division IV of Part 2 which provides for exemptions;
 - Part 9 which provides for regulatory arrangements;
 - Division III of Schedule 8 which deals with export permits;
 - Part 2 of Schedule 9 which deals with government certificates.]

[Export Control \(Milk and Milk Products\) Orders 2005](#)

Order 90 of these Orders and s 16.05 of the Export Control (Prescribed Goods - General) Orders 2005 (F2005L02871)

<p>Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i></p>	<p>Decisions made by the Secretary of the Department or a delegate under these Orders that have been reconsidered under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>, other than the exceptions set out in Note 2 below.</p>
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[Notes:

1. These Orders are made under reg 3 of the *Export Control (Orders) Regulations 1982*.
2. Decisions made under the following provisions are not reviewable:
 - Division VI of Part 2 which deals with exemptions from compliance with these Orders;
 - orders 78 and 79 which deal with regulatory arrangements for alternative compliance;
 - order 87 which deals with reconsideration decisions of an authorized officer's decision to give a notice requiring action to be taken;
 - Part 2 of Schedule 1 which deals with exemptions from the need to be registered;
 - clauses 13, 14, 17 and 19 of Schedule 9 which deal with export permits;
 - and Part 2 of Schedule 9 which deals with government certificates.
3. Order 90 provides that Part 16 of the *Export Control (Prescribed Goods — General) Order 2005*, which provides for the review of decisions, applies to decisions made under these Orders other than those specified in Order 91. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.]

[Export Control \(Organic Produce Certification\) Orders](#)

Order 4.01 of these Orders and s 16.05 of the *Export Control (Prescribed Goods - General) Orders 2005 (F2005L01834)*

Order 4.02

<p>Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i></p>	<p>Decisions made by an authorised officer under the following provisions that have been reconsidered by the Secretary of the Department under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>:</p> <p>Orders 2.03, 2.04(1), 3.04(1), 3.04(2), 3.08(1), 3.08(2), 3.10(2), 3.11(3), 3.17(1), 3.17(3) and 3.18(1).</p>
<p>Orders 2.02 2.04</p>	<p>The following decisions of an approved certifying organisation:</p> <ul style="list-style-type: none"> - to issue, or refuse to issue, an organic produce certificate, under order 2.02; - to revoke an organic produce certificate, under order 2.04(1).

[Notes:

1. These Orders are made under the *Export Control (Orders) Regulations 1982*.
2. Order 4.01 provides that Part 16 of the *Export Control (Prescribed Goods — General) Order 2005*, which relates to the review of decisions, applies to decisions made by the Secretary under these Orders. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.
3. An application for review of a decision of an approved certifying organisation may be made directly to the AAT.]

[Export Control \(Plants and Plant Products\) Order 2011](#)

Order 4 of these Orders and s 16.05 of the *Export Control (Prescribed Goods - General) Orders 2005*

<p>Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i></p>	<p>Decisions made by the Secretary of the Department or a delegate of the Secretary under these Orders (other than a decision to grant an export permit or a government certificate) that have been reconsidered by the Secretary under s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>.</p>
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[Notes:

1. Order 4 provides that this Order is to be read together with the *Export Control (Prescribed Goods — General) Order 2005* including Part 16 that provides for reconsideration and review of decisions made under this Order. See the entry for the *Export Control (Prescribed Goods — General) Order 2005*.]

[Export Control \(Poultry Meat and Poultry Meat Products\) Orders 2010](#)

Orders 10.06 and clauses 13 and 27 of Schedule 10 (F2010L03051)

<p>Order 10.03</p>	<p>Decisions by the Secretary of the Department under these Orders that have been reconsidered by the Secretary, under Order 10.03 (except decisions set out in Note 2 below).</p>
<p>Clauses 11.1 and 24.3 of Schedule 10</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to determine the allocation of inspection services, under cl 11.1; - to determine the allocation of inspection services, under cl 24.3.

[Notes:

1. This Order is made under reg 3 of the *Export Control (Orders) Regulations 1982*.
2. Decisions made under the following provisions are not reviewable:
 - Division 2.5 which provides for exemptions,
 - Part 9 which provides for alternative regulatory arrangements,
 - Division 1.3 of Schedule 8 which provides for export permits
 - Part 2 of Schedule 8 which provides for government certificates.]

[Export Control \(Prescribed Goods — General\) Order 2005](#)

Section 16.05 (F2005L00144)

Section 16.03	Decisions made by the Secretary of the Department or a delegate under these Orders (other than a decision to grant an export permit or a government certificate) that have been reconsidered by the Secretary, under s 16.03.
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[Notes:

1. This Order is made under reg 3 of the *Export Control (Orders) Regulations 1982*.
2. Section 1.03 provides that the *Export Control (Prescribed Goods — General) Order 2005*, is to be read as one with Order made under regulation 3 of the *Export Control (Orders) Regulations 1982*.
3. The following orders made under the *Export Control (Orders) Regulations 1982* expressly provide that the *Export Control (Prescribed Goods - General) Order 2005* or Part 16 of this Order applies to those orders: *Export Control (Animals) Order 2004*, *Export Control (Eggs and Egg Products) Orders 2005*, , *Export Control (Fees) Order 2015*, *Export Control (Fish and Fish Products) Orders 2005*, *Export Control (Organic Produce Certification) Orders and the Export Control (Plants and Plant Products) Orders 2005*. Refer to the entry for these Orders in this list for further information.]

[Control \(Rabbit and Ratite Meat\) Orders 1985](#)

Order 3 of these Orders and Section 16.05 of the *Export Control (Prescribed Goods - General) Orders 2005*

Section 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i>	Decisions made by the Secretary of the Department or a delegate of the Secretary under these Orders that have been reconsidered s 16.03 of the <i>Export Control (Prescribed Goods — General) Order 2005</i> (other than a decision to grant an export permit or a government certificate)
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[Notes:

1. These Orders are made under reg 3 of the *Export Control (Orders) Regulations 1982*.

2. Section 3 provides that these Orders shall be read as one with the *Export Control (Prescribed Goods - General) Order 2005*. Part 16 of the *Export Control (Prescribed Goods - Order 2005*, which relates to the review of decisions, applies to decisions made by the Secretary under these Orders. See the entry for the *Export Control (Prescribed Goods - General) Order 2005*.]

[Export Control \(Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas\) Order 2016](#)

Section 24 (F2016L01422)

Section 23	<p>The following reconsideration decision of the Secretary of the Department:</p> <ul style="list-style-type: none"> - not to issue a tariff rate quota certificate in relation to the export of a consignment of eligible meat in a quota year, under s 21(4).
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[Notes:

1. This instrument is made under s 23A of the *Export Control Act 1982*.]

[Export Control \(Unprocessed Wood\) Regulations](#)

Regulation 16(6) (SR 338 of 1996)

<p>Regulations 4B 4C 8 9 11(3) 11(4) 12(1) 15</p>	<p>The following reviewable decisions of the Minister:</p> <ul style="list-style-type: none"> - to approve, or refuse to approve, a code of practice for a state, under reg 4B; - to revoke the approval of a code of practice for a State, under reg 4C; - to grant or refuse to grant an export licence, under reg 8; - to specify conditions or restrictions on a licence, under reg 9; - to consent or refuse to consent to the surrender and exchange of a licence, under reg 11(3); - to specify conditions or restrictions on a licence exchanged for a surrendered licence reg 11(4); - to consent, or refuse to consent, to the assignment of a licence under reg 12(1); - to revoke a licence under reg 15.
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Regulation 16(3)(a)(ii)	The following decision of the Minister or a delegate of the Minister: <ul style="list-style-type: none"> - to allow or refuse to allow an extended period within which to seek reconsideration, under reg 16(3)(a)(ii).
Regulation 16(4)	Decisions of a delegate of the Minister under reg 4B, 4C, 8, 9, 11(3), 11(4), 12(1) or 15 that have been confirmed, varied or set aside on reconsideration.

[Notes:

1. Regulation 16(7) modifies the operation of s 27 of the *Administrative Appeals Tribunal Act 1975* to specify the persons who may lodge an application for review of certain decisions as follows:
 - Regulations 4B or 4C - the State to which the decision relates;
 - Regulations 8 or 9 - the person who was the applicant for the licence to which the decision relates;
 - Regulations 11(3), 11(4), 12(1) or 15 - the holder of the licence to which the decision relates;
 - Regulation 16(3)(a)(ii) - the person at whose request the Minister or delegate made the decision.]

[Export Control \(Wild Game Meat and Wild Game Meat Products\) Orders 2010](#)

Order 10.06 and clauses 13 and 27 of Schedule 10 (F2010L03050)

Order 10.03	Decisions by the Secretary under these Orders that have been reconsidered by the Secretary under Order 10.03 other than decisions under any of the following provisions of these Orders: <ul style="list-style-type: none"> - Division 2.5 which provides for exemptions, Part 9 which provides for alternative regulatory arrangements; - Division 1.3 of Schedule 8 which provides for export permits or Part 2 of Schedule 8 which provides for government certificates.
Clauses 11.1 and 24.3 of Schedule 10	The following decisions of the Secretary of the Department: <ul style="list-style-type: none"> - to determine the allocation of inspection services, under cl 11.1; - to determine the allocation of inspection services, under cl 24.3.

[Notes:

1. This Order is made under reg 3 of the Export Control (Orders) Regulations 1982.]

[Export Inspection Charges Collection Act 1985](#)

Section 16(6) (101 of 1993)

Section 11(2)	The following reviewable decisions of the Minister: <ul style="list-style-type: none">- to remit, or refuse to remit, the whole or part of a non-payment penalty, under s 11(2);
Section 16(4)	The following reviewable decision of an authorized person that has been reconsidered by the Minister: <ul style="list-style-type: none">- to remit, or refuse to remit, the whole or part of a non-payment penalty under s16(4).
Section 16(4)	The following reviewable decision of the Secretary of the Department that has been reconsidered by the Minister: <ul style="list-style-type: none">- to direct that specified services provided under the Meat Inspection Act 1983 or its regulations or orders not be provided by authorised officers, under s 12A.

[Export Market Development Grants Act 1997](#)

Section 99 (57 of 1997)

Section 98(4)	The following decisions of the CEO of Austrade that have been confirmed or varied on reconsideration: <ul style="list-style-type: none">- a decision that a person did not meet the Australian net benefit requirements in relation to a grant year, under s 9;- a decision that a person did not meet the grants entry requirements, under s 20;- a decision under Part 4 relating to eligible products;- a decision under an instrument in force, under para 63(3)(f);- any decision relating to an application for a grant;- a decision under Division 2A of Part 7 (excluded consultants);- to form the opinion under s 87AA that a person is not a fit
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	<p>and proper person to receive a grant or that a person has an associate who is not a fit and proper person to receive a grant;</p> <ul style="list-style-type: none">- to refuse an application for approval as an approved body or to vary or cancel such an approval, under Division 1 of Part 8;- to refuse a group's application for approval as a joint venture or to vary or cancel such an approval, under Division 1 of Part 8;- to specify one or more conditions to which a person's approval as an approved body is subject, under s 89(3);- to specify under s 89(3) one or more conditions to which a group's approval as a joint venture is subject;- a decision under a scheme determined under s 100 to refuse to accredit an export market development grants consultant or to vary or cancel such an accreditation;- a decision under a scheme under s 100 to impose conditions on the accreditation of an export market development grants consultant or to vary those conditions.
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[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 97. The following Acts introduced or have amended the list of reviewable decisions: 57 of 1997, 100 of 1999, 71 of 2004, 33 of 2008, 86 of 2010, 23 of 2014.
2. Decisions under these instruments are reviewable decisions for the purposes of s 97 and therefore subject to reconsideration and review by the Tribunal. No such instruments have been made.]

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Fair Entitlements Guarantee Act 2012

Section 40 (159 of 2012)

Section 40(1)	<p>The following decisions that have been reconsidered by the Secretary of the Department:</p> <ul style="list-style-type: none"> - a decision whether a person is eligible for an advance that has been affirmed under Subdivision B or has been substituted under that Subdivision for an earlier decision, under s 40(1)(a); - a decision on the amount of an advance a person is eligible for that has been affirmed or varied under Subdivision B or substituted under that Subdivision for an earlier decision, under s 40(1)(b).
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[Notes:

1. If, after the person has applied for review, the Secretary varies the decision or substitutes the decision for it under subdivision A, the application is taken to be for review of the decision as varied or the new decision, under s 40(3).
2. Where an application before the Tribunal is for review of a decision on the amount of an advance a person is eligible for, if the decision involved the exercise of the power under s 17 to reduce that amount (because of a debt the person owed an employer), the AAT cannot review the exercise of that power to reduce that amount, under s 41.
3. The *Fair Entitlements Guarantee Regulation 2012* creates a scheme for the application of the *Fair Entitlements Guarantee Act 2012* to textile clothing and footwear contract outworkers. The Regulation confers on the Tribunal comparable jurisdiction to review decisions made under the scheme.]

Family Assistance Legislation Amendment (Child Care Budget and Other Measures) Act 2008

Section 142 of the *A New Tax System (Family Assistance) (Administration) Act 1999*

Section 113 of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i>	<p>The following decision of an officer that has been reviewed by the Secretary of the Department or an authorised review officer and then by the Social Security Appeals Tribunal:</p> <ul style="list-style-type: none"> - to vary the determination of a claimant's child care benefit entitlement (CCB) % under item 64(1) of Schedule 1 to the Act.
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[Notes:

1. Item 64(4) of Schedule 1 to the Act provides that the decision referred to above is taken to be a decision of an officer under the family assistance law for the purposes of Part 5 of the *A New Tax System (Family Assistance) (Administration) Act 1999*.
2. A decision under item 64(1) could only be made between 25 June 2008 (the date on which the provisions commenced) and 6 July 2008: see item 64(3) of Schedule 1 to the *Family Assistance Legislation Amendment (Child Care Budget and Other Measures) Act 2008*.]

[Family Law \(Family Dispute Resolution Practitioners\) Regulations 2008](#)

Regulation 24 (SLI 183 of 2008)

Regulation 24	<p>The following decisions of the Secretary of the Attorney-General's Department:</p> <ul style="list-style-type: none"> - a decision under reg 11(1) that a person does not meet accreditation criteria; - to add, vary or revoke a condition to an accredited family dispute resolution practitioner's accreditation, under reg 16(1); - to suspend or cancel the accreditation of an accredited family dispute resolution practitioner, under regs 17 or 18.
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[Family Law \(Fees\) Regulation 2012](#)

Regulation 2.14(5) (SLI 279 of 2012)

Regulations 2.05 2.06(2) 2.10 2.12(7)	<p>The following decisions of a Registrar or authorised officer of the Family Court:</p> <ul style="list-style-type: none"> - to exempt, or not exempt, an individual from paying a fee, under reg 2.05; - to determine an individual may, or may not, pay a reduced fee, under reg 2.06(2); - to defer, or not defer, the payment of a fee, under reg 2.10; - to refund, or not refund a fee, under reg 2.12(7).
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[Notes:

1. SLI 279 of 2012 is made under the *Family law Act 1975* and the *Federal Circuit Court of Australia Act 1999*.

2. Regulation 2.05 amended by SLI 136 of 2013 to exempt independent children’s lawyer from paying the fees prescribed in items 9 and 19 of Schedule 1.]

Farm Household Support Act 2014

Section 179 of *Social Security (Administration) Act 2014* (12 of 2014)

Section 129 of the <i>Social Security (Administration) Act 1999</i>	Any decision of an officer under the <i>Farm Household Support Act 2014</i> that has been reviewed by the Secretary of the Department of Social Services, that was not made personally by the Agriculture Minister or the Secretary of the Agriculture Department.
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[Notes:

1. Section 4 of the *Farm Household Support Act 2014* states that provisions for the review of decisions under the Act are found in the *Social Security Act 1991* and the *Social Security (Administration) Act 1991*

Federal Circuit Court of Australia Act 1999

Clauses 9A(3), 9D(10), 9E(9) and 9F(2) of Schedule 1 to the Act (165 of 2012)

clauses 9A 9D 9E 9F	<p>The following decisions of the Attorney-General:</p> <ul style="list-style-type: none"> - to refuse to certify that a Judge is a retired disabled Judge, under cl 9A of Schedule 1; - to determine the proportion of the death benefit to be paid to each of a Judge’s beneficiaries, under cl 9D(6) of Schedule 1; - to give a direction, under cl 9D(7) of Schedule 1; - to refuse under cl 9D(9)(b) of Schedule 1 to give a direction, under cl 9D(7) of Schedule 1; - to be satisfied, or not satisfied, for the purposes of cl 9E(4)(c) that a person was wholly or substantially dependent upon a Judge at the time of the Judge’s death; - to be satisfied, or not satisfied, for the purposes of cl 9E(5)(b)(ii) that a person ordinarily lived with another person as that person’s husband or wife or partner on a permanent and bona fide domestic basis at the relevant time; - to be satisfied, or not satisfied, for the purposes of cl 9E(8) that a person would have been living with another person except for a period of temporary absence or absence because of special circumstances; - to be satisfied, or not satisfied, for the purposes of cl
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	<p>9F(1)(b)(ii) that a child was wholly or substantially dependent upon a Judge at the time of the Judge’s death;</p> <ul style="list-style-type: none"> - to be satisfied, or not satisfied, for the purposes of cl 9F(1)(b)(iii) that a child would have been wholly or substantially dependent upon a Judge but for the Judge’s death.
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Federal Court and Federal Circuit Court Regulation 2012

Regulation 2.21(5) (SLI 280 of 2012)

<p>Regulations 2.06 2.08(4) 2.15 2.15(5) 2.19(7)</p>	<p>The following decisions of the Registrar or an authorised officer:</p> <ul style="list-style-type: none"> - to exempt, or not exempt an individual from paying a fee, under reg 2.06; - to determine whether a fee is payable, under reg 2.08(4); - to determine whether to defer a fee, under reg 2.15; - to determine whether to impose conditions on the deferral of the payment of a fee, under reg 2.15(5); - to determine whether to refund a hearing fee, under reg 2.19(7).
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[Notes:

1. This instrument is made under the *Federal Court of Australia Act 1976* and the *Federal Circuit Court of Australia Act 1999*. SLI 280 of 2012 includes amendments up to F2016L00767, registered on 13 July 2016.]

Fees and Payments Principles 2014 (No. 2)

Section 85-88 of the *Aged Care Act 1997*

<p>Section 26(6)</p>	<p>A decision of the Aged Care Pricing Commissioner not satisfied that information given in relation to a proposed room or a proposed part of a room, for the purpose of approving higher maximum accommodation payment amount for the room or part of the room.</p>
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[Notes:

1. These Principles were made under s 96-1 of the *Aged Care Act 1997*. Under Item 59 of s 85-1 of the *Aged Care Act 1997*, ‘a decision under Principles made under s 96-1 that is

specified in the Principles concerned be a decision reviewable under this section' is a reviewable decision which upon reconsideration, can be reviewed by the AAT.

2. Part 6.1 of the Act applies to a reviewable decision referred to as if a reference in that Part to this Act included a reference to these principles.
3. This principle commenced on 13 September 2017].

Financial Institutions Supervisory Levies Collection Act 1998

Section 27(6) (87 of 2015)

<p>Sections 22 26P(1)</p>	<p>The following reviewable decisions of the Minister that have been confirmed varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - in relation to the Superannuation (financial assistance funding) levy, to waive the whole or part of an amount of late payment penalty, under s 22; - in relation to private health insurance collapsed insurer levy, to waive levy or late payment penalty, under s 26P.
<p>Section 27(6)</p>	<p>The following decision of the Australian Prudential Regulation Authority that has been confirmed, varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to waive, or refuse to waive, the payment of the whole or a part of an amount of levy or late payment penalty under s 12.

[Notes:

1. If APRA or the Minister do not confirm, revoke or vary a decision before the end of the period of 21 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 27(4). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 27(7).
2. Section 27(9) of the Act provides that any hearing is to take place in private.
3. If a person requests reconsideration of a reviewable decision under s 27(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 27(8). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

[Financial Sector \(Transfer and Restructure\) Act 1999](#)

Section 45 (117 of 2007)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Australian Prudential Regulation Authority:</p> <ul style="list-style-type: none"> - to refuse to approve a voluntary transfer of business, under s 11; - to impose conditions on a voluntary transfer of business, under s 16(1); - to refuse to vary or revoke conditions on a voluntary transfer of business, under s 16(3); - to refuse to issue a certificate of transfer, under s 18; - a decision under s 20(2) to refuse to approve a statement in relation to the voluntary transfer of business provided under s 20(1); - a decision under s 27(2) to refuse to agree to consent being withdrawn by the board of directors of the receiving body; - to refuse to vary or revoke conditions on a compulsory transfer, under s 31(3); - to refuse to issue a certificate of transfer, under s 33; - a decision under s 36M to issue an internal transfer certificate in an application for a restructure approval, or to issue an internal transfer certificate in terms that are different from those applied for in such an application; - to refuse to amend an internal transfer certificate, under s 36P; - to refuse to approve a later time for an internal transfer certificate to come into force, under s 36Q(3).
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[Financial Sector \(Collection of Data\) Act 2001](#)

Section 25D(1) (64 of 2017)

<p>Section 31</p>	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to make a determination under para 7(1A)(a);
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	<ul style="list-style-type: none"> - a decision not to exempt an organisation from an obligation to register, under para 7(2)(j); - to not make a determination under para 7(2F)(a); - a decision not to allow a longer period for giving documents under that section, under s 9(3); - to not make a determination under para 7(2F)(a); - a decision to include (including by transfer) a registered entity in a particular category, under s 11; - a decision to determine a reporting standard for a particular financial sector entity, under s 13; - a decision to vary a reporting standard determined for a particular financial sector entity, under s 13.
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[Notes:

1. The list of 'reviewable decisions' that are subject to reconsideration under this Act are set out in s 31. The following Acts introduced or have amended that provision: 149 of 2007; 25 of 2008; 82 of 2010; 171 of 2012, C2018A00009.
2. If APRA does not confirm, revoke or vary a decision before the end of the period of 21 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 25C(2). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 25D(2).
3. If a person requests reconsideration of a reviewable decision under s 25B(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 25D(3). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.
4. For reviews of decisions confirmed or varied under s 25C or a request under s 41(2) of the *Administrative Appeals Tribunal Act 1975*, a non-presidential member of the AAT must not sit as a member of the Tribunal if he or she is a director or employee of an entity carrying on the business of insurance or a body corporate related to it.]

[Fisheries Management Act 1991](#)

Section 165(7) (39 of 2010)

<p>Section 165</p>	<p>The following reviewable decisions of the Australian Fisheries Management Authority that have been reconsidered:</p> <ul style="list-style-type: none"> - to declare that a boat is to be taken to be a Australian boat, under s 4(2); - to revoke such a declaration under s 4(3);
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	<ul style="list-style-type: none">- to extend, or refuse to extend, under s 4(3) the period for which such a declaration is to remain in force;- to vary or revoke a condition on a fishing right or specify a condition or a further condition to which the fishing right is to be subject, under s 22(5);- to register, or refuse to register, a person as an eligible person for a grant of a fishing right, under s 26(2);- to grant, or refuse to grant, a fishing right under s 31 other than a decision following an auction or tender;- to determine whether the description of a fishery in a new plan of management is the same or substantially the same as the description of the fishery to which a former plan applied, under s 31B(1)(b);- to determine the rights of an option holder to classes of statutory fishing rights where a new plan of management has some features in common with the former plan, under s 31C;- to refuse to register a dealing creating, assigning, transmitting or extinguishing an interest in a fishing rights option, under s 31F(7);- to grant, or refuse to grant, a fishing permit authorising the use of a specified boat by a person in a specified area, under s 32(1);- to vary or revoke a condition of a permit or specify a condition or a further condition to which a permit is to be subject, under s 32(8);- to grant, or refuse to grant, a scientific permit in respect of a boat for scientific research purposes, under s 33(1);- to revoke a permit, to vary or revoke a condition of a permit or specify a condition or a further condition to which a permit is to be subject, under s 33(6);- to impose, vary or revoke a condition in a foreign fishing licence, under s 34(9);- to suspend a fishing concession, under s 38(1);- to revoke, or refuse to revoke, the suspension of a fishing concession, under s 38(2);- to suspend a fishing concession, under s 38(3);- to cancel a fishing concession, under s 39;- to vary or revoke conditions in a foreign master fishing
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	<p>licence or to specify a condition or further condition to which a licence is subject, under s 40(5);</p> <ul style="list-style-type: none"> - to cancel a licence, under s 40(8); - to declare under s 91(1) a specified fishery to be a fishery to which Division 2 of Part 6 applies; - to grant, or refuse to grant, a fish receiver permit, under s 91(2); - to vary or revoke conditions in a fish receiver permit or to specify a condition or further condition to which a permit is subject, under s 91(6); - to renew, or refuse to renew, a permit, under s 91(10).
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[Notes:

1. The list of 'relevant decisions' in relation to which a person may request reconsideration is set out in s 165(1) of the Act.
2. Section 165(8) of the Act provides that an application to the AAT for review of a reviewable decision where the primary decision was made under s26(2) must be lodged within 14 days of the person receiving notice of the reviewable decision.
3. Section 165(9) modifies s 37 of the *Administrative Appeals Tribunal Act 1975* to provide that a decision maker must lodge the material documents with the AAT within 14 days of receiving notice of the application for review.
4. Various Plans have been made under s 17(1) of the Act including the *Bass Strait Central Zone Scallop Fishery Management Plan 2002*, the *Eastern Tuna and Billfish Fishery Management Plan 2005*, the *Heard Island and McDonald Islands Fishery Management Plan 2002*, the *Macquarie Island Toothfish Fishery Management Plan 2006*, the *Northern Prawn Fishery Management Plan 1995*, the *Small Pelagic Fishery Management Plan 2009*, the *Southern Bluefin Tuna Fishery Management Plan 1995*, the *Southern Squid Jig Fishery Management Plan 2005*, and the *Western Tuna and Billfish Fishery Management Plan 2005*. The Plans provide that certain decisions are taken to be 'relevant decisions' for the purposes of s 165 of the Act and are reviewable. Refer to the separate entries for these plans.]

[Food Standards Australia New Zealand Act 1991](#)

Section 143(1) (98 of 2007)

<p>Sections 143 26(1)(b) 30(1)(b) 47(1)(b) 56(1) 60(b) 96(1)(b)</p>	<p>The following decisions of Food Standards Australia New Zealand:</p> <ul style="list-style-type: none"> - to reject under s 26(1)(b) an application for the development or variation of a food regulatory measure (other than a decision to reject the application because it does not comply with s 22(2));
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<p>96(2)(b) 112</p>	<ul style="list-style-type: none"> - to reject an application for the development or variation of a food regulatory measure under s 30(1)(b); - to reject under s 47(1)(b) an application for the variation of the Nutrition, Health and Related Claims Standard that is a high level health claims variation (other than a decision to reject the application because it does not comply with s 22(2)); - to abandon a proposal for the development or variation of a food regulatory measure, under ss 56(1) and 60(b); - to reject an urgent application for the development or variation of a food regulatory measure, under s 96(1)(b); - to abandon an urgent proposal for the development or variation of a food regulatory measure, under s 96(2)(b); - to decide under s 112 not to do something that the Authority is required to do under Part 3 of the Act in relation to an application or proposal for the development or variation of a food regulatory measure because the Authority considers that doing the thing would be a duplication of work already done, or a process already gone through, by another government agency.
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[Notes:

1. An application for review of a decision under ss 26(1)(b), 30(1)(b), 47(1)(b) or 96(1)(b) may only be made by the applicant for the development or variation of a standard: s 143(1)(a).]

Foreign Influence Transparency Scheme Act 2018

Section 14H

<p>Section 14H</p>	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - a decision under s 14B(1) to issue a provisional transparency notice; - a decision under s 14E(1) to vary a transparency notice; - a decision under s 14E(2) to revoke a transparency notice.
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[Note:

1. This Act commenced on 10 December 2018.]

[Foreign Passports \(Law Enforcement and Security\) Act 2005](#)

Section 23(1) (116 of 2014)

Section 16	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - to order surrender of a person's foreign travel documents, under s 16.
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[Notes:

1. This Act was formerly known as the *Passports Act 1938*.
2. For the purposes of s 27 of the AAT Act, the only person whose interests are taken to be affected by a decision under s 16 is the person whose foreign travel documents are ordered to be surrendered.]

[Freedom of Information Act 1982](#)

Sections 57A and 89N (51 of 2010)

<p>Various sections 55K 54WB</p>	<p>The following decisions of an agency or a Minister that have been affirmed, varied or set aside by the Australian Information Commissioner on review under s 55K, or in relation to which the Australian Information Commissioner has decided not to undertake, or not to continue to undertake (matters inappropriate), an IC review under s 54W(b):</p> <ul style="list-style-type: none"> - to refuse to give access to a document in accordance with a request; - to give access to a document but not give, in accordance with a request, access to all documents to which the request relates; - to purport to give, in accordance with a request, access to all documents to which the request relates, but not actually give that access; - to defer the provision of access to a document, under s 21; - a decision under s 29 relating to the imposition of a charge or the amount of a charge; - where a request requires consultation with a State under s 26A or with the Commonwealth or a State under s 26AA, to decide to give the applicant access to a document because the document is not conditionally exempt under s 47B or access would not be contrary to the public interest;
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	<ul style="list-style-type: none"> - where s 27 applies in relation to business information in a document, to decide to give the applicant access to a document because the document is neither exempt under s 47 nor conditionally exempt under s 47G or access would not be contrary to the public interest; - where s 27A applies in relation to personal information in a document, to decide to give the applicant access to the document because the document is not conditionally exempt under s 47F or access would not be contrary to the public interest; - to give access to a document to a qualified person under s 47F(5); - to refuse to amend a record of personal information in accordance with an application under s 48; - to refuse to annotate a record of personal information under Section 51 in accordance with an application under s 48; - to refuse to allow a further period for making an application for internal review of an access refusal decision under s 54B.
Section 89K	<p>The following decision of the Australian Information Commissioner:</p> <ul style="list-style-type: none"> - to declare a person to be a vexatious applicant, under s 89K.

[Notes:

1. Section 57A(2) of the Act modifies s 29 of the *Administrative Appeals Tribunal Act 1975* to provide that, if the Australian Information Commissioner has decided not to review, or to continue to review a decision under s 54W(b), an application to the AAT for review of that decision must be made within 28 days after the day on which the person receives notice of the Australian Information Commissioner’s decision under s 54W(b).
2. Division 4 of the Act specifies the procedure that is to take place in AAT proceedings regarding FOI decisions.
3. Division 5 of the Act specifies how information is to be protected in AAT proceedings regarding FOI decisions.]

[Fringe Benefits Tax Assessment Act 1986](#)

Section 14ZZ of the *Taxation Administration Act 1953* (34 of 1997)

Section 14ZY(1) of the <i>Taxation Administration Act</i>	The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the
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1953	<p><i>Taxation Administration Act 1953:</i></p> <ul style="list-style-type: none"> - to determine under s 67(1)(d) that appropriate adjustments be made to the aggregate fringe benefits amount of the eligible employer in respect of another year of tax or of another employer in respect of any year of tax where the employer has made a request under s 67(4); - to make an assessment of the fringe benefits taxable amount of an employer and the amount of tax payable on that fringe benefits taxable amount under s 72 or 73.
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[Notes:

1. Sections 67(6) and 78A of this Act provide that a person may object against the decisions specified in the right-hand column above in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The following Acts have introduced, amended or repealed provisions in relation to the operation of Part IVC of the *Taxation Administration Act 1953*: 216 of 1991 and 179 of 1999.
2. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
3. An objection in relation to a demand to pay duty which the owner of the goods has deposited under s 154 of the Act must be made within 6 months after the date of the deposit: s 162C(3) of the Act.
4. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Fuel Quality Standards Act 2000](#)

Sections 70 (107 of 2009)

<p>Sections 70 13 16 17C 17D 17E 17F 17G 34</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to refuse to grant an approval, under s 13; - to grant an approval that is different from the approval applied for, under s 13 ; - to specify a condition in an approval, under s 16; - to vary or revoke an approval, under ss 17C, 17D or 17F;
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	<ul style="list-style-type: none"> - to refuse to vary an approval, under s 17E, other than a decision to refuse to vary an approval under s 17F; - to revoke an approval, under s 17G; - a decision to enter, or not to enter, a fuel additive, or a class of fuel additives, in the Register, under s 34; - to remove, or not to remove, a fuel additive, or a class of fuel additive, from the Register, under s 34.
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[Notes:

1. Sections 70(3) and (4) extend the meaning of the term “person whose interests are affected” in s 27 of the *Administrative Appeals Tribunal Act 1975*.]

[Fuel Quality Standards Regulations 2001](#)

Regulation 6(5), 6A(6) (SR 116 of 2002)

<p><u>Regulations</u></p> <p><u>6(3)(a)</u> <u>6A(3)(a)</u></p>	<p><u>The following decisions of the Minister:</u></p> <ul style="list-style-type: none"> - <u>to decide whether to exempt the applicant from the payment of the whole or part of the application fee, under reg 6(3)(a);</u> - <u>to refuse to refund an application fee, under reg 6A(3)(a).</u>
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[Notes:

1. This instrument will be repealed by Fuel Quality Standards Regulations 2019 on 1 October 2019.

[Fuel Quality Standards Regulations 2019](#)

Regulation 10(7), Regulation 11(6)

<p><i>Regulation 10(3)(a);</i> <i>Regulation 11(3)(a)</i></p>	<p><i>The following decisions of the Minister:</i></p> <ul style="list-style-type: none"> - <i>To exempt from paying the whole or part of the application fee under reg 10(1);</i> - <i>Not to refund an application fee under reg 11(1);</i>
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[Notes:

1. *This instrument will commence on 1 October 2019 and will repeal the Fuel Quality Standards Regulation 2001.*

[Fuel Tax Act 2006](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to make a declaration to negate or reduce a fuel tax disadvantage under s 75-45(3);- to decide whether or not to grant a request to negate or reduce a fuel tax disadvantage under s 75-45(5).
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[Notes:

1. Section 112-50(1) of Schedule 1 to the *Taxation Administration Act 1953* provides that a person may object against the decisions set out in the right-hand column above. The decisions are specified in s 112-50(2) of Schedule 1 to the *Taxation Administration Act 1953*. The following Acts introduced or amended s 112-50(2) of Schedule 1 of the *Taxation Administration Act 1953*: 73 of 2006.
2. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the AAT.
3. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

G

[Gene Technology Act 2000](#)

Sections 183(1) (169 of 2000)

<p>Reviewable decision made under various sections</p>	<p>Any of the following reviewable decisions made by the Regulator personally, or a reviewable decision affirmed varied or revoked on reconsideration by the Regulator under s 181:</p> <ul style="list-style-type: none"> - to refuse to consider an application on the basis that the applicant is not a suitable person to hold a licence, under s 43(2)(f); - to refuse to issue a licence, under s 55; - to impose a licence condition, under s 55; - to suspend or cancel a licence, under s 68; - to refuse to transfer a licence, under s 70; - to vary a licence, under s 71; - to refuse to vary a licence, under s 71; - to refuse to certify a facility, under s 84; - to specify a condition of a certification, under s 86; - to vary a certification, under s 87; - to suspend or cancel a certification, under s 88; - to refuse to transfer a certification, under s 89A; - to refuse to accredit an organisation, under s 92; - to specify a condition of an accreditation, under s 94; - to vary an accreditation, under s 95; - to suspend or cancel an accreditation, under s 96; - to refuse to declare information to be confidential commercial information, under s 185; - to revoke a declaration that information is confidential commercial information, under s 186.
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[Notes:

1. The list of reviewable decisions for the purposes of internal review and review by the AAT is set out in s 179 of this Act. This provision also sets out who may seek internal review and review by the AAT in relation to each reviewable decision. The following Acts introduced or have amended this provision: 169 of 2000 and 99 of 2007.
2. If a period is specified under the Act or the Regulations for giving notice of a decision that may be reviewed, the Regulator is taken to have made a decision to reject the application if the Regulator has not notified the applicant of the decision within that period and may seek internal review of the decision, under s 181: s 182.
3. Regulation 15 of the *Gene Technology Regulations 2001* provides that, if an applicant for certification fails to provide information required under s 85(1) of the Act within the period specified in a notice given under s 85(2) of the Act and gives no reasonable explanation for the failure, the Regulator may refuse to certify the facility that is the subject of the application. Regulation 17 of the *Gene Technology Regulations 2001* provides that, if an applicant for accreditation fails to provide information required under s 93(1) of the Act within the period specified in a notice given under s 93(2) of the Act and gives no reasonable explanation for the failure, the Regulator may refuse to accredit the organisation that is the subject of the application. The decisions are subject to review in accordance with the relevant provisions of the Act.
4. Section 19 of the Act provides that application may be made to the AAT for review of decision made by the Gene Technology Regulator in the performance of a function, or the exercise of a power, conferred by a “corresponding State law” if the law under which the decision is made provides for review by the AAT and the decision is declared by the regulations to be a reviewable decision for the purposes of this section. Corresponding State law is defined in s 12(1) of the Act to be a law of a state or territory that is declared by the Minister to correspond to this Act and the regulations. A number of State Acts and Regulations have been declared to be corresponding State laws. However, no decisions have been declared under the regulations to be reviewable decisions for the purposes of s 19 of the Act.]

[Gene Technology Regulations 2001](#)

Regulation 38 (SLI 128 of 2007)

Regulation 38	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - to terminate the appointment of a member of the Gene Technology Technical Advisory Committee or an expert adviser of the Ethics and Community Committee, under reg 21.
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[Notes:

1. This instrument is made under the *Gene Technology Act 2000*. This entry includes F2016C00615, compilation No 6, and includes amendments up to F2016L00717, registered 17 June 2016.
2. Regulation 31 provides that the provisions in Division 1 of Part 4 relating to the conditions of appointment of a member of the Gene Technology Technical Advisory Committee

apply to a member of the Ethics and Community Committee. The Minister may therefore terminate the appointment of a member of these committees under reg 21.]

Governor-General Act 1974

Section 4B (143 of 2012)

<p>Sections 4B 2B(3)(b) 2B(5) 2C(b)(iii) 4A(1) 4AC(3)(b)(i) 4AC(4) 4AC(6)(b)</p>	<p>The following decisions of the Finance Secretary:</p> <ul style="list-style-type: none"> - to determine whether a person ordinarily lived with a deceased Governor-General as his or her husband or wife or partner on a permanent and bona fide basis, under para 2B(3)(b); - to determine whether a person would have been living with a deceased Governor-General except for a period of temporary absence or absence because of special circumstances, under s 2B(5); - to determine whether a person was wholly or substantially dependent on a deceased Governor-General at the time of his or her death, under para 2C(b)(iii); - to allocate, or refuse to allocate, payments to more than one spouse of a deceased Governor-General under s 4A(1); - to determine the day on which a spouse became permanently incapacitated, under para 4AC(3)(b)(i); - to determine that a spouse is unlikely to engage in gainful employment for which they are reasonably qualified, under s 4AC(4); - to determine an individual or individuals to whom allowance orders must be paid, under s 4AC(6)(b).
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[Notes:

1. Item 15(3) of Schedule 2 to the *Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011* provides that an application may be made to the AAT for review of a decision made by the Commissioner of Superannuation before 1 July 2011 provided the period for making an application for review has not ended.]

[Great Barrier Reef Marine Park Act 1975](#)

Sections 39M, 59G(2), 64A (125 of 2008)

Section 39L(3)	<p>The following decision of the Great Barrier Reef Marine Park Authority that has been confirmed, revoked or varied on reconsideration:</p> <ul style="list-style-type: none"> - not to remit, or to remit part only of, an amount of late payment penalty, under s 39G(2).
Section 59F	<p>The following reviewable decision of the Minister that has been affirmed, varied or substituted on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption from the requirement to navigate with a pilot in the compulsory pilotage area.
Section 64(4)	<p>The following reviewable decisions of the Great Barrier Reef Marine Park Authority that have been affirmed, varied or substituted on reconsideration:</p> <ul style="list-style-type: none"> - to make an emergency direction, or to vary such a direction, under s 61ACA(2); - a decision prescribed by the regulations, for the purposes of parag 64(3)(d).
Section 64(4)	<p>The following decisions of the Minister for the Environment that have been affirmed, varied or substituted on reconsideration:</p> <ul style="list-style-type: none"> - to make a direction or vary such direction, limiting access to the Marine Park, under s 61AEA(2); - a decision by the Minister prescribed by the regulations, for the purposes of para 64(3)(c).

[Notes:

1. If a person requests reconsideration of a decision under s 39G(2) and the Authority does not confirm, revoke or vary a decision before the end of the period of 40 days after the day on which the Authority received the request, the Authority is taken, at the end of that period, to have confirmed the decision: s 39L(4).
2. Section 64(5) provides that the regulations may prescribe the following matters in relation to requests for reconsideration and decisions under s 64: time limits for making requests; matters to be included in requests; time limits for reconsidering decisions; when a decision on reconsideration takes effect.]

[Great Barrier Reef Marine Park \(Aquaculture\) Regulations 2000](#)

Regulation 57 (SR 6 of 2000)

Regulation 57	<p>The following notifiable decisions of the Great Barrier Reef Marine Park Authority that have been confirmed, amended or substituted on reconsideration:</p> <ul style="list-style-type: none">- that an aquaculture operation should no longer be treated as a concessional aquaculture operation, under reg 15(1);- to direct the operation of an aquaculture facility to cease discharging aquaculture waste from the facility, under reg 15(4) or 17(4);- on an application for a permission;- to cancel a permission;- to amend a condition or impose a condition on a permission without the consent of the permission holder;- to refuse to approve a transfer of a permission, or to impose a condition or additional condition on the transfer of a permission;- to amend a permission by imposing a limitation on it.
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[Notes:

1. This instrument is made under the *Great Barrier Reef Marine Park Act 1975*.
2. The list of decision subject to reconsideration under these Regulations is set out in reg 51. The following Regulations introduced or have amended that provision: SR 6 of 2000.
3. Regulation 57 provides that a person may apply to the Tribunal within 21 days after the publication of the notice in the Gazette of the Authority's reconsideration decision.
4. Notifiable decisions are listed in reg 51.
5. These regulations are due to sunset on 01 October 2019.]

[Great Barrier Reef Marine Park Regulations 1983](#)

Regulation 187 (SR 39 of 2004)

Regulation 186(2)	<p>The following decisions of the Great Barrier Reef Marine Park Authority that have been affirmed, varied or substituted on reconsideration:</p> <ul style="list-style-type: none">- to treat an application for special permission as having been made before the expiry of the special permission
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	<p>under reg 88H(2);</p> <ul style="list-style-type: none"> - on an application for the grant of a permission under Part 2A; - to suspend or revoke a permission under Part 2A; - to modify a condition or permission under Part 2A; - on an application for approval to transfer a permission under Part 2A; - to impose a condition on a permission under Part 2A; - on an application for accreditation of a TUMRA under Part 2B; - on an application to modify an accredited TUMRA or to modify a condition of a TUMRA's accreditation under Part 2B; - to suspend or revoke the accreditation of an accredited TUMRA under Part 2B; - to modify a condition of accreditation of an accredited TUMRA under Part 2B; - to impose a condition on the accreditation of an accredited TUMRA under Part 2B; - on an application for an exemption from a provision, or provisions, of Part 4A relating to interacting with cetaceans under s 117K(1); - to determine that a service or proposed service is not, or will not be, a secondary service under reg 137.
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[Notes:

1. The list of decisions in relation to which reconsideration may be sought under the Regulations is set out in reg 185 which must be read in conjunction with reg 183.
2. A 'TUMRA' is defined in reg 3(1) as an acronym for traditional use of marine resources agreement.
3. A person may not make a request for reconsideration of a decision under Part 2A or 2B that relates to:
 - An application for permission to camp on a Commonwealth island: regs 185(1)(a)(iii) and 185(1)(b);
 - A referral under s 37AB(1) of the *Great Barrier Reef Marine Park Authority Act 1975* that is taken to be an application for a permission in accordance with the Regulations: regs 185(1)(a)(iv) and 185(1)(b).
4. The Regulations impose restrictions on who may request reconsideration of the following decisions:

- A decision on an application for the grant of a permission to use or enter the Mission Beach Leader Prawn Broodstock Capture Area for the purpose of collecting leader prawn broodstock for aquaculture operations - the person who applied for the permission: reg 185(3);
 - A decision on an application for the grant of a permission to conduct a tourist program that includes, as part of the program, swimming-with-whales activities in the Cairns Planning Area - the person who applied for the permission: reg 185(4);
 - A decision under reg 117K(1) about an application for an exemption from Part 4A relating to interacting with cetaceans - the person who applied for the exemption: reg 185(4A);
 - A decision under reg 83 on an application for an authorisation - the person who applied under reg 80 for the authorisation: reg 185(5);
 - A decision under Part 2A about the transfer of a permission - the proposed transferor or proposed transferee of the permission: reg 185(6);
 - A decision under reg 137 that a service or proposed service is not, or will not be, a secondary service - the operator or intending operator of the service: reg 185(7).
5. The Authority must reconsider a decision within 30 business days after receiving the request for reconsideration: reg 186(1).]

[Greenhouse and Energy Minimum Standards Act 2012](#)

Section 167(1) (132 of 2012)

<p>Sections 43 45 46 47 48(4) 49 52 53 54(1)</p>	<p>The following reviewable decisions of the Greenhouse and Energy Minimum Standards (GEMS) regulator personally or a reviewable decision of the regulator that has been affirmed, varied or revoked on reconsideration, under s 166(4):</p> <ul style="list-style-type: none"> - to refuse to register a model of a GEMS product in relation to a product class, under s 43; - to impose conditions, or to vary the conditions imposed, on the registration, under s 45; - to refuse to vary the registration to cover one or more additional models of GEMS products, under s 46; - to refuse to vary the registration to specify the new registrant as the registrant for the registration, under s 47; - to specify an earlier day on which the registration period for the registration ends, under s 48(4); - to suspend the registration, under s 49; - to impose conditions on a suspension of the registration, under s 52; - to vary, or refuse to vary, a suspension notice in relation to the
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	registration, under s 53; - to cancel the registration, under s 54(1).
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[Notes:

1. Despite s 27(1) of the AAT Act, an application for review to the AAT may only be made by a 'person affected by a reviewable decision', ss 167(2) and (3).
2. Section 164 sets out a table outlining each reviewable decision and the corresponding definition of a 'person affected' by that decision.]

H

[Hazardous Waste \(Regulation of Exports and Imports\) Act 1989](#)

Section 57 (7 of 1996)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Minister or a delegate:</p> <ul style="list-style-type: none"> - to declare, or refuse to declare, that a substance or object is hazardous waste, under s 4A(2); - to declare, or refuse to declare, that waste is hazardous waste, under s 4A(3); - to revoke a s 4A(2) declaration, under s 4A(5); - to revoke a s 4A(3) declaration, under sn 4A(6); - to make or refuse to make a declaration under s 4B(3) extending the time for carrying out a transit proposal; - to make or refuse to make a determination under s 13B(2) or 13B(3) that the Act is to have effect as if an application for a Basel or special permit had been an application for the corresponding type of Basel or special permit; - to grant, or refuse to grant, a special permit, under s 13E or 13F; - to grant, or refuse to grant, a Basel import permit or a Basel export permit, under s 17; - to grant, or refuse to grant, a Basel transit permit under s 17A; - to refuse to grant a Basel export permit, under s 18A; - to refuse to grant Basel import permit or a Basel transit permit, under s 18B; - to impose conditions on a Basel permit, under s 22(1); - to specify the day on or before which the holder of a Basel permit must comply with a condition, under s 22(2); - to revoke a Basel permit, under s 24; - to vary, or refuse to vary, a Basel permit under s 26 or 30; - to determine, or refuse to determine, under s 32(5) that the prescribed fee payable in relation to a specified application or notice is reduced by a specified amount;
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	<ul style="list-style-type: none"> - to order a person to deal with waste in a specified way, under s 34, 35 or 35A; - to order a person to take steps to remedy or mitigate damage, under s 36; - to make, or refuse to make, an order under s 38 authorising a person to import waste; - to approve, or refuse to approve, under s 41B the transportation of notifiable substances through transit countries; - to declare, or refuse to declare, under s 41C(3) that a substance or object is a notifiable substance in relation to a transit country; - to revoke a s 41C(3) declaration, under s 41C(5).
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[Notes:

1. Section 58 sets out that where a reviewable decision of a kind referred to in s 57 is made a written statement advising application may be made to the AAT for review of the decision must accompany the notice however failure to do so does not affect the validity of the decision.]

[Hazardous Waste \(Regulation of Exports and Imports\) \(OECD Decision\) Regulations 1996](#)

Regulation 43 and section 57 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* (SR 283 of 1996)

Regulation 43	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to grant a special permit for less than three years if the wastes are to be sent to a pre-consented recovery facility, under paras 71(2)(a), 24(2)(a) and 30(2)(a); - to grant a special permit for less than one year, in any other case, under paras 17(2)(b), 24(2)(b) and 30(2)(b); - refusing to give pre-consent to a facility, under reg 42; - revoking a pre-consent given to a facility, under reg 42(4).
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[Notes:

1. This instrument is made under the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.

2. Section 57 of the Act provides for review of decisions relating to, among other things, the grant, revocation or variation of special permits and the imposition of conditions on special permits.]

Hazardous Waste (Regulation of Exports and Imports) Regulations 1996

Regulation 8 (SR 203 of 2001)

Regulation 7	The following decision of the Minister: <ul style="list-style-type: none">- to refuse to approve a facility for the purpose of carrying out recovery operations, under reg 7.
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[Notes:

1. This instrument is made under the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.]

Health and Other Services (Compensation) Act 1995

Section 18(10), 23D(1) (43 of 2006)

Section 18(9E)	The following decision of the Chief Executive Medicare that has been reconsidered: <ul style="list-style-type: none">- to refuse to give a notice to a claimant under s 18(7).
Section 23B	The following decisions of the Chief Executive Medicare: <ul style="list-style-type: none">- to give a claimant a written notice under s 23B(1) that a statement under s 18 or 23A, or an amended statement, is not substantially correct.

[Note:

1. Appeals under s 23D(1) will be subject to a modified s 43(6) of the *Administrative Appeals Tribunal Act 1975*, which specifies that the AAT's decision has effect on and from the day on which it is made.]

[Healthcare Identifiers Act 2010](#)

Section 9C(8) (72 of 2010)

Section 9C(8)	<p>The following decision of the Chief Executive Medicare (the service operator) that has been reconsidered:</p> <ul style="list-style-type: none"> - to not assign a healthcare identifier to a healthcare provider, under s 9(1)(a).
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[Health Insurance Act 1973](#)

Sections 3AAB, 19AC(6), 19CA(8), 20AD(5), 21C(2), 22B(2), 23DAA, 23DO(5), 23DZD, 23DZZE, 23DZZD, 124R, 129AAJ(7), 129AEC(2); 129AEG(13); 129ACB(7);

Reviewable decisions made under various sections	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to accredit or to refuse to accredit a podiatrist, under s 3AAB; - to refuse to accept an undertaking given by an eligible nurse practitioner, under s 22A(2); - to refuse to accept an undertaking given by an eligible midwife, under s 21B(2); - to refuse to accept an undertaking given by a person who wishes to become a participating optometrist, under s 23B(1)(b); - to determine the period for which an undertaking is to have effect, under s 23DC(1)(c) or 23DF(1)(c); - to suspend an undertaking pending the outcome of proceedings before a Medicare Participation Review Committee, under s 23DL(6); - to approve in principle, or to refuse to approve, premises as an accredited pathology laboratory, under s 23DN(1); - to vary or revoke an approval in relation to an accredited pathology laboratory, under s 23DN(2); - refusing to grant a remote area exemption, under s 23DX or 23DXA; - to restrict a remote area exemption to certain R-type diagnostic imaging services, under s 23DY(1); - to refuse an application for a restriction on a remote area exemption to be removed or the scope of such a restriction
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	<p>to be reduced, under s 23DY(3);</p> <ul style="list-style-type: none"> - to restrict a remote area exemption to a particular kind of the station of equipment, or an employee with qualifications to perform services of a particular kind, at the premises of another practitioner, under s 23DYA(1); - refusing an application for a restriction on a s 23DX(c) remote area exemption to be removed, or for its scope to be reduced, under s 23DY(3); - removing, reducing or restricting the scope of a s 23DX or 23DXA remote area exemption if the Minister is satisfied financial hardship exists, under s 23DY(5); - to reduce the scope of a remote area exemption, under s 23DY(5); - to refuse to grant a remote area exemption, under s 23DZ(1); - to revoke a remote area exemption, under s 23DZC; - under s 23DY(1) to restrict a remote area exemption under s 23DX to certain R-type diagnostic imaging services; - under s 23DZC revoking a remote area exemption under s 23DX or 23DXA; - to cancel the registration of diagnostic imaging/radiation oncology premises or a base for mobile diagnostic imaging equipment/mobile radiation oncology equipment under s 23DZZA or 23DZZZ; - not to permit a proprietor to apply for registration of diagnostic imaging premises/radiation oncology premises or a base for mobile diagnostic imaging equipment/mobile radiation oncology equipment under s 23DZZC or 23DZZZB.
<p>Sections 19AC(6) 19CA(8) 23DO(2) 23DO(2D) 23DO(2DB) 23DO(2H)</p>	<p>The following decisions of the Minister affirmed on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption where payment of a Medicare benefit for a professional service rendered by, or on behalf of, an overseas trained doctor where certain professional and resident eligibility conditions are satisfied, under s 19AB(1) and (2); - to refuse to grant an individual an exemption, or impose one or more conditions on an exemption, under s 19AB(3) or 19AB(4); - to refuse to direct that a Medicare benefit is payable where

	<p>a medical practitioner is not authorised under a practitioner’s licence to render that service, under s 19C(3) or (4);</p> <ul style="list-style-type: none"> - to refuse to accept an undertaking, under s 23DC(1) or 23DF(1); - not to backdate the day on which an undertaking given by a pathology practitioner or pathology authority or an approval in respect of a pathology laboratory is taken to have come into force in accordance with s 23DDA, 23DNAAA or 23DGA; - to approve in principle or refuse to approve premises as an accredited pathology laboratory for the purposes of the Act, under s 23DN(1); - to vary or revoke an approval of premises as an accredited pathology laboratory, under s 23DN(2); - to approve or refuse to approve an approved pathology authority to be an eligible collection centre, under s 23DNBA; - to revoke an approval granted to a an approved pathology authority, under s 23DNG.
<p>Section 20AD(5)</p>	<p>The following reviewable decisions of the Chief Executive Medicare that have been affirmed on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to approve a person or body as a billing agent, under s 20AB; - to revoke the approval of a person as a billing agent, under s 20AC.
<p>Sections 124R 124F(1) – (7) 124FA 124FB 124FC 124FE 124FF</p>	<p>The following determinations of a Medicare Participation Review Committee:</p> <ul style="list-style-type: none"> - in relation to relevant offences and civil contraventions, whether any action should be taken against a practitioner including counselling, reprimand, disqualification, under s 124F(1) to (7); - the Committee may add parties to proceedings in relation to a breach of undertaking by an approved pathology practitioner or approved pathology authority, under s 124FA; - in relation to breach of undertaking by approved pathology practitioner, determine whether there has been a breach and whether any action should be taken against a pathology service practitioner including counselling, reprimand, revocation of undertaking, whether Medicare

	<p>benefit remains payable, under s 124FB;</p> <ul style="list-style-type: none"> - in relation to breach of undertaking by approved pathology authority, subject to s 124J(8) determine whether there has been a breach by permitting excessive pathology services and whether any action should be taken against the authority, under s 124FC; - the Committee may add parties to proceedings in relation to pathology and diagnostic imaging offences and contraventions, under s 124FE; - Determinations in relation to pathology and diagnostic imaging offences and contraventions, under s 124FF.
Section 129ACB(5)	<i>A reconsidered decision made by the Chief Executive Medicare in relation to shared debt determinations that has been confirmed, varied or revoked (see Note 3 below).</i>
Section 129AAI(1)	<p>A decision of the Chief Executive Medicare on reconsideration of a decision referred to in s 129AAI(1) about a person or an estate.</p> <p>Section 129AAI(1) relates to amount recoverable under s 129AC(1), (1A), (1C) or (1E) as debt due to the Commonwealth.</p>
Section 129AEC(2); Section 129AEG(13)	<p>The following decisions of the Chief Executive Medicare:</p> <ul style="list-style-type: none"> - Assessment of a person's liability to pay an administrative penalty for which notice has been given under s 129AEC(1); - To give garnishee notice to a person pursuant to a recoverable amount referred to in paragraph 129AEF(1)(a) or (c) is recoverable from a person (the debtor), or from the estate of that person,

[Notes:

1. The Tribunal's jurisdiction was amended by the *Health Insurance Amendment (Professional Services Review) Act 2012*. This amendment will take effect on a day to be fixed by proclamation.
2. If a person applies under s 19AC(1) or (3) for reconsideration of a decision under s 19AB(3) or (4) and the Minister has not informed the person of the decision on the reconsideration within 28 days after receiving the application, the Minister is taken to have confirmed the decision, s 19AC(5).
3. Sections 129ACB, 129 AEC(2) and 129AEG(13) reviewable powers were introduced under *Health Legislation Amendment (Improved Medicare Compliance and Other Measures) Act 2018* and commenced on 1 July 2018]

[Health Insurance \(Eligible Collection Centres\) Approval Principles 2010](#)

Section 8(2) (F2010L01765)

Section 5(3)(a)	The following decision of the Minister: <ul style="list-style-type: none">- to accept, or refuse to accept, that compliance with some, or all, of the provisions of the Collection Centre Guidelines is not reasonably practicable under s 5(3)(a).
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[Notes:

1. This instrument is made under s 23DNBA(4) of the *Health Insurance Act 1973*.
2. An application for review of a decision can only be made by an applicant for approval of an ECC: s 8(2).
3. These Principles are due to sunset on 1 October 2020.]

[Heard Island and McDonald Islands Fishery Management Plan 2002](#)

Section 165(7) of *Fisheries Management Act 1991*

Section 165(5) of <i>Fisheries Management Act 1991</i>	The following decision of the Australian Fisheries Management Authority which has been reconsidered under s 165(5) of the <i>Fisheries Management Act 1991</i> : <ul style="list-style-type: none">- to register a person as eligible for grant of a fishing right, under s 16(2);- to cancel a person's registration as an eligible person, under s 18(4);- to register a person as eligible for grant of an additional fishing right under s 21(2).
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[Notes:

1. This instrument is made under s 17 of the *Fisheries Management Act 1991*. This entry includes F2016C00640, compilation No 4 compiled on 4 May 2016, and includes amendments up to the *Fisheries Management Plans Amendment 2016*.]

[Hearing Service Providers Accreditation Scheme 1997](#)

Section 35 of the *Hearing Services Administration Act 1997*

Section 32(1) of	The following decisions of the Minister that have been
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<p>the <i>Hearing Services Administration Act 1997</i></p>	<p>affirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to accredit, or refuse to accredit, an entity, under s 6(1); - to accredit an entity subject to one or more conditions, under s 6(1); - give written notice to an accredited service provider under s 9(1) that the Minister thinks the provider may have contravened a condition of its accreditation; - to revoke or vary conditions of accreditation, to impose further conditions of accreditation or to cancel the accreditation, under s 10(2); - to cancel the accreditation of a provider whose contract with the Office of Hearing Services is terminated, under s 11.
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[Notes:

1. This instrument, as amended, is made under s 15(1) of the *Hearing Services Administration Act 1997*.
2. Section 29 of the *Hearing Services Administration Act 1997* provides that an application may be made to the Minister for reconsideration under the Act of any decision of the Minister under the accreditation scheme formulated under s 15(1) of the Act or under a condition of accreditation.]

[Hearing Services Administration Act 1997](#)

Section 35 (81 of 1997)

<p>Section 29</p>	<p>The following reviewable decisions of the Minister that have been affirmed varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to issue a voucher to a participant in the voucher system, under s 10; - a decision under the voucher rules, under s 11 ; - a decision under the accreditation scheme, under s 15; - a decision under a condition of accreditation, under s 16 - a decision under the rules of conduct, under s 17; - a decision made under s 19 (which deals with disqualification for fraud, dishonesty etc).
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[Notes:

1. The list of decisions under the Act in relation to which a person may request reconsideration are set out in s 29.
2. The Act also provides the mechanism for review of decisions made pursuant to the following legislative instruments:
 - voucher rules formulated, under s 11(1);
 - the accreditation scheme formulated, under s 15(1) or a condition of accreditation;
 - rules of conduct formulated, under s 17(1).
3. Refer to the entries for the *Hearing Service Providers Accreditation Scheme 1997*, the *Hearing Services Voucher Rules* and the *Hearing Services Rules of Conduct 2005* for further information on reviewable decisions under these instruments.]

[Hearing Services Rules of Conduct 2012](#)

Section 35 of the *Hearing Services Administration Act 1997*

Section 32(1) of the <i>Hearing Services Administration Act 1997</i>	Any decision of the Minister made under the Rules which has been affirmed or varied on reconsideration.
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[Notes:

1. These Rules were made under s 17(1) of the *Hearing Services Administration Act 1997*.
2. Section 29 of the *Hearing Services Administration Act 1997* provides that an application may be made to the Minister for reconsideration under the Act of any decision of the Minister under the rules of conduct formulated under s 17(1) of the Act.]

[Hearing Services Voucher Rules 1997](#)

Section 35 of the *Hearing Services Administration Act 1997*

Section 32(1) of the <i>Hearing Services Administration Act 1997</i>	The following decisions made by the Minister under the Rules which have been affirmed or varied on reconsideration: <ul style="list-style-type: none">- to issue, or refuse to issue, a voucher under s 7;- to issue, or refuse to issue, a replacement voucher under s 8;- to authorise, or refuse to authorise, a contracted service provider to use a voucher to replace a hearing device under s 10(2);
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	<ul style="list-style-type: none"> - to revalidate, or refuse to revalidate, a voucher under s 12.
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[Notes:

1. These Rules were made under s 11(1) of the *Hearing Services Administration Act 1997*.
2. Section 29 of the *Hearing Services Administration Act 1997* provides that an application may be made to the Minister for reconsideration under the Act of any decision of the Minister under the voucher rules formulated under s 11(1) of the Act.]

[High Court of Australia \(Fees\) Regulation 2012](#)

Regulation 17(4) (SLI 282 of 2012)

Regulation 12	<p>The following reviewable decision of the Registrar of the High Court:</p> <ul style="list-style-type: none"> - a determination whether a person may pay the financial hardship fee as set out in Schedule 1, instead of the fee that would otherwise be payable, under reg 12
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[Higher Education Funding Act 1988](#)

Sections 50(1), 106M(6), 106U, 106X (112 of 2002)

<p>Sections 42(3) 44 46 47 106W(1) 106W(3)</p>	<p>The following decisions of the Commissioner of Taxation:</p> <ul style="list-style-type: none"> - to give a notice under s 42(3); - to refuse an application for issue of tax file number under ss 44 or 46; - to cancel a tax file number under s 47; - to defer making an assessment of the amount of accumulated debt or the amount required to be paid in respect of that debt under s 106W(1); - to refuse to amend an assessment under s 106W(3).
<p>Section 106M(3)</p>	<p>The following decisions of the Secretary of the Department of Education that have been confirmed, varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - not to remit, or to remit part only of, a HEC semester debt or

	open learning study period debt.
Section 106T	<p>The following decision of the Commissioner of Taxation that has been reviewed pursuant to Part IVC of the Taxation Administration Act 1953:</p> <ul style="list-style-type: none"> - to make an assessment under s 106T of the amount of a person's accumulated HEC debt and the amount required to be paid in respect of that debt.

[Notes:

1. Section 106U provides that Part IV and Div 1 of Part VI of the *Income Tax Assessment Act 1936* apply in relation to a HEC assessment debt as if it were income tax assessed to be payable by a taxpayer by an assessment made under Part IV of that Act.
2. Assessments made under s 106T are reviewed in the same way as assessments of income tax in accordance with the procedures set out in Part IVC of the *Taxation Administration Act 1953*. A person who is dissatisfied with a decision under s 106T must object against that decision. The AAT may only review a decision to allow, wholly or in part, or to disallow a taxation objection.
3. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.
5. Section 106ZR was repealed by No. 150 of 2003.]

[Higher Education Support Act 2003](#)

Section 212-1 and clause 97 of Schedule 1A (168 of 2015)

Section 202F(1)(fa) and (fb) of the Income Tax Assessment Act 1936 (150 of 2003)

<p>Sections 190-15(1) 190-15(1A) 190-20(1) 190-20(1A)</p>	<p>The following decisions of the Commissioner of Taxation:</p> <ul style="list-style-type: none"> - to give a higher education provider a notice informing the provider that the tax file number that a student notified to the provider has been cancelled or is not the student's tax file number and that the student has no tax file number, under s 190-15(1); - to give Open Universities Australia a notice informing Open Universities Australia that the tax file number that a student notified has been cancelled or is not the student's tax file number and that the student has no tax file number, under s 190-15(1A);
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	<ul style="list-style-type: none"> - to give a notice to a higher education provider that a student's application for a tax file number has been refused or a student's tax file number has been cancelled, under s 190-20(1); - to give a notice to Open Universities Australia that a student's application for a tax file number has been refused or a student's tax file number has been cancelled, under s 190-20(1A).
Sections 209-5 209-10	<p>The following reviewable decisions that have been confirmed, varied or set aside on reconsideration by the Secretary if the decision to refuse re-crediting was made by the Secretary, or the higher education provider with whom the student is enrolled in the unit (or Open Universities Australia in the case of s 104-25(2)):</p> <ul style="list-style-type: none"> - to decide that s 36-22/36-20 does not apply to a person; - to refuse to re-credit a person's FEE-HELP balance under ss 104-25(1) or 104-25(2).
Sections 209-5 209-10	<p>The following reviewable decisions of the Commissioner of Taxation that have been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to defer making an assessment, or refuse to defer the making of an assessment, under s 154-45; - to amend the assessment or refuse to amend the assessment, under s 154-50; - to determine whether a person is eligible for the HECS-HELP benefit for an income year, under s 157-20(1); - to determine the amount of a person's HECS-HELP benefit, under s 157-20(1).
Schedule 1A, VET FEE-HELP Assistance Scheme, Part 3, Div 16, Clause 97	<p>The following reviewable VET decisions that have been confirmed, varied or set aside on reconsideration by the Minister:</p> <ul style="list-style-type: none"> - a decision to impose a condition on the approval of a VET provider, under s 12A(1); - a decision to vary a condition imposed on the approval of a VET provider, under s 12A(2).
Schedule 1A, VET FEE-HELP Assistance Scheme, Part 3, Div 16, Clause 97	<p>The following reviewable VET decisions that have been confirmed, varied or set aside on reconsideration by the Secretary:</p>

	<ul style="list-style-type: none"> - a decision to suspend a body's approval as a VET provider, under s 36(5); - a decision that concerns have not been satisfactorily resolved in accordance with a plan agreed with the Commonwealth, under para 36(6)(b); - a refusal to grant a credit for a VET provider's VET FEE-HELP account, under para 45D(2)(f); - a decision granting a credit for a VET provider's VET FEE-HELP account, under para 45D(2)(f); - a refusal to remit the general interest charge, under s 45E(7); - a decision remitting part of the general interest charge, s 45E(7); - a refusal to re-credit a person's FEE-HELP balance, under s 46A(1); - a decision re-crediting a person's FEE-HELP balance, under s 46A(1);
<p>Schedule 1A, VET FEE-HELP Assistance Scheme, Part 3, Div 16, Clause 97</p>	<p>The following reviewable VET decision that has been confirmed, varied or set aside on reconsideration by the VET provider with whom the student is enrolled in the unit (or, if the Secretary made the decision to refuse the re-crediting – the Secretary):</p> <ul style="list-style-type: none"> - a refusal to re-credit a person's FEE-HELP balance, under s 46(2).

[Notes

1. The lists of 'reviewable decisions' that may be reconsidered under the Act are set out in s 206 and cl 91 of Schedule 1A to the Act.
2. A person whose interests are affected by a reviewable decision may request reconsideration of that decision under s 209-10(1) or cl 96(1) of Schedule 1A. A reviewer may reconsider a reviewable decision on its own motion under s 209-5(1) or cl 95(1) of Schedule 1A of the Act even if an application has been lodged with the AAT.
3. Where a person has requested reconsideration of a reviewable decision under s 209-10(1) or cl 96(1) of Schedule 1A, the decision is taken to have been confirmed if the reviewer does not give notice of a decision within 45 days after receiving the person's request: s 209-10(6) and cl 96(8) of Schedule 1A.]

[Higher Education Support \(VET\) Guideline 2015](#)

Section 90 (F2015L02124)

Section 89(4)	The following reviewable decisions of the Minister personally, or reviewable decisions of the Minister or a delegate that have been affirmed, varied or revoked on reconsideration: <ul style="list-style-type: none">- A decision refusing to approve a tool for assessing a student's competence in reading and numeracy, under s 38(2).
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[Notes:

1. This instrument is made under the *Higher Education Support Act 2003*.]

[Horse Disease Response Levy Collection Act 2011](#)

Section 9(5) (116 of 2011)

Section 9(3)	The following decision that has been affirmed varied or revoked by the Secretary on reconsideration: <ul style="list-style-type: none">- to refuse to remit all or part of an amount of late payment penalty.
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[Horticulture Marketing and Research and Development Services \(Export Efficiency\) Regulations 2002](#)

Regulation 16 (SR 284 of 2002)

Regulation 16	The following decisions made by Horticulture Australia Limited: <ul style="list-style-type: none">- to refuse to grant a licence under reg 7(1);- to impose a condition on a licence (other than a condition contained in a published document) under reg 7(3);- to refuse to renew a licence under reg 9(3);- to suspend a licence under reg 10(4)(a);- to revoke a licence under reg 10(4)(b);- decision to vary a licence under reg 10(4)(c) by omitting a kind of horticultural product for the purposes of reg 10 (2)(b).
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[Note:

1. Section 19 of the *Horticulture Marketing and Research and Development Services Act 2000* provides that Secretary may by legislative instrument make an order on regulated horticultural products and regulated horticultural markets. An order made under s 19 is taken to be an enactment for the purposes of the Administrative Appeals Tribunal Act 1975.]



[Immigration \(Guardianship of Children\) Act 1946](#)

Section 11A(6) (65 of 1985)

<p>Sections 4AA 11 11A(3)(a)(ii) or (4)</p>	<p>The following decisions of the Minister that have been confirmed, varies or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to direct that a child shall be the Minister's ward, under s 4AA; - to refuse to exempt a child from the provisions of the Act, under s 11; - to refuse to extend period in which to seek reconsideration of a decision of a delegate of the Minister under, s 4AA or 11.
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[Imported Food Charges \(Collection\) Act 2015](#)

Section 19 (96 of 2015)

<p>Section 12(2)</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to suspend or revoke an imported food control instrument of a person, under s 12(2).
<p>Section 17</p>	<p>The following decision of the internal reviewer:</p> <ul style="list-style-type: none"> - to make a decision under s 17 that relates to a decision to suspend or revoke an imported food control instrument of a person, under s 12(2).

[Imported Food Control Act 1992](#)

Section 42(11) (4 of 1999)

<p>Section 42(5)</p>	<p>The following reviewable decisions of the Secretary that have been confirmed varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - a decision to issue a food control certificate that states that the food to which the certificate relates is required to be inspected, or inspected and analysed, under s 12; - a decision to issue an imported food inspection advice
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	<p>identifying food (<i>other than food that is or may be the subject of an application for a further imported food advice</i>) as failing food and specifying the manner of dealing with that food, under s14(1) (see Note 4 below);</p> <ul style="list-style-type: none"> - a decision refusing an application for a further imported food inspection advice, under s 14(6); - a decision to issue a further imported food inspection advice identifying food as failing food and specifying the manner of dealing with that food, under s 14(6); - a decision to revoke a determination in relation to overseas food processing operation, under s 19(3); - a decision by the Secretary under s 20(13) to direct that food control certificates should not be issued to a person who has failed to comply with a notice, under s 20(2), (3) or (4); - a decision by the Secretary to direct that documentation not be issued in respect of food imported by a person who has failed to pay fees to the Commonwealth under s 36(8); - a decision of the Secretary in relation to a claim for compensation in respect of food that is destroyed as a result of a mistake of fact or of law, under s 39(1).
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[Notes:

1. If the Secretary does not confirm, revoke or vary a decision within 28 days after receipt of a request for reconsideration, the Secretary is taken to have confirmed the initial decision, under s 42(6).
2. If a request is made for the reconsideration of a decision, the operation of the decision is stayed pending the outcome of the reconsideration, under s 42(7).
3. After reconsideration of an initial decision, the Secretary must give the applicant for reconsideration written notice that the applicant may apply to the AAT for review of the decision. Failure to comply with the notice requirement does not affect the validity of a decision, under s 42(9) – (10).
4. Information italicised will commence on a single day to be fixed by Proclamation or 22 September 2019 (whichever is earliest): *Imported Food Control Amendment Act 2018* (C2018A00108).]

[Income Tax Assessment Act 1936](#)

Decisions under this Act that are subject to merits review are reviewed in one of two distinct ways.

- In respect of some decisions, an application for review may be made directly with the AAT.
- In respect of other decisions, a person who is dissatisfied with the decision must object against that decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner of Taxation must make a decision to allow, wholly or in part, or to disallow a taxation objection. The AAT may only review the Commissioner's decision on the objection.

The entries below reflect this distinction.

Decisions in which an application for review may be made directly to the AAT	
Section 202F (75 of 2010)	
Sections 202F, 202BA, 202BE, 202CE(3), 202DF(3), 202DM(3), 202DR(4), 202EB(3), 202G(4)	<p>The following decisions of the Commissioner of Taxation:</p> <ul style="list-style-type: none"> - to refuse to issue a tax file number, under s 202BA (including a decision that is to be taken to have been made by virtue of s 202BC); - to cancel a tax file number under s 202BE; - to give a notice to an employer under s 202CE(3) that an employee does not have a tax file number; - to give a notice to an investment body under s 202DF(3) that an employee does not have a tax file number; - to give notice to a financial institution under s 202DM(3) that a person does not have a tax file number; - to give a notice to a trustee under s 202DR(4) to the effect that a beneficiary does not have a tax file number; - to give a notice to a person under s 202EB(3) to the effect that the person is no longer entitled to an exemption under the section; - to exempt, or refuse to exempt, a person from compliance in supplying specified tax file information under s 202G(4); - to vary or revoke an exemption under s 202G(4).
Section 23AD(4)	<p>The following decision of the Chief of the Defence Force:</p> <ul style="list-style-type: none"> - to issue a certificate in writing to exempt a person from paying income tax if on eligible duty with a specified organisation in a specified area outside Australia.

[Notes:

1. An application for review of any of these decisions must be lodged with the AAT within 28 days after the decision is given to a person.
2. Subsection 202F(1)(g) of the Act provides that application may be made to the AAT for review a decision stated by the regulations to be a reviewable decision for the purposes of that section.
3. The *Tax Agent Services (Transitional Provisions and Consequential Amendments) Act 2009* removed the jurisdiction outlined under s 251QA.]

Decisions to which Part IVC of the <i>Taxation Administration Act 1953</i> applies, where an objection decision has been made by the Commissioner of Taxation		
<i>Section 14ZZ of the Taxation Administration Act 1953</i>		
Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i> :	
	Reviewable decision	Made under
	- to make a determination that s 45C applies in relation to the whole, or a part, of certain capital benefits	s 45A(2) or 45B(3)
	- to make a determination that certain capital benefits were paid under a scheme for which a purpose, other than an incidental purpose, was to avoid franking debits arising in relation to the distribution from the company	s 45C(3)
	- a decision on a request for an amended assessment in respect of tax benefits and certain recouped expenditure	s 82KL(8);
	- to give a notice specifying an amount of any trustee beneficiary non-disclosure tax that is payable	s 102UR(1);
	- to refuse to issue a certificate under a provision in Division 11A of Part III	Division 11A of Part III

	- to specify a particular amount in a certificate relating to the issue price of certain securities	s128AB
	- to give notice that a late lodgement penalty is payable	s 163A(3)
	- to refuse to remit the whole or any part of a late lodgment penalty	s 163A(5);
	- to issue an assessment or an amended assessment under Part IV (other than an assessment that the taxpayer has no taxable income or that the taxpayer has an amount of taxable income and no tax is payable unless the taxpayer is seeking an increase in the taxpayer's liability)	Part IV
	- to determine that a franking debit or exempting debit of the company arises in respect of each dividend paid to a relevant taxpayer or that no franking credit benefit is to arise in respect of a dividend or a specified part of a dividend paid, or in respect of a distribution or a specified part of a distribution made, to a relevant taxpayer	s 177EA(5)
	- to determine that no credit is to arise in a head company's franking account because of the joining entity becoming a subsidiary member of a consolidated group	s 177EB(5)
	- to determine that the whole or a part of a capital loss incurred during a year of income was not incurred by the taxpayer during that year of income;	s 177F(1)(c)

	<ul style="list-style-type: none"> - a decision on a request to make a determination under s 177F(3) that an amount should not have been included or shall not be included in the assessable income of the taxpayer or that an amount should have been allowed or should be allowable as a deduction to the taxpayer; 	s 177F(6)
	<ul style="list-style-type: none"> - to give a notice under s 271-90(1) or 271-90(2) of Schedule 2F specifying the amount of any family trust distribution tax that the Commissioner has ascertained is payable under s 271-15, 271-55, 271-60 or 271-65 of Schedule 2F. 	s 271-90(1) of Schedule 2F or s 271-90(2) of Schedule 2F

[Notes:

1. The following provisions of the *Income Tax Assessment Act 1936* provide that a person may object against the decisions specified in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*: ss 45D(4), 73IA(2), 82KL(9), 102UR(5), 128P, 136AF(6), 163A(7), 175A(1), 177EA(9), 177EB(9), 177F(2G), 177F(7), and 271-90(6) of Schedule 2F.
2. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
3. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Income Tax Assessment Act 1997](#)

Similar to the *Income Tax Assessment Act 1936*, decisions under this Act that are subject to merits review are reviewed in one of two distinct ways.

- In respect of some decisions, a person who is dissatisfied with the decision must object against that decision in the manner set out in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner of Taxation will then make a decision to allow, wholly or in part, or to disallow the taxation objection. The AAT may only review the Commissioner’s decision on the objection.
- In respect of other decisions, an application for review may be lodged directly with the AAT.

The following entries reflect this distinction.

Decisions to which Part IVC of the <i>Taxation Administration Act 1953</i> applies, where an objection decision has been made by the Commissioner of Taxation		
Section 14ZZ of the <i>Taxation Administration Act 1953</i>		
Section 14ZY(1) of the Taxation Administration Act 1953	The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i> :	
	Reviewable decision	Made under (section)
	- to make or vary a personal services determination of an individual or an entity	87-60 or 87-65
	- to revoke a personal services determination	87-80
	- to give a company a notice specifying the amount of any untainting tax that is payable and the day on which that tax became or will become due and payable	197-80(1)
	- to change or not to change the franking credits on a specified class of distributions	202-85(3)
	- to permit or not to permit an entity to frank a distribution that departs from the benchmark rule	203-55(1)
	- to determine that a specified franking debit arises in the franking account of an entity for a specified distribution or other benefit to a disadvantaged member	204-30(3)(a)
	- to determine that a specified exempting debit arises in the exempting account of the entity, for a specified distribution or other benefit to a disadvantaged member	204-30(3)(b)

	- to determine that no imputation benefit is to arise in respect of a distribution that is made to a favoured member and specified in the determination	204-30(3)(c)
	- that the expenses are reasonable	207-120(3)(b)
	- that it would be reasonable to treat the trust share amount as having been distributed to the beneficiary in the income year	207-126(2)
	- that the interest is to be taken to be vested and indefeasible	207-128(4)
	- giving the controller written notice stating that the controller is liable to pay an amount and specifying that amount	207-130(1)(e)
	- that it is reasonable that the first entity be taken not to be such a controller of the second entity at the particular time	207-130(8)(b)
	- that it would be unreasonable to apply subsection 207-132(2) or 207-132(3)	207-132(4)
	- to make or not to make a franking assessment	214-60
	- to cancel a company's New Zealand franking choice	220-50(1)
	- to determine, or refuse to determine that Division 250 does not apply to a person and an asset at a particular time	250-45
	- to approve, or refuse to approve an alternative method for working out the disallowed capital allowance percentage for a person and an asset	250-150(5)
	- to determine, that all or part of your non-concessional contributions for a	292-465(1)

	financial year is to be disregarded or allocated instead for the purposes of another financial year specified in the determination	
	- to direct, or refuse to direct, that the value of your remaining superannuation interests is nil	292-467
	- Excess non-concessional contributions tax assessment made in relation to the applicant on the ground that a direction was not made: section 292-245;	292-245
	- to make, or amend, an excess contributions tax assessment in relation to a person	292-E or 292-F
	- to determine that an entity is no longer to be treated as a greenfields minerals explorer -	418-185
	- that an entity is not required to comply with all or any part of the accounting standards for one or more income years	820-960(4)
	- to give a notice specifying the amount of any Seasonal Labour Mobility Program withholding tax that is payable and the day on which that tax became due and payable	840-910(3)
	- that two or more related schemes do not give rise to a debt interest as it would be unreasonable	974-15(4)
	- relating to debt interest arising out of obligations owed by a number of entities	974-60(3) or (4) or (5)
	- that a scheme gives rise to a debt interest in an entity	974-65
	- that two or more related schemes do not give rise to an equity interest in a company as it would be unreasonable	974-70(4)

	<ul style="list-style-type: none"> - that what would otherwise be a single scheme is to be treated for the purposes of Div 974 as two or more separate schemes or that the schemes are to be taken for the purposes of the Div to not be related schemes. 	974
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[Notes:

1. The following provisions of the *Income Tax Assessment Act 1997* provide that a person may object against the decisions specified in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*: ss 87-85, 197-80(5), 202-85(6), 203-55(7), 204-55, 207-136, 214-80, 220-50(3), 250-295(3), 292-245, 292-469, 820-965, 840-910(6) and 974-112.
2. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
3. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

Decisions in respect of which an application for review may be made directly to the Tribunal:	
Sections 34-40, 40-675, 40-1010(7), 376-100, 376-255	
Sections 34-30(1)	The following decision of the Secretary of the Department of Industry, Innovation and Science: to grant or refuse to grant an application relating to the registration of the design of a non-compulsory uniform under s 34-30(1).
Section 40-670(1)	The following decision of the Secretary of the Department of Agriculture or an officer of that Department who has been authorized in writing by that Secretary to approve persons as farm consultants: to refuse to approve, or to revoke the approval of, a person as a farm consultant under s 40-670(1).
Section 40-1010(6)	The following decision of the Secretary of the Department of Environment: to give the Commissioner of Taxation a notice under s 40-1010(6) that the Secretary is satisfied that one or more of the conditions in s 40-1010(2) relating to expenditure for establishing trees in carbon sink forests have not been satisfied for the trees.

<p>Sections 376-20 376-30 376-45 376-50 376-245</p>	<p>The following decisions of the Minister administering the <i>Film Licensed Investment Company Act 2005</i> (Minister for the Arts):</p> <p>to refuse under s 376-20 an application for a certificate for the location offset;</p> <ul style="list-style-type: none"> - to determine under s 376-30 the total of a company's qualifying Australian production expenditure on a film for the purposes of the location offset; - to refuse under s 376-45 an application for a certificate for the PDV offset; - to determine under s 376-50 the total of a company's qualifying Australian production expenditure for a film for the purposes of the PDV offset; - to revoke under s 376-245 a certificate issued to a company for a film under s 376-20 or 376-45.
<p>Sections 376-65 376-75 376-245</p>	<p>The following decisions of Screen Australia:</p> <ul style="list-style-type: none"> - to refuse under s 376-65 an application for a certificate for the producer offset; - to determine under s 376-75 the total of a company's qualifying Australian production expenditure on a film for the purposes of the producer offset; - to revoke under s 376-245 a certificate issued to a company for a film under s 376-65.

[Notes:

1. An application for review of any of these decisions must be lodged with the AAT within 28 days after the decision is given to a person.
2. Division 376 of the Act was repealed and replaced on 25 September 2007 by the *Tax Laws Amendment (2007 Measures No. 5) Act 2007*. Despite the repeal, that Division continues to apply in relation to films that commenced principal photography or production of an animated image before 8 May 2007 as if the repeal had not happened: item 92 of Schedule 10 to the amending Act.
3. Subdivision 402-W which relates to urban water tax offset was repealed on 1 July 2014: item 18 of Schedule 4 to the *Tax Laws Amendment (2009 Measures No 2) Act 2009*. Despite the repeal, s 402-770 will continue to apply to a certificate that has been issued until the end of the period of 10 years starting on the day it was issued, enabling the Minister to revoke the certificate. A company may apply to the AAT for review of such a decision despite the repeal of s 402-775: see item 19 of Schedule 4 to the *Tax Laws Amendment (2009 Measures No 2) Act 2009*.]

[Income Tax \(Transitional Provisions\) Act 1997](#)

Section 14ZZ of the *Taxation Administration Act 1953* (34 of 1997)

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decision of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none">- to make a franking assessment in relation to a corporate tax entity under Division 214 of Part 3-6 of this Act.
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[Notes:

1. The following provision of the Act provides that a person may object against a decision specified in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*: s 214-90.
2. The following Act introduced the provision specifying that a person may object against a decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*: 16 of 2003.
3. An application for review of an objection decision must be lodged with the AAT within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Industrial Chemicals \(Notification and Assessment\) Act 1989](#)

Section 102(1) (103 of 2011)

<p>Sections 30(1),(3),(5) 31A(3) 31B(3) 44(5) 51(1) 57(6) 61(2) 67(1) 68(6) 68A(5)</p>	<p>The following decisions of the Minister for Health:</p> <ul style="list-style-type: none">- to grant, refuse to grant, or impose conditions on a permit allowing introduction before assessment authorising the importation or the manufacture of the chemical before an assessment certificate is given, where it is in the public interest and consistent with public health and the environment, under s 30(1);- to determine that it is, or is not, in the public interest to withhold publication of information which would otherwise appear in a notice in the Chemical Gazette, under s 30(3);- to impose conditions on a permit authorising the
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	<p>importation or the manufacture of the chemical before an assessment certificate is given, under s 30(5);</p> <ul style="list-style-type: none"> - to extend or refuse to extend the 90 day period for assessment and reporting of an application for non-self-assessed assessment certificate, under s 31A(3), - to extend or refuse to extend the 28 day period for assessment and reporting of an application for a self-assessed assessment certificate, under s 31B(3), - to extend or refuse to extend, the 90 day period for the completion of reports in relation to an application for an assessment certificate for a new industrial chemical that has been notified and assessed under an approved foreign scheme, under s 44(5); - to declare or refuse to declare that a chemical is a priority existing chemical, under s 51(1); - to extend, or refuse to extend, the six month period for assessment and report of a priority existing chemical, under s 57(6); - to give notice prohibiting activity involving a priority existing chemical which the Minister has reasonable grounds for believing gives rise to an unacceptable risk of adverse health effects or adverse environmental effects, under s 61(2); - to suspend an assessment certificate or introduction permit or prohibit the importation and manufacture of a chemical where a person fails to give secondary notification of the chemical, under s 67(1); - to extend, or refuse to extend, the 90 day period for assessment and report for the assessment of a chemical in respect of which a secondary notification has been given, under s 68(6); - to extend, or refuse to extend, the period for assessment and report in relation to an existing chemicals subject to secondary notification, under s 68A(5).
<p>Reviewable decision made under various sections</p>	<p>The following decisions of the Director, National Industrial Chemicals Notification and Assessment Scheme:</p> <ul style="list-style-type: none"> - to include or vary particulars in the Inventory in respect of a chemical, under s 13A; - to include a chemical in the confidential section of the Australian Inventory of Chemical Substances under s 14(4); - a final decision to include, or not include, a chemical in

	<p>the Inventory, under s 15AA(7);</p> <ul style="list-style-type: none"> - to treat a person as the holder of a confidence about a chemical, under s 17(4); - to transfer a chemical to the confidential section of the Inventory, under s 18A(2); - a decision to transfer an industrial chemical from the confidential to non-confidential section, under s 19(7); - to reject reasons why a chemical should not be removed from the Inventory, under s 20AA(6); - to refuse an application for a commercial evaluation permit, under s 21H(1) or (2); - to impose, vary or revoke condition on a commercial evaluation permit, under s 21L; - to refuse an application for a low volume chemicals permit, under s 21U(3); - to impose, vary or revoke a condition on a low volume chemicals permit, under s 21W(3) or 21W(4); - to cancel a low volume chemicals permit, under s 21W(6); - to refuse an application for a controlled use permit in respect of a chemical, under s 22F(4); - to impose, vary or revoke conditions or further conditions of use to which a controlled use permit is subject, under s 22H(1)(5), or (6); - to cancel a controlled use permit under s 22J; - to waive, or refuse to waive, or vary the requirement to include information about particular matters in a notification statement when applying for an assessment certificate for a new industrial chemical, under s 24(1), (3), and (4); - to require additional information in relation to application more information, under s 27(1),(2); - to refuse to take the applicant as having complied with a notice to give more information, under s 27(4); - to suspend the consideration of an application for the assessment of a new industrial chemical, under s 28(2); - to grant, or refuse to grant, or revoke a permit to introduce a certain chemical before the assessment
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	<p>report is completed, under s 30A(3) or 30C(1);</p> <ul style="list-style-type: none"> - to refuse an application for a self-assessed assessment certificate in relation to certain chemicals, under s 33C; - to refuse to vary an assessment report, under s 37(2)(b); - to vary or refuse to vary a full public report about an industrial chemical, under s 40(6); - to vary or refuse to vary modifications to an original assessment certificate, under s 40F(3)(b); - a determination that the Director is not satisfied that a chemical that is approved under a foreign scheme is not different and would not increase the risk of adverse health effects or adverse environmental effects in Australia, under s 44(1)(d); - to refuse to adopt a report made under an approved foreign scheme, under s 44(2)(b); - to require information that is relevant to the assessment of a priority existing chemical as specified in a notice, under s 58(3)(g); - to refuse to vary a draft assessment report, under s 60E(5); - to require the secondary notification of a chemical by persons named in the Chemical Gazette, under s 65(1) or (2); - to require information from persons who are not required to give secondary notification, under s 69(1); - to revoke an assessment certificate where the holder of an assessment certificate dies, under s73(6); - to treat, or refuse to treat, information as exempt information for the purposes of the Act, under s 75(1); - to disclose, or not to disclose, exempt information about a chemical to an inquirer, under s 79(A); - to allow, or refuse to allow, a longer period for a person to provide a written statement indicating the value of industrial chemicals introduced by the person in that year, under s 80Q(1); - to issue an assessment registration charge and repayment amount, or a statement that no charge is payable, under s 80QA(1); - to allow, or refuse to allow a longer period within which
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	<p>to seek reconsideration of a registration charge assessment, under s 80QC(1);</p> <ul style="list-style-type: none"> - a decision to confirm, vary or revoke a registration assessment, under s 80QA(3).
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[Notes:

1. A person may not make an application for review of a decision made under s 13A in respect of a decision to include or vary particulars in the Inventory in respect of a chemical if the person could have made or did make an application in respect of a refusal under s 37(2)(b) to vary an assessment report about the chemical, and the variation sought by the person related to recommendations in the report that were the same as or similar to the particulars.]

[Industrial Chemicals \(Notification and Assessment\) Regulations 1990](#)

Regulation 17(1) (SLI 101 of 2015)

<p>Regulations 14A(2) 15(1) 15(4) 16 16A 16B</p>	<p>The following decisions of the Director of National Industrial Chemicals Notification and Assessment Scheme:</p> <ul style="list-style-type: none"> - to remit, or refuse to remit, the amount that is the difference between the amount paid and the amount of registration charge a person is liable to pay (for the purposes of s 80S of the Act), under reg 14A(2); - to remit, or refuse to remit, any part or the whole of a fee paid in respect of an application, statement, nomination or notification, under reg 15(1); - to remit, or refuse to remit, the prescribed fee minus the screening fee, under reg 15(4); - to waive, or refuse to waive, wholly or partly, or to remit, or refuse to remit any fee that would otherwise be payable (for the purposes of s 110(1)(f) of the Act), under reg 16; - to waive, or refuse to waive, wholly or partly any fee that would otherwise be payable by a person (for the purposes of s110(1)(s) of the Act), under reg 16A; - to waive, or refuse to waive, wholly or partly, or to remit, or refuse to remit any late renewal penalty that would otherwise be payable (for the purposes of s 110A of the Act), under reg 16B.
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[Industry Research and Development Act 1986](#)

Section 30E (60 of 2015)

<p>Section 30D(2)</p>	<p>The following reviewable decisions of the Board that have been confirmed, varied or set aside and on reconsideration:</p> <ul style="list-style-type: none">- registering or refusing to register an entity for activities, under s 27A(1);- a finding made when considering an application for registration of activities, under s 27B(1);- refusing to allow a further period for making an application for registration of activities, under para 27D(c);- refusing to allow a further period for giving further information about an application for registration of activities, under para 27E(2)(b);- refusing to make a finding about a registration of activities, under para 27F(4)(b);- refusing to allow a further period for giving further information about an examination of a registration of activities, under para 27H(2)(b);- a finding made a bout a registration of activities, under s 27J(1);- refusing to vary on application a registration of activities, under s 27M(1);- refusing to allow a further period for giving further information about an application for variation of a registration of activities, under para 27E(2)(b), as that paragraph applies because of s 27M(3);- revoking a registration of activities, under s 27N(1);- an advance finding, or a refusing to make an advance finding, about the nature of an activity, under s 28A(1);- a finding or refusing to make a finding about an activity to be conducted outside Australia, under s 28C(1);- a finding or refusing to make a finding about particular technology, under s 28E(1);- refusing to allow a further period for giving further information about an application for an advance finding about the nature of an activity or a finding about an activity to be conducted outside Australia or a finding that technology is core technology, para 28H(2)(b);
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	<ul style="list-style-type: none"> - registering or refuse to register an entity as a research service provider, under s 29A(1); - refusing to allow a further period for giving further information about an application for registration as a research service provider, under s 29C(3); - revoking a research service provider's registration for not returning a completed form about continuing that registration, under s 29E(2); - refusing to vary on application a research service provider's registration, under s 29F(1); - refusing to allow a further period for giving further information about an application for variation of a research service provider's registration, under s 29C(3), as that Subsection applies because of s 29F(3); - varying a research service provider's registration otherwise than on application, under s 29G(1); - revoking a research service provider's registration, under s 29H(1); - refusing to allow a further period for making an application for review of a decision, under s 30C(3).
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[Notes:

1. A list of reviewable decisions is set out at s 30A. Application may be made to the AAT for review of an internal review decision of the Board, s 30E.
2. If Innovation and Science Australia does not confirm, vary or set aside and substitute a decision before the end of the period of 90 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 30D(3). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT, s 30E(3).
3. Section 30E(4) of the Act provides that the hearing must take place in private.
4. Innovation and Science Australia was amended from Innovation Australia by the *Industry Research and Development Amendment (Innovation and Science Australia) Act 2016* No. 63 of 2016 with effect from 20 October 2016.]

[Insurance Acquisition and Takeovers Act 1991](#)

Section 67(1) (60 of 2015)

Section 67(1)	The following decisions of the Minister that have been confirmed revoked or varied on reconsideration:
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	<ul style="list-style-type: none"> - any decision under Part 3 Control of acquisition or leasing of assets of Australian-registered insurance companies, or Part 4 Permanent restraining orders and divestment orders; - to allow, or refuse to allow, a further period within which to request reconsideration, under s 66(1)(b).
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[Notes:

5. The list of reviewable decisions in relation to which a person may request reconsideration is set out in s 4. The following Acts introduced or have amended the list of reviewable decisions: 6 of 1992 and 37 of 2002.
6. If the Treasurer does not confirm, revoke or vary a decision before the end of the period of 21 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period, s 66(4). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT, s 67(2).
7. Section 67(7) of the Act provides that any hearing is to take place in private.
8. If a person requests reconsideration of a reviewable decision under s 66(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the AAT for review of that decision, s 67(3). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

[Insurance Act 1973](#)

Section 63(7) (54 of 1998)

<p>Section 63(4)</p>	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - a decision determining, refusing to issue a determination, impose conditions or specify a period, vary or revoke a determination that certain provisions under the Act do not apply to a particular person, under s 7(6); - to refuse to authorise a body corporate to carry on an insurance business in Australia, under s 12(2); - to impose conditions or additional conditions, vary conditions or revoke a general insurer’s authorisation, under s 12, as set out in s 13(6); - a decision to revoke a general insurer’s authorisation, under s 12, as set out in s 15(7); - a decision to revoke a general insurer’s authorisation if the insurer had no liabilities in respect of its Australian
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	<p>insurance business, refuse to approve a proposed assignment, impose conditions or additional conditions on an assignment, or a direction to assign liabilities to one or more other general insurers (subject to s 16 conditions), under s 17;</p> <ul style="list-style-type: none"> - to refuse a non-operating holding company (NOHC) authorisation in relation to the body corporate and any general insurers that are subsidiaries of the body corporate, under s 18; - to impose conditions or additional conditions, or vary conditions on a NOHC authorisation, under s 19; - to revoke a NOHC authorisation, under s 21; - to direct a general insurer, authorised NOHC or corporate agent, that a director or senior manager of a general insurer, a senior manager or agent in Australia of a foreign general insurer, or a director or senior manager of an authorised NOHC be removed from the position, under s 27; - to determine, vary or revoke a prudential standard that must be complied with by one or more specified general insurers, authorised NOHC or referred to in s 32(1)(e); - to confirm or vary a delegate's decision to extend time for providing an actuary's report, under s 49H(3) or (4); - to refuse to give an approval that a general insurer meets the requirements of the Act and the prudential standards for keeping of accounting records, or to give approval subject to specified conditions, under s 49Q para (1)(b); - to give a written direction to a body corporate that is a general insurer to end the appointment of a person as the auditor or actuary of the general insurer or NOHC on the ground that the person does not meet one or more of the criteria for fitness and propriety set out in the prudential standards, under s 49R para (3)(b); - to make a determination in relation to the authorisation of Lloyd's underwriters to carry on insurance business where it appears to APRA there has been a contravention, legislative change, substantial change in Lloyd's constitution, powers, rights, obligations or by-laws, under s 93(3); - An APRA direction to a general insurer or authorised NOHC policyholder that a body corporate has contravened or likely to contravene a provision of this Act or Regulations, prudential standards, condition, the <i>Financial Sector (Collection of Data) Act 2001</i>, to give
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	<p>rise to a prudential risk, under s 104(1) as a result of the ground referred to in para (1)(a), (b), (c) or (d);</p> <ul style="list-style-type: none"> - to give direction under s 104(1A) as a result of the ground referred to in paragraph (1A)(a), (b) or (c) (s104(10)(b)); - to give direction under subsection 104(1C) as a result of the ground referred to in paragraph (1C)(a) or (b), to the extent that the paragraph relates to a ground referred to in paragraph (1A)(a), (b) or (c). - an APRA decision to determine an amount or to vary a determination in relation to an amount owed to a body corporate by way of portions of premiums retained under a contract of reinsurance taken to be an asset in Australia of the body corporate, or a decision that the determination is no longer necessary, or should be varied, under s 116A(5) or (6).
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[Notes:

1. A person affected by a reviewable decision may request reconsideration of any decision to which Part VI of the Act applies. The following provisions provide that Part VI of the Act applies to one or more decisions: ss 7(6), 12(6), 13(6), 15(7), 17(10), 18(6), 19(5), 21(7), 27(6), 32(7), 49H(5), 49Q(3), 49R(11), 93(5), 104(10) and 116A(7).
2. The following Acts have introduced amended or repealed provisions which provide that Part VI applies to a particular decision: 119 of 2001, 37 of 2002, 154 of 2007 and 25 of 2008.
3. If APRA does not confirm, revoke or vary a decision before the end of the period of 21 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 63(5). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 63(8).
4. If a person requests reconsideration of a reviewable decision under s 63(2), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 63(9). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

[Interactive Gambling Act 2001](#)

Section 61 (84 of 2001)

<p>Section 61</p>	<p>The following decisions of the Australian Communications and Media Authority:</p> <ul style="list-style-type: none"> - to issue an internet service provider a standard access-prevention notice under s 24(1)(c); - to issue an internet service provider a special access-
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	<p>prevention notice under s 27;</p> <ul style="list-style-type: none"> - to refuse to register an industry code under s 38; - to issue, vary, or refuse to revoke, vary a direction that is applicable to or give a direction that is applicable to an internet service provider under s 42 or 56.
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[Notes:

1. An application for the review of a decision made under s 24, 27, 42 or 56 may only be made by the internet service provider concerned. An application for the review of a decision made under s 38 may only be made by the body or association that developed the code, pursuant to ss 61(2) and 61(4) of the Act.]

[International Air Services Commission Regulations 2018](#)

Regulation 11(2) (F2018LO1320)

Section 11(1)	<p>A decision by the Commission in relation to the following payment of allowances for a person summoned to appear as a witness at a hearing before the commission:</p> <ul style="list-style-type: none"> - Loss of earning allowance - Transport allowance - Accommodation and meal allowance
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[Interstate Road Transport Act 1985](#)

Section 51(6) (130 of 1985)

Section 51(4)	<p>The following decisions of a Licensing/Registration Authority or a delegate of a Licensing/Registration Authority that have been reconsidered by the Minister:</p> <ul style="list-style-type: none"> - to register, or refuse to register, a motor vehicle or trailer, under s 9; - to suspend or cancel registration of a motor vehicle or trailer, under s 11. <p>The following decisions of a Licensing Authority that have been reconsidered by the Minister:</p> <ul style="list-style-type: none"> - to grant, or refuse to grant, an operator's licence, under s 26;
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	<ul style="list-style-type: none"> - to revoke, or refuse to revoke, a person’s disqualification, under s 27(8); - to declare a person to be an associate of a disqualified person under s 30; - to cancel an operator’s licence, under s 32(2). <p>The following decision of a delegate of the Minister that has been reconsidered by the Minister:</p> <ul style="list-style-type: none"> - to allow, or refuse to allow, a further period within which to request reconsideration of a decision, under s 51(2).
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[Notes:

1. The list of decisions that may be reconsidered under the Act is set out in s 51(1). The following Acts introduced or have amended this list of decisions: 130 of 1985.
2. The Minister must reconsider the decision within 60 days of receipt of the request for reconsideration: s 51(4).
3. This legislation will be repealed on 1 July 2019 by the *Interstate Road Transport Legislation (Repeal) Act 2018*.]

[Interstate Road Transport Regulations 1986](#)

Regulation 14(6) (SR 11 of 1999)

<p>Regulation 14(4)</p>	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - to approve, or refuse to approve, maintenance management compliance assurance scheme, under reg 14(4).
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[Jervis Bay Territory Emergency Management Ordinance 2015](#)

Section 23(5) (F2015L00774)

Section 23(4)	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - a determination in relation to compensation for possession and use of a person's property under s 23(4).
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[Notes:

1. This instrument is made under the *Jervis Bay Territory Acceptance Act 1915*, it commenced on 2 June 2015 and will cease on 1 October 2025: F2015L00774.]

[Jervis Bay Territory Marine Safety Ordinance 2016](#)

Section 111(6) (F2016L01756)

Section 111	<p>A decision of the Minister</p> <ul style="list-style-type: none"> - not to exempt a person or vessel, under s 111(1).
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[Notes:

1. This Ordinance is made under the *Jervis Bay Territory Acceptance Act 1915* and commenced on 15 November 2016.]

[Judges' Pensions Act 1968](#)

Section 17A (143 of 2012)

Various sections	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to refuse an application under s 2AA of s 6, to certify, under s 2 of that section, that the retirement of a Judge was due to permanent disability or infirmity; - to determine under ss 4AA(b) whether at the time of death of a deceased Judge a child was wholly or substantially dependent on the deceased Judge; - to determine under s 4AB(2)(b) whether a person
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	<p>ordinarily lived with another person as that person's husband or wife or partner on a permanent and bona fide domestic basis;</p> <ul style="list-style-type: none"> - to determine under s 4AB(5) whether a person would have been living with another person except for a period of temporary absence or absence because of special circumstances; - to determine under s 4AC(3)(d) whether a person was wholly or substantially dependent upon a deceased Judge at the time of the death; - to refuse to certify under s 6(2AA) that retirement of a Judge was due to permanent disability or infirmity; - to refuse to direct under s 8A(2) that a pension which was cancelled on remarriage be restored; - to refuse to direct under Ss 8A(3) that restoration of pension be backdated to a day before the application day; - to pay, or refuse to pay, under s 13 orphans' pension and apportion orphans' pension where pension is payable in respect of 2 or more eligible children; - to refuse to direct under s 15(1) that payment of children's pension be to a specified person; - to refuse to direct under s 15(3) that pension be expended in specified manner; - a decision under s 15A(1) allocating a pension to a spouse.
<p>Sections 17AB(3)(b)(i) 17AB(4) 17AB(6)(b)</p>	<p>The following decisions of the Secretary of the Department:</p> <ul style="list-style-type: none"> - to determine the day on which a spouse became permanently incapacitated, under s 17AB(3)(b)(i); - to determine that a spouse is unlikely to engage in gainful employment for which they are reasonably qualified, under s 17AB(4); - to determine an individual or individuals to whom pension orders must be paid, under s 17AB(6)(b).

L

Lakes Ordinance 1976

See *National Land Ordinance 1989 (ACT)* for the relevant applied provisions regarding AAT's jurisdiction.

Lands Acquisition Act 1989

Sections 28(1), 71(1), 81(1), 99(1), 107(1), 121(5) (15 of 1989)

<p>Section 27</p>	<p>The following decision of the Minister for Finance that has been confirmed or varied on reconsideration under s 27(1):</p> <ul style="list-style-type: none"> - to declare under s 22(1) that the Minister is considering an acquisition of land by an acquiring authority of an interest in land for a public purpose (known as 'pre-acquisition declaration'.
<p>Sections 70(2), 76(1), 98(2) – power to review derived from 99(1), 103(1) – power to review derive from s 107(1), 121(2)</p>	<p>The following decisions of the Minister for Finance:</p> <ul style="list-style-type: none"> - to reject a claim for compensation under s 70(2)) and that the claim had not been to the Federal Court; - to make a final offer of compensation under s 76(1) in exercising powers under Part VII of the Act but that the person had rejected the offer; - to reject a claim for compensation under s 98(2) under Part VIII of the Act and the claim had not made an application to the Federal Court; - to make a final offer of compensation under s 103(1) in exercising powers under Part VIII of the Act and which had been rejected by a person - to specify an amount representing the market value of interest in land at time of offer under s 121(2).

[Notes:

1. The Minister may include a statement in a pre-acquisition declaration made under s. 22 that the declaration is not subject to review by the AAT: s 22(6)(b).
2. If the Minister does not, within the period of 28 days after receiving an application for reconsideration of a declaration under s 22(1), make a decision confirming, revoking or varying the declaration, the Minister shall be regarded as having confirmed the declaration on the last day of the period: s 27(4). The person who made the application may, by writing and before the end of the 28-day period, agree to an extension of that period.
3. Sections 27, 29 and 41 of the *Administrative Appeals Tribunal Act 1975* do not apply in relation to an application for review of a decision made under s 27(1): s 29(2). Only a person affected (within the meaning of s 22(10)) by a declaration may apply for review:

s 28(1). The time limit for applying for review of a decision under s 27(1) is 28 days after the declaration was confirmed or varied, or is to be regarded as having been confirmed or varied, as the case may be: s 28(4). The AAT may, before the end of the 28-day period, agree to an extension of that period: s28(5)..

4. If the Minister has not, within the period of 42 days after receiving a claim for compensation under s 67 or s 97, given the claimant notice of a decision under s 70(1), 70(2), s 98(1) and 98(2), the Minister is taken to have rejected the claim: s 70(3) and s 98(3). The claimant may, by writing and before the end of the 42-day period, agree to an extension of that period: s 70(4) and s 98(4).
5. If the Minister has not, within the period of 2 months after receiving a notice under s 75 or s 102 rejecting an offer of compensation, given the person notice under s 76(1) or s 103(1) making a final offer of compensation, the Minister is taken to have made a final offer of compensation: s 76(3) and s 103(3).
6. Section 29 of the *Administrative Appeals Tribunal Act 1975* has been modified to provide that the time for lodging an application for review of a decision under ss 70(1), 76(1), 98(2) and 103(1) is 3 months: see ss 71(3), 81(3), 99(3) and 107(3).]

Law Officers Act 1964

Section 16(11) (120 of 1988)

Section 16(6)	<p>The following decision of the Attorney-General:</p> <ul style="list-style-type: none"> - to refuse to give a certificate under s 16(6) that a person is permanently disabled or infirm.
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Leases Ordinance 1992 (Jervis Bay Territory)

Section 15, 23A (1 of 1993)

<p>Sections 12(b) 20(1) 20(4) 23(1) 23(3) 23(4)</p>	<p>The following decisions of the Minister to:</p> <ul style="list-style-type: none"> - confirm or vary an offer or determination on the rent or any term or condition of the lease offered, under ss 10(1)(b) and 10(2); - fix a survey fee, under s 20(1); - consent to payment of survey fee by instalments, under s 20(4); - require a lessee to erect any fences on the boundary of land leased as the Minister thinks necessary, under s 23(1); - determine by notice in writing a period for compliance in relation to a boundary of leased land, under s 23(3); - determine the lease if a lessee fails to comply with a notice within the period specified in it, under s 23(4).
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[Life Insurance Act 1995](#)

Section 236(8) (54 of 1998)

Section 236(5)	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to determine under s 7A(1) that any or all of the certain provisions of the Act do not apply to a particular person; - a declaration under s 12(2) that the life insurance business carried on by the life company in one class of life insurance business is to be treated as if it were included in the other class; - to declare, or refuse to declare, under s 12A(1) that a company's insurance business or business relating to the payment of annuities is to be treated as if it were life insurance business; - to declare, or refuse to declare, under s 12B(2) that a company's business consisting of the provision of eligible financial benefits is to be treated as if it were life insurance business; - to make, or refuse to make, a declaration under s 14(5) that contract of a kind specified in the declaration and entered into by the company are investment account contracts or investment-linked contracts; - to make, or refuse to make, a declaration under s 15(4) that benefits of a specified kind provided for by policies issued by the company are participating/non-participating benefits; - to determine under s 16C(2) that a body is a friendly society for the purposes of the Act; - to vary or revoke under s 16C(3) a determination under s 16C(2); - a decision under s 16E in relation to whether a body corporate can consent to assume or use the expression 'friendly society'; - to refuse to approve benefit fund rules for a benefit fund under s 16L(3); - to refuse to approve a proposed amendment of approved benefit fund rules under s 16Q(3); - to give a notice under s 16R(2) requiring a friendly society to propose an amendment of approved benefit fund rules and to submit the amendment for APRA's approval; - to determine, or refuse to approve an amendment, of
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	<p>approved benefit fund rules under s 16R(4);</p> <ul style="list-style-type: none"> - to refuse to approve under s 16U(3) proposed amendments of the constitution of a company that are consequential on proposed benefit fund rules or an amendment of benefit funds rule; - to give a notice under s 16V(2) requiring a company to propose consequential amendments to its constitution and submit them to APRA for approval; - to refuse to approve consequential amendments to a company's constitution under s 16V(4) due to certain deficiency; - to determine consequential amendments to a company's constitution under s 16V(5); - to refuse to register a company under s 21; - to impose conditions on the registration of a company under s 22(1); - to vary a condition under s 22(3) or (4); - to refuse to revoke or vary a condition under s 22(4); - to revoke registration under s 26(1); - to refuse to revoke registration of a company under s 27; - to give a direction under s 27A(1) (para (gaa)); - to refuse to approve a proposed assignment under s 27A(4) (para (gab)); - to impose conditions on an approval under s 27A(4)); - to refuse an application for registration of a body corporate as a NOHC under s 28A; - to impose conditions, or additional conditions, on a NOHC registration under 28B(1)(a); - to vary conditions imposed on a NOHC registration under s 28B(1)(b); - to revoke a NOHC registration under s 28C (para (ge)); - to give notice under s 28AA(2); - to refuse to give an approval under s 31(c); - to refuse to approve the giving of a mortgage or charge to an asset of a statutory fund under s 40(1); - to impose conditions on an approval granted under s 40(1);
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	<ul style="list-style-type: none"> - to refuse to approve under s 43(3)(c) investment of assets of a statutory fund in a related company that is not a subsidiary of the life company; - to refuse to approve under s 48(8)(b) an owner of a policy referable to a statutory fund bringing an action against a director for a breach of duty to the policy owners which resulted in a loss to a statutory fund of the company under s 48(8)(b); - to refuse to give an approval under the prudential standards referred to in s 52 relating to the restructure of statutory funds; - to refuse to give an approval under the prudential standards referred to in s 53 relating to the termination of statutory funds; - to refuse to approve of retained profits of a statutory fund owned by overseas policy owners under s 62(1)(c); - to refuse to approve under s 62(4) the distribution of shareholders' retained profits; - to refuse to approve under s 63(2) a distribution of shareholders' capital in relation to a statutory fund; - a refusal to approve under paragraph 76A(1)(b) that the company meets the record-keeping obligation in another country; - a decision to approve under paragraph 76A(1)(b) subject to conditions; - to refuse to give an approval under s 77(6) on specific period becoming the financial years of the company; - to make a declaration under s 86 that a person is ineligible to hold an appointment as an auditor of a life company; - to make a declaration under s 94A that a person is ineligible to hold an appointment as actuary of a life company; - to give a direction to a life company under s 125A to end the appointment of a person as the auditor or appointed actuary of the company; - to refuse under s 208 to suspend or vary a life company's obligation to make payments; - to make, vary or revoke a standard in relation to prudential matters to be complied with by one or more specified life companies under s 230A(1)(c); - to give a direction under s 230B as a result of the ground referred to in s 230B(1)(a), (b), (c) or (d);
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	<ul style="list-style-type: none"> - to give a direction under subsection 230B(1AA) as a result of the ground referred to in paragraph 230B(1AA)(a), (b) or (c); (para (zr)); - to give a direction under subsection 230B(1AC) as a result of the ground referred to in paragraph 230B(1AC)(a) or (b), to the extent that the paragraph relates to a ground referred to in paragraph 230B(1AA)(a), (b) or (c) (para (zs)).
	<p>The following decisions of the Australian Securities and Investments Commission that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to give a direction under s 198(3) to change the proposal or policy form to comply with the Act as required; - a decision under s 216(10) on an amount in excess of \paid to the Commonwealth and the amount payable to the policy owner to be refunded to the company.
	<p>The following decisions either of the APRA or the ASIC that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to require a company to give APRA or ASIC certain information under s 131(1); - to require a company to give APRA or ASIC records relating to the affairs of the company under s 132(1).

[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 236(1). The following Acts introduced or have amended the list of reviewable decisions: 4 of 1995, 107 of 1997, 44 of 1999, 121 of 2001, 37 of 2002, 154 of 2007, 25 of 2008, 75 of 2009, 82 of 2010, 70 of 2015; C2018A00010 (5 March 2018).
2. The meaning of 'reviewable decision' under s 236(1), is no longer subject to subsection (1AA). This has been amended by the *Financial Sector Legislation Amendment (Crisis Resolution Powers and Other Measures) Act 2018* (C2018A00010) commencing on 5 March 2018.
3. If APRA or ASIC do not confirm, revoke or vary a decision before the end of the period of 60 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 236(6). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 236(9).
4. If a person requests reconsideration of a reviewable decision under s 236(2), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 236(10). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

[Liquid Fuel Emergency Act 1984](#)

Section 44(6) (86 of 2007)

<p>Section 44(4)</p>	<p>The following decisions that have been affirmed or varied on reconsideration by the Minister for Industry, Innovation and Science:</p> <ul style="list-style-type: none"> - to make or revoke an instrument under s 10(1) identifying a person or an organisation as a bulk customer of a particular relevant fuel industry corporation, or of a particular relevant person, in relation to a particular refined liquid petroleum product; - to make or revoke an instrument under s 11(1) identifying a person or organisation as an essential user of a particular refined liquid petroleum product in a particular State or Territory; - to direct under s 12(1) a relevant fuel industry corporation to maintain specified quantities of reserve supplies of a specified kind of liquid fuel or to accumulate specified quantities of reserve supplies of a specified kind of liquid fuel and to maintain such quantities of reserve supplies of liquid fuel of that kind at specified places in Australia; - to vary under s 12(8) a direction made under s 12(1); - to direct a corporation under s 13(6) to make amendments to their procedures and give the Minister particulars of the procedures amended; - to allow, or refuse to allow, under s 44(2) a further period within which to request reconsideration of a reviewable decision.
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[Notes:

1. The list of decisions that are subject to reconsideration under this Act is set out in s 44(1). The following Acts introduced or have amended the list of reviewable decisions: 5 of 1984 and 86 of 2007.]

M

[Macquarie Island Toothfish Fishery Management Plan 2006](#)

Section 165(7) of *Fisheries Management Act 1991*

<p>Section 165(5) of Fisheries Management Act 1991</p>	<p>The following decisions of the Australian Fisheries Management Authority that have been reconsidered under s 165(5) of the Fisheries Management Act 1991:</p> <ul style="list-style-type: none"> - to refuse under s 16(8) to register a person under s 16(4) an eligible person for the grant of a statutory fishing right; - to cancel a person's registration as an eligible person for the grant of a statutory fishing rights under s 18(3);
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[Notes:

1. This Order commenced on 29 March 2013.]

[Major Sporting Events \(Indicia and Images\) Protection Act 2014](#)

Section 31(3) (29 of 2014)

<p>Section 31(1)</p>	<p>The following decision of the Comptroller-General of Customs:</p> <ul style="list-style-type: none"> - to refuse to allow a designated owner to make a late claim CEO for the release of seized goods under s 31(1).
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[Marine Order 11 \(Living and working conditions on vessels\) 2015](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313(1) of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - a decision made under this Order, other than a decision under section 7 or 8 or 16, is taken to be a reviewable decision for section 17 of <i>Marine Order 1 (Administration) 2013</i>. - Note 1: A decision under section 7, 8, or 16 is a reviewable decision because it is mentioned in section 15 of <i>Marine Order 1 (Administration) 2013</i>.
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Section 313(1) of the <i>Navigation Act 2012</i>	The decision to refuse, impose a condition on, vary or revoke a maritime labour certificate under Div 15 and Div 16 (see also Note 2 under s 9).
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[Notes:

1. This Order repealed Marine Order 11 (Living and working conditions on vessels) 2013 and commenced on 1 May 2015: F2015L00609. This Principal was superseded by F201700062.
2. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 44, 45 and 46 of the Act relating to labour certificates]

[Marine Order 12 \(Construction – subdivision and stability, machinery and electrical installations\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to grant, or not to grant an exemption to a requirement of this Order under s 7(2). - to approve, or not approve the use of an equivalent under s 8(2). - to approve or impose conditions applied by the owner of a passenger vessel on the approval for a machinery space to be left unattended periodically under 1.3(2) of Schedule 1. - to approve or not approve to use sounding tube for measuring the liquid level in a tank under 1.6 of Schedule 1.
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[Marine Order 15 \(Construction – fire protection, fire detection and fire extinction\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to grant, or not to grant an exemption to a requirement of these Orders under s 9; - to approve, or not approve the use of an equivalent under s 10.
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[Notes:

1. This Order commenced on 1 July 2014 and repealed the previous 2009 Order.
2. A decision made in relation to an application made under ss 9 or 10 is a reviewable decisions that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.]

[Marine Order 16 \(Load Lines\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*
 Section 313 of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to give or not to give an exemption of a vessel from a requirement of this Order under s 7; - to approve or not approve the use of an equivalent on a regulated Australian vessel under s 8.
<p>Section 313(1) of the <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a safety certificate under Div 2.

[Notes:

1. This Order commenced on 1 November 2014 and repealed the previous 2004 Order.
2. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 100, 101 and 102 of the Act relating to safety certificates. Relevant, pursuant to Note under s 10(2), these decisions are not reviewable under *Marine Order 1 (Administration) Act 2013* as it is reviewable under the *Navigation Act*.]

[Marine Order 17 \(Chemical tankers and gas carriers\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*
 Section 313 of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decision that has been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to grant, or not to grant an exemption to a ship from a requirement of this Order under s 7(2) . - to approve or not approve to use an equivalent on a regulated
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	<p>Australian vessel under s 8(2);</p> <ul style="list-style-type: none"> - to approve or not approve to carry in a polar waters noxious liquid substances in bulk under s 9.
<p>Section 313(1) of the <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a safety certificate under Div 2.

[Notes:

1. This Order (F2016L01927) commenced on 1 January 2017 and repealed the *Marine Order 17 (Liquefied gas carriers and chemical tankers) 2006*.
2. *Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 100, 101 and 102 of the Act relating to safety certificates.*]

[Marine Order 18 \(Measures to enhance maritime safety\) 2013](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to grant, or not grant an exemption to a ship from a requirement of these Orders under s 10; - to approve, or not approve the use of an equivalent under s 11.
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[Notes:

1. This Order commenced on 1 January 2014 and repealed *Marine Order 18 (Measures to enhance maritime safety) 2009*.
2. Section 10 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for an exemption from a requirement of this Order. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.]

[Marine Order 19 \(Tonnage measurement\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*
 Section 313 of *Navigation Act 2012*

<p>Section 17(3) of Marine Order 1 (Administration) 2013</p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to grant, or not to grant an exemption to a vessel mentioned in regulation 1(3) of Annex I of the Tonnage Convention from a requirement of the Order under s 7 of the Order.
<p>Section 313(1) of the <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or refuse to vary, to revoke a tonnage certificate under Div 2.

[Notes:

1. This Order commenced on 1 September 2014 and repealed the 2003 Order.
2. *Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 155, 156 and 157 of the Act relating to tonnage certificates]*

[Marine Order 21 \(Safety and emergency arrangements\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of Marine Order 1 (Administration) 2013</p>	<p>The following decision that has been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to approve, or not to approve, an application for an exemption of a vessel from a requirement of this Order under s 7(2) - to approve, or not to approve the use of an equivalent an equivalent under s 8(2).
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[Notes:

1. This Order (F2016L01076) commenced on 1 July 2016 and repealed the *Marine Order 21 (Safety of Navigation and emergency procedures) 2012*].

[Marine Order 25 \(Equipment - lifesaving\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of Marine Order 1 (Administration) 2013	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not to exempt a ship from a requirement of these Orders under s 7 of the Order;- to approve, or not to approve the use of an equivalent under s 8 of the Order.
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[Notes:

1. This Order commenced on 1 December 2014.
2. Section 7(3) of the Order provides that an exemption granted or continued under repealed *Marine Order 25 (Equipment – lifesaving) 2009*, and in force immediately before this Order came into force, is taken to have been granted or continued in force under this Order.
3. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for approval for an equivalent to be fitted, used or carried in a vessel, an equivalent guideline, or for an exemption from the requirements of an Order. A decision in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.]

[Marine Order 27 \(Safety of navigation and radio equipment\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of Marine Order 1 (Administration) 2013	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to approve, or not approve, an exception from a requirement of this Order under s 7(2).- to approve, or not to approve the use of an equivalent under s 8 of the Order
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[Notes:

1. This Order (F2016L01077) commenced on 1 July 2016].

[Marine Order 28 \(Operations standards and procedures\) 2015](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to approve, or not to approve, an exemption of a vessel from a requirement of section 12 about minimum hours of rest for a seafarer under s 6 of the Order
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[Note:

1. This Order commenced on 1 January 2016 and repealed the 2012 version of the Order.]

[Marine Order 30 \(Prevention of collisions\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to approve, or not approve, an exemption of a vessel from a requirement of section 9 of this Order for the matters mentioned in paragraphs (c) or (h), or subparagraph (d)(i) of Rule 38 of the International Regulations under s 6(2) of this Order;- a decision not to give, or a decision to revoke, an approval under s 8;- a determination made under s 9(6).
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[Notes:

1. This Order commenced on 1 August 2016
2. A list of the reviewable decisions in this Order is set out at s 7.]

[Marine Order 31 \(Vessel surveys and certification\) 2015](#)

Section 313 of *Navigation Act 2012*

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 313 of <i>Navigation Act 2012</i></p>	<p>The following decisions made by an issuing body:</p> <ul style="list-style-type: none"> - to issue, or not to issue a SOLAS certificate specified in s 14 of the Order under s 100 of the <i>Navigation Act 2012</i> - to issue, or not to issue a non-SOLAS certificate specified in s 24 of the Order under s 100 of the <i>Navigation Act 2012</i>.
<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions of an issuing body that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to approve, or not approve dry-dock inspection of the bottom of a vessel to comply with IACS Rec.No.133 Guidelines for Pilot Schemes of Extended Interval between Surveys in Dry-Dock – Extended Dry-docking (EDD) Scheme as in force from time to time, instead of complying with subsections 40(1) and (2): s 40(3); - to approve or not approve in-water inspection under s 41(1)

[Notes:

1. This Order commenced on 16 February 2015.
2. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 100, 101 and 102 of the Act relating to safety certificates. Relevant, pursuant to Note under s 10(2), these decisions are not reviewable under *Marine Order 1 (Administration) Act 2013* as it is reviewable under the *Navigation Act*.
3. A decision made in relation to an application made under ss 9 or 10 is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.]

[Marine Order 32 \(Cargo handling equipment\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decision that has been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to exempt, or not exempt, a ship from a requirement of this Order under s 7(2); - to approve, or not approve, the use of an equivalent under s 8(1).
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[Notes:

1. This Order (F2016L01935) commenced on 1 January 2017].

[Marine Order 33 \(Cargo and cargo handling – grain\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decision that has been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of this Order under s 7(2);- to approve, or not to approve, the use of an equivalent under s 8(2).
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[Notes:

1. This Order (F2016L00555) commenced on 1 May 2016].

[Marine Order 34 \(Solid bulk cargoes\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decision that has been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of this Order under s 7(2);- to approve, or not to approve, the use of an equivalent under s 8(2); 2. <ul style="list-style-type: none">- to approve or not to approve for the transport of solid bulk cargo mentioned in the IMSBC Code under s 9(2); The following decision of an issuing body that has been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to approve, or not to approve, under s 10(4), a vessel as being a specially fitted or specially constructed cargo vessel
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[Notes:

1. This Order (F2016L01886) commenced on 1 January 2017].

[Marine Order 35 \(Additional safety measures for bulk carriers\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of Marine Order 1 (Administration) 2013	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of these Orders under s 8;- to approve, or not approve, the use of an equivalent under s 9.
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[Notes:

1. This order was most recently amended by F2014L01004 which commenced on 1 August 2014.
2. Section 8 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for an exemption from a requirement of this Order. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
3. Section 9 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for approval to use an equivalent. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.]

[Marine Order 41 \(Carriage of dangerous goods\) 2017](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 8 Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt or not exempt a vessel from a requirement of this Order under s 6 by way of application;- to issue or refuse to issue a document of compliance to carry dangerous goods under s 11;- to revoke a document of compliance to carry dangerous goods under s 12;
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Note:

1. This Order (F2017L01578) commences on 1 January 2018 and replaces *Marine Order 41 (Carriage of dangerous goods) 2009*.
2. Pursuant to s 6, an application made by way of process set out in *Marine Order 1 (Administration) 2013* for an exemption of a vessel from this Order is a reviewable decision under s 16 and s 15 of the *Marine Order 1 (Administration) 2013*. This

reviewable decision is subject to internal review and then review by the AAT under Marine Order 1 (Administration) 2013.

3. Section 8 of the Order provides that a decision under s 11 and 12 is a reviewable decision for s 17 of *Marine Order 1 (Administration) 2013*.

[Marine Order 42 \(Carriage, stowage and securing of cargoes and containers\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decision that has been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of this Order, the CSS Code or the TDC Code under s 7(2);- to approve, or not to approve, the use of an equivalent under s 8(2).
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[Notes:

1. This Order (F2016L01018) commenced on 1 July 2016
2. The CSS Code is the Code of Safe Practice for Cargo Stowage and Securing and the TDC Code is the Code of Safe Practice for Ships Carrying Timber Deck Cargoes, 2011: s 4].

[Marine Order 43 \(Cargo and cargo handling – livestock\) 2018](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to give written notice requiring a person to cease doing an activity or undertake precautions set out in the notice pursuant to s 17(2);- to approve or not to approve an alternative arrangement for livestock services under s 35(3);- to approve or not to approve calculations that show that the rails and stanchions of the pens, the pen floors and the floor supports can withstand appropriate design forces for sheep, according to the criteria specified by the vessel's classification society for the design of the vessel structure for the following:<ul style="list-style-type: none">o pigs and goats pen structures pursuant to s 59(7);
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	<ul style="list-style-type: none"> o cattles (s 63(8)) - to approve or not to approve arrangements concerning other species of livestock before they are loaded onto the vessel (s72(2)); - to approve or not to approve a hospital pen with certain length concerning: <ul style="list-style-type: none"> o sheep, pigs and goats (s 74(3)); o cattle (s 75(4)); - to approve or not to approve portable equipment subject to conditions (s 77(2)); - to give directions to the livestock operator requiring additional precautions or conditions for the carriage of livestock (s87(3)). - to approve or not approve an Australian Certificate for the Carriage of Livestock (ACCL) under Division 5 of the Order including its variation, revocation, provision subject to conditions, criteria for issue etc.
<p>Section 313 of <i>Navigation Act 2012</i></p>	<p>The following decisions relating reviewable by ss 100-102 concerning safety certificates:</p> <ul style="list-style-type: none"> - to approve or not approve an Australian Certificate for the Carriage of Livestock (ACCL) under Division 5 of the Order including its variation, revocation, provision subject to conditions, criteria for issue etc.

[Notes:

1. Note 1 of Section 7 of this Order provides that the *Marine Order 1 (Administration) 2013* provides for internal review of decisions that are made in accordance with the application process in that Order, such as an application for an ACCL by a foreign vessel under Division 3 of this Order. A person affected by the review of a decision under section 17 of *Marine Order 1 (Administration) 2013* may apply to the AAT for review (*section 18 of Marine Order 1 (Administration) 2013*).
2. Subsection 313(1) of the *Navigation Act* provides for review by the Administrative Appeals Tribunal of decisions under sections 100, 101 and 102 of the Act relating to safety certificates.
3. Section 7 of this Order specifies that a decision under subsections 17(2), 35(3), 59(7), 63(8), 72(2), 74(3), 75(4), 77(2) or 87(3), is taken to be a reviewable decision for section 17 of *Marine Order 1 (Administration) 2013*.
4. Section 8 of the Order provides that anything that was in force on 30 June 2018 under *Marine Order 43 (Cargo and cargo handling — livestock) 2006* has effect as if it were made under this Order.

5. Anything that was in force on 30 June 2018 under Marine Order 43 (Cargo and cargo handling — livestock) 2006 has effect as if it were made under this Order: s 7]

Marine Order 44, issue 5

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: - any decision under this order under s 6.1.
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[Notes:

1. This Order is originally made under *Navigation Act 1912* before it was amended by F2013L00871 which commenced on 1 July 2013. The latest version of the Order as found on the Federal Register of Legislation website had not incorporate the amendments by F2013L00871 but the Order had been recognised as having modified for the purposes of the operation of *Navigation Act 2012* (See Notation).
2. Section 6 of this Order specifies that a person affected by decision under this Order may apply to the General Manager, Ship Safety Division for a review of the decision in accordance with s 18 of *Marine Order 1 (Administration) 2013*.]

Marine Order 47 (Mobile offshore drilling units) 2012

Section 30.2

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of the *Navigation Act 2012 (Cth)*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: - to exempt, or not exempt, a MODU from a requirement of these Orders under s 10; - to approve, or not approve, the use of an equivalent under s 11.
Section 313(1) of the <i>Navigation Act 2012 (Cth)</i>	The following decisions made by an issuing body: - to refuse to issue a MODU certificate under s 29;
Section 30.1	A decision made by the Manager, Ship Inspection and Registration or a survey authority to cancel a MODU certificate under s 30.

[Notes:

1. This Order is originally made under *Navigation Act 1912* before it was amended by F2013L00871 which commenced on 1 July 2013. The latest version of the Order as found on the Federal Register of Legislation website had not incorporate the amendments by F2013L00871 but the Order had been recognised as having modified for the purposes of the operation of *Navigation Act 2012* (See Notation).
2. Section 313(1) of the *Navigation Act* provides for review by the Administrative Appeals Tribunal of decisions made under sections 100, 101 and 102 of the Act relating to safety certificates.
3. Section 10 of *Marine Order 1(Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.]

[Marine Order 49 \(High-speed craft\) 2015](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to give or not to give an exemption under s 7; - to approve or not to approve use of an equivalent under s 8; to provide or not provide a permit to operate a high-speed aircraft under s 22; - to issue or not to issue a permit to operate high-speed craft under s 23; - to vary, or not to vary a permit to operate high-speed craft under s 26; - to revoke, or not to revoke a permit to operate high-speed craft under s 27
<p>Section 313(1) of <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse to issue a safety certificate specified in s 11(1) of the Order under s 100 of the <i>Navigation Act</i>.

[Notes:

1. This Order commenced on 16 February 2015.

2. Section 9 of the Order set out the reviewable decisions under the Order for the purposes of s 17 of *Marine Order 1 (Administration) 2013* for decisions under ss 23, 26 and 27..
3. Section 313 of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions made under ss 100, 101 and 102 of the Act relating to safety certificates.]

[Marine Order 50, issue 6 \(Special purpose vessels\)](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of Marine Order 1 (Administration) 2013</p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to exempt, or not exempt a vessel from a requirement of these Orders under s 9; - to approve, or not approve use of an equivalent under s 10.
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[Notes:

1. The orders currently in force were most recently amended by F2013L00871 which commenced on 1 July 2013.
2. Section 9.1 of this Order provides that a person may apply, in accordance with the process set out in Marine Order 1 (Administration) 2013, for an exemption of a requirement of this Order. A decision made in relation to such an application is a reviewable decisions that is subject to internal review and then review by the AAT under Marine Order 1 (Administration) 2013.
3. Section 10.1 of this Order provides that a person may apply, in accordance with the process set out in Marine Order 1 (Administration) 2013, for approval to use an equivalent. A decision made in relation to such an application is a reviewable decisions that is subject to internal review and then review by the AAT under Marine Order 1 (Administration) 2013.
4. Section 10 of Marine Order 1 (Administration) 2013 states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.]

[Marine Order 51 \(Fishing vessels\) 1989](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of Marine Order 1 (Administration) 2013	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of these Orders under s 3;- to approve, or not approve, the use of an equivalent under s 4.
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[Notes:

1. This Order is originally titled *Marine Orders – Part 51: Fishing Vessels, Issue 1 (Order No. 1 of 1989)* before it was amended by F2013L00871 which commenced on 1 July 2013. The latest version of the Order has not incorporated the amendments by F2013L00871 but has been recognised as modified for the purposes of *Navigation Act 1912* (See Notation under 'details' for *Marine Orders – 51: Fishing Vessels, Issue 1*).
2. Section 3 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for an exemption of a requirement of this Order. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
3. Section 4 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for approval to use an equivalent. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
4. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.]

[Marine Order 52 \(Yachts and training vessels\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313(1) of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decision that has been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of these Orders under s 7;- to approve, or not approve, the use of an equivalent under s 8.- to make a determination under s 9(1) that a vessel is for commercial use for sport or pleasure
<p>Section 313(1) of <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none">- to grant, or to refuse, an application for a certificate of compliance (large yacht) under s 11;- to grant, or to refuse, an application for a certificate of survey for a yacht or training vessel under s 19.

[Notes:

1. This Order (F2016L00142) commenced on 1 March 2016.
2. Section 313 of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions made under ss 100, 101 and 102 of the Act relating to safety certificates.].

[Marine Order 53 \(Vessels in polar waters\) 2016](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313(1) of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decision of the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none">- to approve or not approve the alternative design or arrangement concerning concerning structure, machinery, electrical installations, fire safety, and life-saving appliances and arrangements in accordance with Regulation 4 of Chapter XIV of SOLAS under s 7(2).
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<p>Section 313(1) of the <i>Navigation Act 2012</i></p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a safety certificate under Div 2.
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[Notes:

1. This Order (F2016L01939) commenced on 1 January 2017.
2. Section 313 of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions made under ss 100, 101 and 102 of the Act relating to safety certificates. A 'Polar Ship Certificate' is a safety certificate pursuant to s 4(a) (Definitions)].

[Marine Order 54 \(Coastal pilotage\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to refuse to issue a pilotage provider licence under subsection 10(3); - to refuse to vary pilotage provider licence under subsection 15(6); - to refuse to renew pilotage provider licence under subsection 17(3); - to take regulatory action against a person holding a pilotage provider licence under subsection 27(3); - to reject an application to approve a pilotage provider's fatigue risk management plan under subsection 39(3); - to revoke approval of fatigue risk management plan under s 39(7); - to approve or reject the variation of the fatigue risk management plan under subsection 40(3); - to refuse to reissue pilot licence under subsection 48(3); - to refuse to renew pilot licence under subsection 54(3); - to take a proposed regulatory action against a licensed pilot under subsection 64(3); - to refuse to approve provision of pilotage training course under subsection 73(3);
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	- to refuse to renew pilotage training course approval under subsection 77(3).
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[Notes:

1. The orders currently in force were most recently amended by F2014L00606 which commenced on 1 July 2014.
2. Section 83 provides that a decision mentioned in Sch 6 is taken to be a reviewable decision for section 18 of *Marine Order 1 (Administration) 2013*.]

[Marine Order 58 \(Safe Management of vessels\) 2015](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313(1) of the *Navigation Act 2012*

Section 17(3) of Marine Order 1 (Administration) 2013	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to exempt, or not exempt, a vessel from a requirement of these Orders or the ISM Code (s 7(2)); - any decision made under this order, except a decision under section 7, relating to documents of compliance and safety management certificates under s 8.
Section 313(1) of the <i>Navigation Act 2012</i>	<p>The following decisions of the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to issue or not to issue safety management certificate or interim safety management certificate under ss 18-21; 23.

[Notes:

1. Under Note 2 of Section 8, decision on safety management certificates and interim safety management certificates made under the Navigation Act are reviewable by the Administrative Appeals Tribunal under s 313(1) of the Navigation Act.
2. Under s 313(1) of the Navigation Act, ss 100, 101 and 102 relates to safety certificates that is reviewable under the Act.
3. This Order repealed and replaced Marine Order 58 (International Safety Management Code) 2002 with effect from 13 October 2015.]

[Marine Order 60 \(Floating offshore facilities\) 2001](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313(1) of the *Navigation Act 2012*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to exempt, or not exempt, a vessel from a requirement of these Orders under s 5; - to approve or not approve the modification of a requirement to apply to a vessel under s 6; - any other decision by the Chief Marine Surveyor or the Manager under this Order;
<p>Section 313 of <i>Navigation Act 2012</i></p>	<p>A decision by the issuing body on the issue, vary, revoke a certificate of compliance for an FPSO or FSU.</p>

[Notes:

1. This Order is originally titled *Marine Orders – Part 60, issue 2* (F2006B00672) before it was amended by F2013L00871 which commenced on 1 July 2013. The latest version of the Order has not incorporated the amendments by F2013L00871 but has been recognised as modified for the purposes of *Navigation Act 1912* (See Notation).
2. Section 5.12 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for an exemption from a requirement of this Order. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
3. Section 6.1 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for approval for a modification of a requirement of the Order. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
4. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a *Marine Order* requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order. Section 6A of this Order specifies that a decision made under this Order, other than a decision under ss 5 or 6, is taken to a reviewable decision for section 18 of *Marine Order 1 (Administration) 2013*.
5. Pursuant to s 8.1, a certificate of compliance is a safety certificate pursuant to the *Navigation Act*.]

[Marine Order 64 \(Vessel traffic services\) 2013](#)

Section 18 of *Marine Order 1 (Administration) 2013*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - not to authorise vessel traffic service for a VTS (vessel traffic service) area under s 8(2); - to amend, an instrument of authority on application by the VTS authority under s 13; - to amend an instrument of authority on application or on its own initiative under s 15; - to renew, or not renew an authorisation under s 16; - to suspend or cancel an authorisation under s 17; - to provide or not provide accreditation as a VTS training organisation under s 22; - to impose conditions on VTS training organisations under s 23(2); - to amend a certificate of accreditation by the VTS training organisation that holds the certificate or on AMSA's own initiative under s 25; - to renew, or not renew, a certificate of accreditation under s 28; - to suspend or cancel an accreditation under s 29.
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[Notes:

1. This Order commenced on 1 September 2013.
2. Section 7(3) of this Order varies the internal review process as set out in Marine Order 1 (Administration) 2013 so that the person who reviews a reviewable decision is the person holding or occupying an office in the Australian Maritime Safety Authority to which the power to review the reviewable decision has been delegated.]

[Marine Order 70 \(Seafarer certification\) 2014](#)

Section 61 (F2018C00423)

Section 313 of *Navigation Act 2012 (Cth)*

<p>Section 60(2)</p>	<p>The following decisions of an issuing body:</p>
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	<ul style="list-style-type: none"> - to refuse or not refuse to revalidate a seafarer certificate under s 33(1); - to refuse or not refuse to revalidate an endorsement under s 33(1); - to refuse or not refuse to endorse a seafarer certificate under s 36(1); - to take regulatory action against a person under s 48(2); - to refuse or not refuse to approve provision of a training course under s 53(1); - to refuse or not refuse to renew a seafarer training course approval under s 53(1).
Section 313(1) of <i>Navigation Act 2012 (Cth)</i>	<p>A decision by an issuing body:</p> <ul style="list-style-type: none"> - to refuse, to issue a seafarer certificate pursuant to s 12; - to vary, or refuse to vary a seafarer certificate under s 15A.
Section 61	<p>A decision to refuse or not to refuse approval for a training course after a training course audit has been conducted under s 57.</p>

[Notes:

1. A list of reviewable decisions under Marine Orders 70 is set out in Schedule 1.
2. The internal review process for Marine Order 70 is outlined in s 60 of this Order.
3. Section 313 of the *Navigation Act* provides that decisions made under sections 31, 32 and 33 of that Act relating to seafarer certificates are reviewable decisions.]

[Marine Order 76 \(Health – medical fitness\) 2017](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to revoke a certificate of medical fitness under s 17.
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[Notes:

1. This Order commenced on 1 January 2018 and repealed *Marine Order 9 (Health – medical fitness) 2010*]

[Marine Order 91 \(Marine pollution prevention – oil\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012 (Cth)*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of these Orders under s 7;- to approve, or not approve, the use of an equivalent under s 8
Section 313(1) of <i>Navigation Act 2012 (Cth)</i>	The following decisions of an issuing body: <ul style="list-style-type: none">- to refuse, impose a condition on, vary or revoke a pollution certificate under Div 3.

[Notes:

1. This Order commenced on 13 December 2016.
2. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.
3. Subsection 313(1) of the *Navigation Act* provides for review by the Administrative Appeals Tribunal of decisions under sections 132, 133 and 134 of the Act relating to pollution certificates.]

[Marine Order 93 \(Marine pollution prevention – Noxious liquid substances\) 2014](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012 (Cth)*

Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>	The following decisions that have been internally reviewed by the Australian Maritime Safety Authority: <ul style="list-style-type: none">- to exempt, or not exempt, a vessel from a requirement of these orders under s 8;- to approve, or not approve, the use of an equivalent under s 9.
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<p>Section 313(1) of Navigation Act 2012 (Cth)</p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a pollution IPP certificate under Div 3.
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[Notes:

1. Section 9 of this Order provides that a person may apply, in accordance with the process set out in *Marine Order 1 (Administration) 2013*, for approval to use an equivalent. A decision made in relation to such an application is a reviewable decision that is subject to internal review and then review by the AAT under *Marine Order 1 (Administration) 2013*.
2. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a Marine Order requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.
3. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 132, 133 and 134 of the Act relating to pollution certificates. IPP certificate is a pollution certificate for the purpose of s 4 (Definitions).]

[Marine Order 96 \(Marine pollution prevention — sewage\) 2018](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012 (Cth)*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i></p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to approve, or not approve, a sewage treatment plant under s 7(a); - to approve, or not approve, a sewage comminuting and disinfecting system under s 7(b); - to approve, or not approve, a holding tank under s 7(c); - to approve, or not approve, a sewage systems for vessels discharging in special areas under s 8; - to approve, or not approve, a standard discharge connections under s 9; <p>to approve, or not approve a discharge in accordance with the regulations pursuant to s26BCC(8)(d) of the <i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983</i> ('Pollution Prevention Act')</p>
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<p>Section 313(1) of Navigation Act 2012 (Cth)</p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a pollution certificate under Div 3.
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[Notes:

1. This Order repealed the Marine Order 96 (Marine pollution prevention — sewage) 2013 and commenced on 1 April 2018.
2. Section 6 of this Order specifies that a decision made under ss 7, 8, 9 or 21 of this Order is taken to be a reviewable decision for s 18 of *Marine Order 1 (Administration) 2013*.
3. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 132, 133 and 134 of the Act relating to pollution certificates.]

[Marine Order 97 \(Marine pollution prevention – air pollution\) 2013](#)

Section 18 of *Marine Order 1 (Administration) 2013*

Section 313 of *Navigation Act 2012 (Cth)*

<p>Section 17(3) of <i>Marine Order 1 (Administration) 2013</i>; s9 and s9A of the <i>Marine Order 97</i>.</p>	<p>The following decisions that have been internally reviewed by the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to approve, or not approve, the use of an equivalent under s 9. - to issue, or refuse to issue a statement of compliance under s20F by an issuing body pursuant to s20E (on an application by the owner of vessel).
<p>Section 313(1) of Navigation Act 2012 (Cth)</p>	<p>The following decisions of an issuing body:</p> <ul style="list-style-type: none"> - to refuse, impose a condition on, vary or revoke a pollution certificate under Div 2.

[Notes:

1. Section 10 of *Marine Order 1 (Administration) 2013* states that Division 3 of that Order, which relates to reconsideration and review of decisions, applies where a *Marine Order*

requires an application to be made for an approval for an equivalent guideline, or for an exemption from the requirements of an Order.

2. Subsection 313(1) of the Navigation Act provides for review by the Administrative Appeals Tribunal of decisions under sections 132, 133 and 134 of the Act relating to pollution certificates.
3. Section 9A provided that a decision under s 20E is a reviewable decision under s 17 of *Marine Order 1 (Admin) 2013*. Section 20E was inserted on 1 March 2018 pursuant to the *Marine Order 97 (Marine pollution prevention – air pollution) Amendment Order 2018 (F2018L00159)*.]

[Marine Order 501 \(Administration – national law\) 2013](#)

Section 17 (F2016L01317)

Section 16(3) of <i>Marine Order 501 (Administration – national law) 2013</i>	The following decisions that have been internally reviewed by the National Regulator under s 16(3): - to make or affirm a decision under s 13
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[Notes:

1. This Order was amended by *Marine Order 508 (national law amendment) 2016* with effect on 1 September 2016.]

[Marine Order 502 \(Vessel identifiers – national law\) 2017](#)

Section 17 of *Marine Order 501 (Administration – national law) 2013*

Section 16(3) of <i>Marine Order 501 (Administration – national law) 2013</i>	The following decisions that have been internally reviewed by the National Regulator under s 16(3): - to grant, or not grant, a unique identifier under s 2.
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[Note:

1. This Order commenced on 1 July 2017 and repealed the previous 2013 version.]

[Marine Order 503 \(Certificate of survey – national law\) 2018](#)

Section 17 of *Marine Order 501 (Administration – national law) 2013*

Item 141 of Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)*

<p>Section 16 (3) of <i>Marine Order 501 (Administration – national law) 2013</i></p>	<p>The following decisions of the National Regulator:</p> <ul style="list-style-type: none"> - to refuse to renew a certificate of survey under s 10; - to vary a certificate of survey under s 14; - to suspend a certificate of survey under s 15; - to revoke a certificate of survey under s 16; - to refuse to approve an equivalent means of compliance under s 17; - to revoke an equivalent means of compliance under s 19;
<p>Section 140(5) in Part 8 of Schedule 1 to the <i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)</i></p>	<p>The following decisions of the National Regulator that had been internally reviewed by a person to whom the National Regulator’s power is delegated:</p> <ul style="list-style-type: none"> - to refuse to renew a certificate of survey under s 10; - to vary a certificate of survey under s 14; - to suspend a certificate of survey under s 15; - to revoke a certificate of survey under s 16; <p>3. -</p>

[Note:

1. This Order commenced on 1 July 2018 and repealed *Marine Order 503 (Certificate of survey – national law) 2017*.]

[Marine Order 504 \(Certificates of operation – national law\) 2018 \(COMMENCED 1 JULY 2018\)](#)

Section 17 of *Marine Order 501 (Administration – national law) 2013*

<p>Item 140(5) in Part 8 of Schedule 1 to the <i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)</i></p>	<p>The following decisions that have been internally reviewed by the National Regulator:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate of operation under s 10; - to vary, or not vary, a certificate of operation under s 14; - to suspend a certificate of operation under s 15; - to revoke a certificate of operation under s 17.
<p>Section 16(3) of <i>Marine</i></p>	<p>A decision in relation to an application for a certificate of</p>

<p><i>Order 501 (Administration – national law) 2013</i></p>	<p>operation that has been internally reviewed of the National Regulator:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate of operation under s 6; - to revoke an approval of an equivalent means of compliance under s 8
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[Note:

1. This Order commenced on 1 July 2018 and repealed 504 (Certificates of operation – national law) 2013.]

[Marine Order 505 \(Certificates of competency – national law\) 2013](#)

Section 17 of *Marine Order 501 (Administration – national law) 2013*

Item 141 in Part 8 of Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)*

<p>Item 140(5) in Part 8 of Schedule 1 to <i>the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)</i></p>	<p>The following decisions that have been internally reviewed by the National Regulator:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate of competency under s 10; - to endorse, or refuse to endorse, a certificate of competency under s 14; - to vary, or refuse to vary, a certificate of competency under s 17; - to refuse to suspend a certificate of competency under s 18.
<p>Section 16(3) of <i>Marine Order 501 (Administration – national law) 2013</i></p>	<p>The following decisions that have been internally reviewed by the National Regulator:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate of competency under s 10; - to endorse, or refuse to endorse, a certificate of competency under s 14; - to vary, or refuse to vary, a certificate of competency under s 17; - to refuse to suspend a certificate of competency under s 18.

[Notes:

1. Under s 4(1) of the Marine Order 505 (Certificates of competency – national law) 2013 it prescribes that Division 3 of Part 4 of the national law provides for regulations dealing with the certificates of competency.
2. Section 7 of this Order provides that an application under this Order must be made in accordance with Marine Order 501 (Administration – national law) 2013. A decision in relation to such an application is reviewable decision that is subject to internal review and then review by the AAT under Marine Order 501 (Administration – national law) 2013.]

Marine Order 507 (Load line certificates – national law) 2018

Section 17 of *Marine Order 501 (Administration – national law) 2013*

Section 16(3) of <i>Marine Order 501 (Administration – national law) 2013</i>	The following decisions that have been internally reviewed by the National Regulator : <ul style="list-style-type: none">- to issue or not to issue a load line certificate pursuant to s 5;- to refuse to renew a load line certificate under s 6
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Notes:

1. This Marine Order repealed and replaced *Marine Order 507 (Load line certificates – national law) 2013*. Section 5 of this Order provides that an application under this Order must be made in accordance with the review process mentioned in Marine Order 501. A decision in relation to such an application is reviewable decision that is subject to internal review and then review by the AAT under Marine Order 501 (Administration – national law) 2013.]

Marine Safety (Domestic Commercial Vessel) National Law Act 2012

Section 141 of Schedule 1; Section 16 (118 of 2014)

Section 140(5) of Schedule 1	The following decisions of the Australian Maritime Safety Authority that have been reconsidered by the Authority: <ul style="list-style-type: none">- to refuse to issue a certificate under ss 38(1), 48(1) or 60(1);- to refuse to issue a unique identifier under s 31(1);- to impose a condition on a certificate under ss 38(3)(b), 48(4)(b) or 60(3)(B);- to refuse to vary a certificate under ss 40(1), 50(1) or 62(1);- to vary a certificate under ss 40(2), 50(2) or 62(2);
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	<ul style="list-style-type: none"> - to refuse to suspend a certificate under ss 41(1), 51(1) or 63(1); - to suspend a certificate under ss 41(2), 41(2A), 51(2), 51(2A), 63(2) or 63(2A); - to refuse to revoke a certificate under ss 42(1), 52(1) or 64(1); - to revoke a certificate under ss 42(2), 52(2), 52(3), 64(2) or 64(3); - to refuse to recognise a certificate under s 73(1); - to specify a condition under s 73(3); - to give a direction under s 109(1); - to refuse to grant an exemption, or to impose a condition on an exemption, under s 143, other than an exemption granted on the initiative of the Australian Maritime Safety Authority.
<p>Section 16(2)</p>	<p>A decision made by the National Regulator in the performance of a function or the exercise of a power conferred by a corresponding State-Territory law:</p> <ul style="list-style-type: none"> - the law under which the decision was made provides for review by the Administrative Appeals Tribunal, and - the decision is declared by the regulations to be a reviewable State-Territory decision for the purposes of this section

[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 139 of Schedule 1.]

[Marine Safety \(Domestic Commercial Vessel\) National Law Regulation 2013](#)

Section 49 (SLI 167 of 2014)

<p>Sections 24(4) 28(4) 42(1) 42(7) 43(1) 44(1)</p>	<p>The following decisions of the National Regulator that have been internally reviewed:</p> <ul style="list-style-type: none"> - to refuse to accredit a person to perform the role of marine surveyor in one or more categories or surveying under s 24(4); - to refuse to renew an accreditation under s 28(4);
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	<ul style="list-style-type: none"> - to vary an accreditation under s 42(1); - to refuse to vary an accreditation under s 42(7); - to suspend an accreditation under s 43(1); - to revoke an accreditation under s 44(1).
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[Notes:

1. This Regulation commenced on 2 January 2015.
2. The person internally reviewing the decision has to be one who was not involved in making the decision and occupies a senior position than the original person involved in making the decision.
3. The list of 'reviewable decisions' that may be reconsidered under the Regulations is set out in s 47.]

[Maritime Transport and Offshore Facilities Security Act 2003](#)

Section 201 (81 of 2010)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to declare that a particular port, or a part of a particular port, is a security regulated port under s 13(1); - to designate a person as a port operator under s 14; - to declare that one of the following is a security regulated offshore facility under s 17B(1) – an offshore facility, a part of an offshore facility, a group of offshore facilities, parts of a group of offshore facilities; - to designate a person as an offshore facility operator under s 17C; - to refuse to approve a maritime security plan under s 51(2) or (4) ; - to refuse to approve a variation of a maritime security plan under s 52A(5) or (7); - to refuse to approve a ship security plan under s 70(2) or (4); - to refuse to approve a variation of a ship security plan under s 71A(4) or (6), to refuse to approve an offshore security plan under s 100K(2) or (4); - to refuse to approve a variation of an offshore security plan under s 100LA(5) or (7);
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	<ul style="list-style-type: none"> - to direct a maritime industry participant or ship operator to vary a plan under ss 53, 72 or 100M; - to direct a maritime industry participant or ship operator to revise a plan under s 55, 74 or 100O; - to cancel the approval of a maritime security plan, a ship security plan or an offshore security plan under s 57, 58, 76, 77, 100Q or 100R; - to refuse to grant an exemption under section 61A or 79A; - to refuse an interim ISSC under s 86 or 100ZC; - to establish a port security zone under s 102; - to declare that a ship security zone is to operate around a security regulated ship under s 106; - to establish an on-board security zone under s 110; - to establish an offshore security zone under s 113A.
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[Notes:

1. The Secretary is deemed to have refused to approve a maritime security plan, a ship security plan or an offshore security plan if the Secretary does not approve, or refuse to approve, a plan within the consideration period as defined: see subs 51(4) and (7), 70(4) and (7) and 100K(4) and (7).
2. The Secretary is deemed to have refused to approve a variation of a maritime security plan, a ship security plan or an offshore security plan if the Secretary does not approve, or refuse to approve a plan or variation within the consideration period as defined: see subs 52A(7) and (10), 71A(6) and (9) and 100LA (7) and (10).
3. The consideration period is defined as a period of 60 days commencing on the day a plan or request for variation is received extended by the time taken by an applicant to respond to any request for further information.
4. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 201.]

[Maritime Transport and Offshore Facilities Security Regulations 2003](#)

Regulations 6.08Z and 12.01 (SLI 11 of 2009)

<p>Regulation 6.08X(1)</p>	<p>The following decisions of the Secretary that have been reconsidered by the Secretary under reg 6.08X:</p> <ul style="list-style-type: none"> - to refuse to exempt somebody from displaying a valid MSIC or a temporary MSIC in a maritime security zone,
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	<p>or part of such an area, under reg 6.07M(2);</p> <ul style="list-style-type: none"> - to impose a condition on an exemption from displaying a valid MSIC or a temporary MSIC in a maritime security zone, or part of such an area, under reg 6.07M(5); - to refuse to authorise a person as an issuing body under reg 6.07P(2); - to impose a condition on an issuing body under reg 6.07P(5); - to refuse to exempt an issuing body from giving effect to its MSIC plan in a particular case or respect under reg 6.07R(6); - to impose a condition on an exemption under reg 6.07R(10); - to direct an issuing body to vary its MSIC plan under reg 6.07S(1); - to refuse to approve a variation of an issuing body's MSIC plan under reg 6.07T(3); - to revoke an issuing body's authorisation under reg 6.07W(4); 6.07X(1); - to refuse to revoke an issuing body's authorisation under reg 6.07Y(2).
<p>Regulation 6.08X(3)(a)</p>	<p>The following decisions of the Secretary that have been reconsidered by the Secretary under reg 6.08X:</p> <ul style="list-style-type: none"> - to refuse to approve the issue of an MSIC under reg 6.08F(3); - to impose a condition on an MSIC under reg 6.08F(6); - that on the basis of a qualified security assessment a person has an adverse maritime security status under reg 6.08H(1); - to give an issuing body for an MSIC a direction under reg 6.08H(1)(b); - to direct an issuing body to suspend an MSIC under reg 6.08LE(1); - to refuse to set aside the cancellation of an MSIC under reg 6.08MB or 6.08MC; - to set aside the cancellation of an MSIC under reg 6.08MD.

Regulation 6.08X(4)	<p>The following decisions of the Secretary that have been reconsidered by the Secretary under reg 6.08X:</p> <ul style="list-style-type: none"> - to refuse to exempt somebody from displaying a valid MSIC or a temporary MSIC in a maritime security zone, or part of such an area, under reg 6.07M(2); - to impose a condition on an exemption from displaying a valid MSIC or a temporary MSIC in a maritime security zone, or part of such an area, under reg 6.07M(5);
Regulation 6.08X(5)	<p>The following decisions of the Secretary that have been reconsidered by the Secretary under reg 6.08X:</p> <ul style="list-style-type: none"> - to authorise, or refuse to authorise, a person to perform the functions, or exercise the powers, of an issuing body under reg 6.07Z(2); - to authorise a person to perform the functions or exercise the powers of an issuing body subject to a condition under reg 6.07Z(5);
Regulation 6.08X(6)	<p>The following decisions of the Secretary of the Attorney-General's Department that have been reconsidered by the Secretary under reg 6.08X:</p> <ul style="list-style-type: none"> - to issue a disqualifying notice under reg 6.08D.
Regulation 6.08X(3)(b)	<p>The following decisions of an issuing body that have been that have been reviewed by an issuing body:</p> <ul style="list-style-type: none"> - to refuse to issue an MSIC to a person under reg 6.08C(1) or to ASIC holders under 6.08E; - to issue an MSIC subject to a condition under reg 6.08C(6); - to suspend an MSIC under ref 6.08LF; - to cancel an MSIC under reg 6.08M(1).
Regulation 6.85(3)	<p>The following decision of the Secretary:</p> <ul style="list-style-type: none"> - to refuse to declare that a ship security zone is to operate around a security regulated ship under reg 6.85 (3).

[Notes:

1. The decisions in relation to which a person may request reconsideration are set out in regs 6.08X(1), (3), (4), (5) and (6). The following instruments introduced or have amended these provisions: SLI 201 of 2005, SLI 372 of 2006, SLI178 of 2010; F2016L01656; F2016L01660.
2. If a person applies to the Secretary for reconsideration of a decision and the Secretary does not notify the person of his or her decision within 30 days after the application is made, the Secretary is taken to have refused to vary the original decision: reg 6.08Y.
3. Regulation 6.08X(2) which provided that a person could apply for reconsideration of a decision of the Secretary that, on the basis of a qualified security assessment, a person has an adverse maritime security status was repealed on 1 December 2010: Maritime Transport and Offshore Facilities Security Amendment Regulations 2010 (No 1) 2010. Review rights relating to an adverse or qualified security assessment are set out in the *Australian Security Intelligence Organisation Act 1979*.
4. Disqualifying offences under Part 1, Schedule 1 for the purpose of reg 6.08X(6) include terrorism; treason, sedition, espionage or selling national secret; weapon of mass destruction; hijacking or destruction of an aircraft, vessel or offshore facility.]

Marriage Act 1961

Section 34(1); Section 39J(1) (129 of 2017)

<p>Sections 31 33</p>	<p>The following decisions of a Registrar, including a Deputy Registrar:</p> <ul style="list-style-type: none"> - to refuse to register a person as Minister of Religion under s 31; - to remove the name of a person from a register under s 33.
<p>Section 39J</p>	<p>The following decisions of the Registrar of Marriage Celebrants:</p> <ul style="list-style-type: none"> - not to register a person as a marriage celebrant (unless a ground for the decision was that the Registrar would breach s 39E by registering the person); - to suspend a person's registration as a marriage celebrant; - not to identify a person as a religious marriage celebrant on the register of marriage celebrants under s 39DE; - to deregister a marriage celebrant (including deregistration as a result of non-payment of celebrant registration charge) under s 39J.

[Notes:

1. Under s 34(5), where a person has made application under subsection 30(1) for registration under this Subdivision and, at the expiration of a period of 3 months from the day on which the application was made, the person has not been registered and has not been notified by the Registrar that that person’s application has been refused, the Registrar shall be deemed to have decided, on the last day of that period, not to register that person.
2. Under s 37J(2A) if a person has given notice and at the end of 3 months has not been identified as a religious marriage celebrant or notified by the Registrar that they are not identified as a marriage celebrant, the Registrar is taken to have decided on the last day of the 3 months period not to identify that person as a religious marriage celebrant.

Medibank Private Sale Act 2006

Items 31(4) and 39(4) of Schedule 2 (160 of 2006)

<p>Items 31(1) 39(2) 39(3)</p>	<p>The following decisions of the Minister for Finance:</p> <ul style="list-style-type: none"> - to give a stakeholder a written direction to cease holding a stake in a Medibank Private company within a specified time under item 31(1) of Schedule 4; - to allow, or refuse to allow, a longer period within which a person’s interest in a share must be disregarded for the purposes of Part 4 of Schedule 2 to the Act.
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Medical Indemnity Act 2002

Sections 27(4), 34E(4), 34K(6), 34L(5), 34W(4), 34ZM(4), 37A(6), 62(6), 65(5), 66B(4) (77 of 2004)

<p>Sections 27(3) 34E(1) 34K(1) 34L(1) 34W(3) 34ZM(3) 37A(5) 62(3) 65(4) 66(3)</p>	<p>The following decisions of the Chief Executive Medicare:</p> <ul style="list-style-type: none"> - not to remit, or to remit only part of, an amount of late payment penalty for a medical defence organisation or insurer under s 27(3); - to refuse to issue a qualifying claim certificate under s 34E(1); - to revoke or vary a qualifying claim certificate under s 34K(1); - to refuse an application for exceptional claims indemnity, or to pay a particular amount of exceptional claims
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	<p>indemnity under s 34L(1);</p> <ul style="list-style-type: none"> - not to remit or to remit only part of an amount of late payment penalty under s 34(W)(3); - not to remit, or to remit only part of, an amount of late penalty under s 34ZM(3); - not to accept a late application for an exceptional claims indemnity under s 37A(5); - not to approve an application for deferral of the payment day for medical indemnity payment under s 62(3); - not to remit, or to remit only part of, an amount of late payment penalty for a person under s 65(4); - not to remit, or to remit only part of an amount of late payment penalty under s 66B(3).
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[Medical Indemnity \(Prudential Supervision and Product Standards\) Act 2003](#)

Section 14 (37 of 2003)

<p>Sections 13(3) 13(5)</p>	<p>The following decisions of the Australian Prudential Regulation Authority:</p> <ul style="list-style-type: none"> - not to make a determination under s 13(3); - under subs 13(5) to revoke a determination made under s 13(3).
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[Midwife Professional Indemnity \(Commonwealth Contribution\) Scheme Act 2010](#)

Sections 11(7), 15(6), 18(4), 28(4), 40(4), 57, 60(5) and 76(4) (30 of 2010)

<p>Sections 11(1) 11(2) 15(1) 15(3) 18(1) 28(3) 40(3) 51 56 60(4) 76(3)</p>	<p>The following decisions of the Chief Executive Medicare:</p> <ul style="list-style-type: none"> - to refuse to issue a qualifying claim certificate under s 11(1) or (2); - to revoke a qualifying claim certificate under s 15(1); - to vary a qualifying claim certificate under s 15(3); - to refuse an application for a Level 2 Commonwealth contribution or to pay a particular amount of Level 2 Commonwealth contribution under s 18(1);
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	<ul style="list-style-type: none"> - to not remit, or to remit only part of, an amount of late payment penalty under s 28(3); - to not remit, or to remit only part of, an amount of late payment penalty under s 40(3); - to not issue an apportionment certificate under s 51; - to specify a particular apportionment in an apportionment certificate under s 51; - to revoke or vary an apportionment certificate under s 56; - to not accept a late application for a Level 2 Commonwealth contribution under s 60(4); - to not remit, or to remit only part of, an amount of late payment penalty under s 76(3).
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Migration Act 1958

Sections 136, 306, 306AJ, 311F, 311M, 348, 414 and 500 (No 10, 2017)

General and Other Divisions	
<p>Sections 65 109 116 134(1) 134(3A) 134(4) 200 311H(1)</p>	<p>The following decisions of the Minister for Home Affairs:</p> <ul style="list-style-type: none"> - to refuse to grant a protection visa or to cancel a protection visa relying on Articles 1F, 32 or 33 of the Refugees Convention or ss 5H(2), 36(1C) or 36(2C) of this Act; - to cancel a business visa under s 134(1); - to cancel an investment-linked visa under s 134(3A); - to cancel the business visa held by a person who is or was a member of the family unit of the holder of a cancelled business visa under s 134(4); - to refer a registered migration agent to the Migration Agents Registration Authority under s 306AC(1) where the agent has a high visa refusal rate in relation to a visa of a particular class; - to refer a registered migration agent to the Migration Agents Registration Authority under s 306AGAA(8) for disciplinary action under s 306AGAC; - to refer a former registered migration agent to the Migration Agent Registration Authority for disciplinary

	<p>action under s 311H(1).</p> <ul style="list-style-type: none"> - Review of a decision of the Minister under s 200 because of circumstances specified in s 201 (except decisions to which a certificate under s 502 applies)
<p>Division 3 of Part 3</p> <p>Sections 306AG(1) 306AGAC(1) 311A(1) 311L(1)</p>	<p>The following decisions of the Migration Agents Registration Authority:</p> <ul style="list-style-type: none"> - any decision made under Div 3 of Pt 3; - to caution a migration agent or to suspend or cancel a migration agent's registration under s 306AG(1) or 306AGAC(1); - to bar a former registered migration agent from being a registered migration agent for a period of up to 5 years under s 311A(1) or s 311L(1).
<p>Sections 501(1) 501(2) 501CA(4)</p>	<p>The following decisions of a delegate of the Minister for Home Affairs:</p> <ul style="list-style-type: none"> - to refuse to grant a visa under s 501(1), or to cancel a visa under s 501(2), on the basis that the non-citizen does not satisfy the delegate of the Minister that the person passes the character test. - a decision made under s 501CA(4) not to revoke a decision made under s 501(3A) (mandatory visa cancellation) to cancel a visa that has been granted to a person.
Migration and Refugee Division	
<p>Part 5 reviewable decisions: Section 338</p>	<p>The following decisions of the Minister for Home Affairs:</p> <ul style="list-style-type: none"> - to refuse to grant a non-citizen a visa covered by s 338(2), 338(5), 338(6), 338(7); - to refuse to grant a non-citizen a permanent visa covered by s 338(7A); - to cancel a visa held by a non-citizen who is in the migration zone at the time of the cancellation unless the decision meets any of the descriptions in s 338(3); - not to revoke the cancellation of a non-citizen's visa under s 137L if the non-citizen was in the migration zone when the decision was made; - to refuse to grant a bridging visa to a non-citizen who is in immigration detention because of that refusal under s

	<p>338(4);</p> <ul style="list-style-type: none"> - of a delegate of the Minister to cancel a bridging visa held by a non-citizen who is in immigration detention because of that cancellation under s 338(4); - as to the assessed score of an applicant for a visa under s 93 subject to the conditions in s 338(8).
<p>Part 7 reviewable decisions: Section 411</p>	<p>The following decisions:</p> <ul style="list-style-type: none"> - a decision, made before 1 September 1994, that a non-citizen is not a refugee under the Refugees Convention as amended by the Refugees Protocol (other than such a decision made after a review by the Minister of an earlier decision that the person was not such a refugee); - a decision, made before 1 September 1994, to refuse to grant , or to cancel, a visa, or entry permit, a criterion for which is that the applicant for it is a non-citizen who has been determined to be a refugee under the Refugee Convention as amended by the Refugees Protocol (other than such a decision made under the Migration (Review) (1993) Regulations or repealed under Part 2A of the Migration (Review) Regulations; - to refuse to grant a protection visa, other than a decision that was made relying on s 5H(2) or 36(1B) or 36(1C) or 36(2C) or s 501(1); - to cancel a protection visa, other than a decision that was made because of the operation of s 5H(2) or 36(1B) or s 36(1C) or s 36(2C) or s 501(2).

[Notes:

1. The AAT may not review a decision of the Minister under s 200 of the Act if the Minister has issued a conclusive certificate in relation to the person under s 502.
2. An application for review of a decision of the Minister to refer an agent to the Migration Agents Registration Authority for disciplinary action under s 306AC(1) or 306AGAA(8) may only be made if the Authority decides to caution the agent or to suspend or cancel an agent’s registration under s 306AG(1) or 306AGAC(1): s 306AJ(2). The standard time limits under s 29(1)(d) of the AAT Act do not apply to an application for review of a referral decision: s 306AJ(3).
3. Any stay orders made by the AAT may be affected by the operation of ss 306AA, 306AK, 311C(1) and 311P(1) of the Act.
4. Where a delegate of the Minister makes a decision under s 501 that relates to a person in Australia, the person must apply for review within 9 days of being notified of the decision. An application for review must be accompanied by a copy of the decision and one copy of the documents provided to the person under s 501G of the Act.

5. Note at end of s 500(1): Decisions to refuse to grant a protection visa to fast track applicants are generally not reviewable by the Administrative Appeals Tribunal.
6. A decision is not a Part 5 reviewable decision if: (a) the Minister has issued a conclusive certificate under s 339 in relation to the decision; or (b) the decision is a Part 7 reviewable decision; or (c) the decision is to refuse to grant, or to cancel, a temporary safe haven visa; or (d) the decision is a fast track decision: Section 338(1).
7. A decision is not a Part 7 reviewable decision if: (a) any decision to cancel a protection visa was made personally by the Minister; (b) decisions made in relation to a non-citizen who is not physically present in the migration zone when the decision is made; (c) decisions in relation to which the Minister has issued a conclusive certificate under s 411(3); or (d) fast track decisions: Section 411(2).

Military Rehabilitation and Compensation Act 2004

Section 354(1) and (2) (51 of 2004)

<p>Sections 50(1) 50(3) 52(1) 52(3)</p>	<p>The following decisions of the Military Rehabilitation and Compensation Commission or the service chief of the Air Force Reserve, the Army Reserve, the Naval Reserve, the Permanent Navy, the Permanent Air Force or the Regular Army:</p> <ul style="list-style-type: none"> - to determine under s 50(1) that, where a person is required to undergo an examination under s 45 and the person refuses or fails to undergo the examination or in any way obstructs the examination, the person’s right to compensation is suspended until the examination takes place; - to fail to make a determination under s 50(3) that a suspension under s 50(1) is terminated where a person gives to the rehabilitation authority within 14 days after the date fixed for an examination evidence of a reasonable excuse for the refusal or failure to undergo the examination or for obstructing the examination; - to determine under s 52(1) that, where a person is required to undertake a rehabilitation program under s 51 and the person refuses or fails to undertake the program, the person’s right to compensation is suspended until the person undertakes the rehabilitation program; - to fail to make a determination under s 52(3) that a suspension under s 50(1) is terminated where a person gives to the rehabilitation authority within 14 days after the date fixed for the starting a rehabilitation program evidence of a reasonable excuse for the refusal or failure to undertake the program.

<p>Sections 329(1) 329(3) 397(1) 397(3)</p>	<p>The following decisions of the Military Rehabilitation and Compensation Commission:</p> <ul style="list-style-type: none"> - to determine under s 329(1) that, where a person is required to undergo an examination under s 328(2) and the person refuses or fails to undergo the examination or in any way obstructs the examination, the person’s right to compensation is suspended until the examination takes place; - to fail to make a determination under s 329(3) that a suspension under s 329(1) is terminated where a person gives to the Commission within 14 days after the date fixed for an examination evidence of a reasonable excuse for the refusal or failure to undergo the examination or for obstructing the examination; - to determine under s 397(1) that, where a plaintiff fails to comply with any reasonable requirement of the Commission, the person’s right to compensation is suspended until the person does so; - to fail to make a determination under s 397(3) that a suspension under s 397(1) is terminated where a person gives to the Commission within 14 days after the date fixed for complying with the requirement, the person gives to the Commission evidence of a reasonable excuse for the failure.
<p>Section 348(1)</p>	<p>The following decisions of the Military Rehabilitation and Compensation Commission or the service chief of the Air Force Reserve, the Army Reserve, the Naval Reserve, the Permanent Navy, the Permanent Air Force or the Regular Army:</p> <ul style="list-style-type: none"> - to vary, with the consent of the claimant, an original determination made by the Commission or that service chief that has been affirmed by the Veterans’ Review Board or a determination made by the Veterans’ Review Board in substitution for an original determination made by the Commission or that service chief where the claimant has made an application to the AAT for review of the determination made by the Board which has not been determined.
<p>Section 350(2)</p>	<p>The following decisions that have been revoked, confirmed or varied by the Military Rehabilitation and Compensation Commission on reconsideration:</p> <ul style="list-style-type: none"> - any original determination of the Commission under the Act other than those determinations specified below; - any determination of a service chief of the Air Force

	<p>Reserve, the Army Reserve, the Naval Reserve, the Permanent Navy, the Permanent Air Force or the Regular Army under the Act that relates to rehabilitation for a person if the service chief is the rehabilitation authority of the person.</p>
<p>Part 4</p>	<p>The following decisions that have been affirmed, varied or set aside by the Veterans' Review Board:</p> <ul style="list-style-type: none"> - any original determination of the Commission under the Act other than those determinations specified below; - any determination of a service chief of the Air Force Reserve, the Army Reserve, the Naval Reserve, the Permanent Navy, the Permanent Air Force or the Regular Army under the Act that relate to rehabilitation for a person if the service chief is the rehabilitation authority of the person.

[Notes:

1. This Act generally applies where an injury, disease or death relates to defence service rendered on or after 1 July 2004, and prior service where it continues after that date, and to treatment provided on or after, that date, and prior treatment where it continues on or after that date.
2. Where an 'original determination' has been made by the Commission or a service chief under the Act, the claimant may apply to the Veterans' Review Board for review of the determination: s 352. 'Original determination' is defined in s 345(1) to mean any determination of the Commission under the Act other than those specified in s 345(2) or any determination of a service chief that relates to rehabilitation for a person if the service chief is the rehabilitation authority of the person.
3. A service chief may request that the Commission reconsider an original determination that relates to liability for a service injury, disease or death of a person who is or was a member of the Defence Force: s 349(4).
4. Application may be made to the Tribunal by the relevant service chief or the Commission.
5. Where a decision has been reviewed by the Veterans' Review Board or a determination has been varied under s 348(1), an application must be made within 3 months of notification of the decision or determination: s 355. An extension of time to apply for review cannot be granted beyond 12 months after notification. In relation to other reviewable decisions, application must be made within 60 days after notification of the determination: s 355. There is no limit on extending the time for applying for review.
6. The Commission is a party to a proceeding for review of a VRB decision: s 355.]

[Military Rehabilitation and Compensation Act Education and Training Scheme 2004](#)

Paragraph 8.2.8 (F2017C00505)

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Paragraph 8.2.5	The following decision of the Military Rehabilitation and Compensation Commission that has been affirmed or set aside on reconsideration: to decline an application for benefit under the Scheme.
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Modern Slavery Act 2018

Section 16A(6) (C2018A00153)

Section 16A(4)	A decision of the Minister of Home Affairs to publish information about an entity's failure to comply with a request under s 16A(1) to provide explanation or remedial action to modern slavery statements.
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Motor Vehicle Compensation Scheme 2015

Paragraph 5.1.7 (F2015L01245)

Paragraphs 5.1.1 5.1.5	Any decision on reconsideration of the Military Rehabilitation and Compensation Commission in respect of an application for compensation under the Scheme.
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[Notes:

1. This scheme commenced on 12 August 2015: F2015L01245
2. The Motor Vehicle Compensation Scheme 2004 was repealed by this Scheme with effect from 12 August 2015.]

Motor Vehicle Standards Act 1989

Section 39(1) (155 of 2001)

Sections 10 10A 11 13D 13F 14A 15(2) 16 16A 19 21B 21C	The following decisions of the Minister: <ul style="list-style-type: none"> - to determine procedures and arrangements for the placement of plates on road vehicles or vehicle components under s 10; - to give, or refuse to give, written approval for identification plates to be placed on vehicles or components of a particular type under s 10A; - to cancel, suspend or vary a person's approval to place identification plates on road vehicles under s 11;
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<p>21D 21E</p>	<ul style="list-style-type: none"> - to refuse an application for approval, or, specify a condition for an approval under s 13D; - to vary, cancel, or suspend an approval under s 13F; - to approve, to approve with conditions or refuse to approve, the supply of a nonstandard vehicle that does not have an identification plate to the market under s 14A; - to approve, to approve subject to conditions, or to refuse to approve, the use of a nonstandard vehicle under subs 15(2); - to refuse an application for an approval, or, to specify a condition in an approval, under s 16; - to vary, cancel or suspend an approval under s 16A; - to approve, to approve subject to conditions, or to refuse to approve, the importation of a nonstandard road vehicle, a road vehicle that does not have an identification plate or a nonstandard prescribed vehicle component under s 19; - to refuse an application for an approval under s 21B; - to refuse to renew an approval under s 21C; - to specify a condition in an approval under s 21D; - to vary, cancel or suspend an approval under s 21E.
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[Notes:

1. Section 39 of this Act also provides that an application for review may be made in relation the following decisions:
 - a. a decision of the Minister under the regulations for the purposes of section 20 (approval to import certain nonstandard vehicles that does not have an identification plate): s 39(f);
 - b. a decision of the Minister under the regulations or a determination to give or refuse an identification plate or an identification plate authority: s 39(g).]

[Motor Vehicle Standards Regulations 1989](#)

Sections 39(1)(f) and 39(1)(g) of *Motor Vehicles Standards Act 1989* 29(8) of the *Regulations* (65 of 1989) (SR 350 of 2001)

<p>Regulations 11</p>	<p>The following decisions of the Minister:</p>
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AAT Jurisdiction as at 31 May 2019

12 13 14 15 16 17 18 19	<ul style="list-style-type: none">- to approve, to approve subject to conditions, or to refuse to approve, the importation of a nonstandard road vehicle or vehicle that does not have a compliance plate under regs 9, 10 11;- to approve, or refuse to approve, the importation of a road vehicle under regs 12, 13 14, 15, 16, 17 or 18;- to revoke an approval to import a vehicle under reg 19.
Regulation 29(3)(a)	<p>A decision of the Minister that has been affirmed on reconsideration:</p> <ul style="list-style-type: none">- to enter, refuse to enter or revoke the decision on entering a road vehicle on the Register under reg 23(3).

Mutual Recognition Act 1992

Section 34(1) (198 of 1992)

Sections 20(2) 20(5) 22 23	<p>The following decisions of a local registration authority:</p> <ul style="list-style-type: none">- to grant registration or grant renewals of registration to a person under s 20(2);- to impose conditions on registration under subs 20(5);- to postpone a person's registration under s 21;- to refuse grant of registration under s 23.
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[Notes:

1. A "local registration authority" of a State is defined as the person or authority in the State having the function conferred by legislation of registering persons in connection with their carrying on that occupation in the State. This may be a State agency or a private sector organisation.
2. The Tribunal may order a party in proceedings before it to pay costs if the party has acted unreasonably: s 35.]

My Health Records Act 2012

Section 97(8) (157 of 2015)

Section 97(6)	<p>The following decisions that have been reconsidered by the Systems Operator:</p>
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	<ul style="list-style-type: none">- to determine that a person is or is not the authorised representative of a healthcare recipient under s 6;- to refuse to register a healthcare recipient under s 41;- to refuse to register a health provider organisation or to impose a condition on such a registration under s 44;- to refuse to register a person as a repository operator, a portal operator or a contracted service provider, or to impose a condition on such a registration under s 49;- to refuse to specify a repository as a repository to which the registration of a repository relates under s 49;- to cancel or suspend the registration of a healthcare recipient or other entity under s 51;- to cancel or suspend the registration of a healthcare recipient or other entity, on request under s 51;- to vary the registration of a healthcare recipient or other entity on request under s 52;- to refuse to vary the registration of a healthcare recipient or other entity under s 52.
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[Notes:

1. A list of reviewable decisions is set out at s 97(1).
2. The title of the Act was changed from Personally Controlled Electronic Health Records Act 2012 to My Health Records Act 2012 by 157 of 2015].

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[Narcotic Drugs Act 1967](#)

Section 15L(1) (76 of 2016)

<p>Section 15H</p>	<p>The following decisions of the Secretary of the Department of Health that have been affirmed, varied or set aside on reconsideration by the Minister of Health or internal reviewer:</p> <ul style="list-style-type: none"> - to grant a medicinal cannabis licence under s 8F; - to refuse to grant a medicinal cannabis licence under s 8F; - to impose conditions on a medicinal cannabis licence under s 8K; - to grant a medicinal cannabis permit under s 9; - to refuse to grant a medicinal cannabis permit under s 9; - to grant a cannabis research licence under s 9E; - to refuse to grant a cannabis research licence under s 9E; - to impose conditions on a cannabis research licence under s 9J; - to grant a cannabis research permit under s 9P; - to refuse to grant a cannabis research permit under s 9P; - to vary a cannabis licence or a cannabis permit under s 10M(1); - to refuse to vary a cannabis licence or a cannabis permit on application under s 10N(4); - to revoke a cannabis licence or a cannabis permit under s 10P; - to refuse to grant a manufacture licence under s 11H; - to impose conditions on a manufacture licence under s 11L; - to refuse to grant a manufacture licence under s 12A; - to vary a manufacture licence or a manufacture permit under s 13(1); - to refuse to vary a manufacture licence or a manufacture permit on application under s 13A(4);
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	<ul style="list-style-type: none"> - to revoke a manufacture licence or a manufacture permit under s 13B; - to give a direction to the holder or former holder of a licence under s 14P or s 15; and - to give a direction to the holder of a manufacture licence under s 15A.
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[Notes:

1. The list of reviewable decisions is set out in section 15E.
2. If an application is made to the AAT for review a decision relating to a reviewable decision, the Secretary may, at any time, make an order under s 35(2), (3) or (4) of the AAT Act in relation to the review, including, but not limited to, an order in relation to information identified as sensitive law enforcement information under s 14LA (1) or (2).(s 15M) (76 of 2016)

[Narcotic Drugs Regulation 2016](#)

Section 15L(1) of the *Narcotics Drugs Act 1967*

<p>Section 15H(4)</p>	<p>The following decisions of the Secretary of the Department of Health that have been affirmed, varied or set aside on reconsideration by the Minister of Health or internal reviewer:</p> <ul style="list-style-type: none"> - to suspend a cannabis licence or a cannabis permit that relates to a licence under s 26; - to refuse to permit specified production of cannabis or cannabis resin during a period of suspension of a cannabis licence under s 27(1); - to refuse to permit specified production of cannabis or cannabis resin during a period of suspension of a cannabis permit under s 27(2); - to refuse to revoke a suspension of a cannabis licence or a cannabis permit that relates to the licence under s 30; - to suspend a manufacture licence or a manufacture permit that relates to the licence under s 45; - to refuse to revoke a suspension of a manufacture licence or a manufacture permit that relates to the licence under s 48; - a decision under s 53; - a decision under s 54A(2) about whether research that
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	an applicant proposes to undertake will be undertaken for non-commercial purposes, or primarily for non-commercial purposes.
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[Notes:

1. This Regulation (F2016C01047) commenced on 29 October 2016.
2. The reviewable decisions are set out in s 52].

[National Consumer Credit Protection Act 2009](#)

Section 327 (134 of 2009)

Section 327(1)	Any decision of the Australian Securities and Investments Commission made under the Act other than those decisions specified in s 327(1)(a) to (i).
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[Notes:

1. Section 327(1) provides that an application for review may be made to the Tribunal for any decision made by ASIC under the Act, or instruments made under the Act, other than the following decisions:
 - (a) under s 109(3) (which deals with certain exemptions from, and modifications of, Chapter 2);
 - (b) under s 163(3) (which deals with certain exemptions from, and modifications of Chapter 3);
 - (c) under s 241 (which deals with approved codes of conduct);
 - (d) under Chapter 6, which deals with compliance and enforcement, except for a decision of ASIC
 - i. to make an order under s 300(1) (which deals with orders relating to credit contracts, mortgages, guarantees or consumer leases); or to make, or refuse to make, an order under s 301(1) (which deals with orders varying or revoking orders made under s 300);
 - (e) to make a determination under s 328(3) (which deals with determinations in relation to notice of reviewable decisions etc.);
 - (f) under s 6(17) of the National Credit Code (which deals with the exclusion of provisions of credit from the application of the National Credit Code);
 - (g) under s 171(6) of the National Credit Code (which deals with the exclusion of consumer leases from the application of the National Credit Code);
 - (h) under s 203A(3) of the National Credit Code (which deals with certain exemptions from the National Credit Code); or
 - (i) under the National Consumer Credit Protection Regulations 2010, unless the regulations specify that an application may be made to the Tribunal for review.
2. Section 27A of the Administrative Appeals Tribunal Act 1975 does not apply to the decision.]

National Consumer Credit Protection Regulations 2010

Section 327 of the *National Consumer Credit Protection Act 2009*

<p>Regulation 12(3)(b)</p>	<p>The following decision of the Australian Securities and Investments Commission:</p> <ul style="list-style-type: none"> - to refuse to approve a guarantee that ensures payment of the obligations of a licensee to an extent that is adequate within the meaning of reg 12(1) under reg 12(3)(b).
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[Notes:

1. The note to reg 12(3) provides that, for paragraph (b), a decision to refuse to approve a guarantee is a reviewable decision under s 327 of the *National Consumer Credit Protection Act 2009*.]

National Disability Insurance Scheme Act 2013

Section 103 (20 of 2013)

<p>Section 100(6)</p>	<p>The following decisions of the CEO of the National Disability Insurance Scheme Launch Transition Agency that have been reviewed internally by a reviewer:</p> <ul style="list-style-type: none"> - to determine that a person does not meet the access criteria under ss 20(a), 21(3) or 26(2)(c); - to not specify a period under s 26(2)(b); - to revoke a person's status as a participant under s 30; - to approve the statement of participant supports in a participant's plan under s 33(2); - to not extend a grace period under s 40(2)(b); - not to review a participant's plan under s 48(2); - to refuse to approve a person or entity as a registered provider of supports under s 70; - to revoke an instrument approving a person or entity as a registered provider of supports under s 72; - to make, or not make, a determination in relation to a person under s 74(1)(b); - not to make a determination that s 74(1) and (2) do not
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	<p>apply to a child under s 74(5)(c);</p> <ul style="list-style-type: none"> - to make, or not to make, a determination that a person has parental responsibility for a child under s 75(2) or 75(3); - to appoint a plan nominee under s 86; - to appoint a correspondence nominee under s 87; - to cancel or suspend, or not to cancel or suspend, the appointment of a nominee under ss 89, 90 or 91; - to give a notice to require a person to take reasonable action to claim or obtain compensation under s 104; - to refuse to extend a period under s 104(5A); - to take action to claim or obtain compensation under para 105(4)(a); - to take over the conduct of a claim under para 105(4)(b); - to give a notice that the CEO proposes to recover an amount under s 111; - not to treat the whole or part of a compensation payment as not having been fixed by a judgement or settlement under s 116; - not to write off a debt under s 190; - that the CEO is not required to waive a debt under s 192; - not to waive a debt under s 193; - that the CEO is not required to waive a debt under s 194(3) or (4); - not to waive a debt under s 195.
	<p>The following decisions by the Commissioner of the NDIS Quality and Safeguards Commission that have been reviewed internally:</p> <ul style="list-style-type: none"> - to refuse to register a person as a registered NDIS provider under s 73E; - to impose conditions to which a person’s registration as a registered NDIS provider is subject under s 73G; - to vary, or refuse to vary, the registration of a registered NDIS provider under s 73L;

	<ul style="list-style-type: none"> - to suspend the registration of a registered NDIS provider under s 73N; - to revoke, or not to revoke, the registration of a person as a registered NDIS provider under s 73P; - to give a compliance notice to an NDIS provider under s 73ZM; - to give a compliance notice to an NDIS provider under s 73ZN; - to vary, or to refuse to vary or revoke, a banning order under s 73ZO.
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[Notes:

1. A list of reviewable decisions is set out in s 99 of this Act. Section 99 which was last amended by 131 of 2017. The changes made under No. 131 of 2017 commences on 1 July 2018.].
2. A ‘reviewer’ is someone to whom the CEO’s power and functions are delegated and who was not involved in making the reviewable decision.]]

[National Environment Protection Measures \(Implementation\) Act 1998](#)

Section 34(1) (129 of 1998)

<p>Section 23(1) Regulation 6 of <i>National Environment Protection Measures (Implementation) Regulation 1999</i></p>	<p>A decision of the Environment Minister under subsection 23 (1) of the Act about becoming satisfied about a matter mentioned in para 23 (1) (a), (b) or (c) of the Act.</p>
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[Notes:

1. Section 34(1) of the Act provides that application may be made to the Tribunal for review of any “reviewable decision” made under:
 - a. an applied provision of an applied State law;
 - b. an applied provision of a law of a State or Territory;
 - c. a provision of a regulation made for the purposes of Part 4 of the Act;
 - d. Part 5 of the Act.
2. The term “reviewable decision” is defined in s 34(2) to the effect that a decision under any of these provisions is reviewable only if the regulations provide that the particular decision or a decision of that kind is a reviewable decision.

3. Regulation 6 of the National Environment Protection Measures (Implementation) Regulations 1999 sets out what is a reviewable decision for the purpose of s 34(2) of the Act.]

National Greenhouse and Energy Reporting Act 2007

Section 56 (119 of 2014)

<p>Various sections</p>	<p>The following decisions of the Clean Energy Regulator:</p> <ul style="list-style-type: none"> - to cancel a nomination under s 11B; - to cancel a nomination under s 11C; - to decide not to register a corporation under s 17; - to decide not to register a person under s 18AA; - to decide not to deregister a corporation under s 18B; - to make a determination under s 20 that certain information is to be provided by a person; - to refuse to make a determination under s 20; - to refuse to issue a reporting transfer certificate under s 22L; - to refuse to give consent to the surrender of the reporting transfer certificate under s 22N; - to cancel a reporting transfer certificate under s 22P; - to refuse under s 25 an application that certain information not be published; - to refuse to disclose information under s 27; - to refuse under s 54(1) an application for a declaration that an activity or series of activities are a facility; - to declare under s 54(1)(b) that an activity or series of activities are a facility; - to refuse and application under s 54A; - to declare a facility under s 54A(1)(b); - to refuse under s 55(1) an application for a declaration that a controlling corporation or another member of the corporation’s group has operational control of a facility;
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	<ul style="list-style-type: none"> - to declare under s 55(1)(b) that a controlling corporation or another member of the corporation's group has operational control of a facility; - to refuse an application under s 55A; - to declare that a non-group entity has operational control of a facility under s 55A(1)(b) - to refuse to register an individual in the register of greenhouse and energy auditors kept under s 75A. - to refuse to make a determination under the safeguard rules; - to make a determination under the safeguard rules; - to refuse to make a declaration under the safeguard rules; - to make a declaration under the safeguard rules.
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[National Greenhouse and Energy Reporting Regulations 2008](#)

Regulation 6.73

<p>Regulations 6.30 6.31 6.35 6.35A 6.37 6.62 6.71 6.73</p>	<p>The following decisions of the Clean Energy Regulator:</p> <ul style="list-style-type: none"> - to suspend the registration of a registered greenhouse and energy auditor under reg 6.30; - to refuse to suspend the registration of a registered greenhouse and energy auditor under reg 6.31; - to deregister a registered greenhouse and energy auditor under reg 6.35 or 6.35A; - to refuse to deregister a registered greenhouse and energy auditor under reg 6.37; - to impose a condition on the registration of a registered greenhouse and energy auditor under reg 6.62; - to refuse an application for an exemption as provided for in reg 6.71.
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[Notes:

1. Made under the *National Greenhouse and Energy Reporting Act 2007*.]

[National Greenhouse and Energy Reporting \(Safeguard Mechanism\) Rule 2015](#)

Section 56 of the *National Greenhouse Energy Reporting Act 2007* (F2015L01637)

<p>Section 56</p>	<p>The following decisions of the Clean Energy Regulator:</p> <ul style="list-style-type: none"> - to vary a transport reported-emissions baseline determination under s 19; - to vary an incorporated reported-emissions baseline under s 20; - to vary, or refuse to vary, a baseline determination for a facility under s 51 - to vary a baseline determination for carbon dioxide equivalence under s 56; - to remake or refuse to remake a baseline determination because of error under s 57 - to revoke an exemption declaration because of false or misleading information under s 63; - to vary or revoke, or decide not to vary or revoke, a multi-year period declaration under s 68; - to revoke a multi-year period declaration because of false or misleading information under s 69
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[National Health Act 1953](#)

Sections 105AB; 105AD(2); 99ABD(8); 99ABJ(14); 99ABG(4);

Section 6 of the *National Health Amendment (Pharmaceutical Benefits) Act 2017* (16 of 2017)

<p>Sections 94 95 98AA(3)</p>	<p>The following decisions of the Health Minister:</p> <ul style="list-style-type: none"> - to approve, or refuse to approve, a hospital authority for the purpose of its supplying pharmaceutical benefits to patients receiving treatment in or at the hospital of which it is the governing body or proprietor under s 94; - to suspend, further suspend or revoke the approval or authority of a medical practitioner or a pharmacist or the approval of a dental practitioner as a participating dental practitioner under s 95; - to cancel the s 94 approval of an authority under s 98AA(3);
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<p>Various sections</p>	<p>The following decisions of the Secretary of the Department of Health that have been affirmed on reconsideration by the Secretary:</p> <ul style="list-style-type: none"> - to not approve an optometrist under s 84AAB; - to suspend or revoke the approval of an optometrist under s 84AAC; - to not approve an eligible midwife to be an authorised midwife under s 84AAF; - to suspend or revoke an approval of an authorised midwife under s 84AAG; - to not approve an eligible nurse practitioner to be an authorised nurse practitioner under s 84AAJ; - to suspend or revoke an approval of an authorised nurse practitioner under s 84AAK.
<p>Various sections</p>	<p>The following decisions of the Secretary of the Department of Health:</p> <ul style="list-style-type: none"> - to refuse to issue a safety net concession card to a person under s 84DA(1); - to refuse to issue an entitlement card to a person under s 84E(1); - to give a notice that the holder of a concession card or an entitlement card must deliver the card for cancellation under s 84K; - to reject an application for approval for the purpose of supplying pharmaceutical benefits under s 90; - to grant or refuse to grant permission to an executor or administrator to supply pharmaceutical benefits from the pharmacy of a deceased approved pharmacist under s 91(1); - treating an application as having been withdrawn under s 91(5); - to revoke permission under s 91(12); - to approve, or refuse to approve, a medical practitioner for the purpose of supplying pharmaceutical benefits in a particular area under s 92; - to cancel a s 90 approval of a pharmacist under s 98(3);

	<ul style="list-style-type: none"> - to cancel a s 92 approval of a medical practitioner under s 98(3A); - to refuse to approve a claim for payment in relation to the supply of benefits under s 98AAA(6); - to declare, refuse to declare or revoke a declaration that an approved supplier is exempt from the operation of s 99AAC(4); - Assessment of a person's liability to pay administrative penalty for which a notice has been given under s 99ABG(1); - To give garnishee notice to a person concerning a recoverable amount under s 99ABA(2), 99ABB(4), 99ABG(3) <p>The following decisions of the Secretary that has been confirmed, varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - A determination under s 99ABA(2) or 99ABB(4) to claim recoverable amount as a debt (pursuant to s 99ABC(1).
<p>Sections 99K(1)(b)(i) 99K(1)(b)(ii)</p>	<p>The following recommendations of the Australian Community Pharmacy Authority:</p> <ul style="list-style-type: none"> - that an applicant under s 90 not be approved under s 99K(1)(b)(i); - that an approval under s 90 should be subject to conditions under s 99K(1)(b)(ii).
<p>Section 105AB(7AB)</p>	<p>The following decisions of the Secretary of the Department of Health:</p> <ul style="list-style-type: none"> - s 91A(1) refusing an application under section 91A; - s 91A(5) treating an application under section 91A as having been withdrawn; - s 91A(9) revoking a permission granted under s 91A.

[Notes:

1. Section 105AB list a number of reviewable decisions under this Act. Section 105AB(9) provides that application may be made for review of a decision of the Minister under s 68A(b).
2. The *Health Legislation Amendment (Pharmacy Location Arrangements) Act 2006* amended the Act on 1 July 2006 to provide that, where the Secretary has rejected an application for approval to supply pharmaceutical benefits on particular grounds, the

pharmacist may request the Minister to substitute a decision approving the application: ss 90A and 90B. The request cannot be made while proceedings are on foot in the Tribunal: s 90C. If a pharmacist applies to the Minister to substitute a decision of the Secretary but the Minister declines to consider the request or refuses the request or is taken to have done so, the pharmacist may still apply for review of the Secretary's decision. The application must be made within 28 days after the day on which the pharmacist receives notice of the Minister's decision: s 105AE.

3. If a person requests reconsideration of a decision of the Health Insurance Ombudsman to refuse to extend the time within which the person must provide records in relation to a complaint or investigation, the reconsideration must be made before the end of the 28th day on which the application for reconsideration was made: s 82ZVF(5).
4. Sections 14 and 15 of this Act provide for review of decisions about eligibility for the *Continence Aids Payment Scheme 2010*. See the separate entry for that Scheme in this list.]

[National Health \(Pharmaceuticals and Vaccines - Cost Recovery\) Regulations 2009](#)

Regulation 6.5 (SLI 372 of 2009)

Reg 6.2(5)	A decision of the Secretary of the Department of Health that has been reviewed by the Secretary under reg 6.2(5).
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[National Health \(Pharmaceutical Benefits\) Regulations 2017](#)

Regulation 28 (F2017L00313)

Regulation 28(a)-(b)	<p>The following decisions of the Secretary of the Department of Health:</p> <ul style="list-style-type: none"> - a decision under s 24 to refuse to issue an additional card; - a decision under s 25 to refuse to issue a replacement card,.
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[National Health Security Act 2007](#)

Section 83 (174 of 2007)

Reviewable decisions made under various sections	<p>The following decisions made by the Secretary of the Department of Health Ageing personally:</p> <ul style="list-style-type: none"> - to give a direction to an entity under s 38P(2) requiring the entity to dispose of a biological agent suspected on the basis of testing in a laboratory of being a security-sensitive biological agent;
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	<ul style="list-style-type: none"> - to give a direction to an entity under ss 45(2), 50(2), 53(3), 57(4), 57(4A) or 60AO(3) requiring the entity to dispose of a security-sensitive biological agent; - to refuse an entity's application for cancellation of its registration under s 55A; - to give a notice to an individual under s 59(2) directing the individual not to handle security-sensitive biological agents as specified in the notice.
Section 82(4)	<p>The following decisions of a delegate of the Secretary of the Department of Health that have been affirmed, varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to give a direction to an entity under s 38P(2) requiring the entity to dispose of a biological agent suspected on the basis of testing in a laboratory of being a security-sensitive biological agent; - to give a direction to an entity under s 45(2), 50(2), 53(3) or 57(4); 57(4A); 60(AO(3) requiring the entity to dispose of a security-sensitive biological agent; - to refuse an entity's application for cancellation of its registration under s 55A; - to give a notice to an individual under s 59(2) directing the individual not to handle security-sensitive biological agents as specified in the notice.

[Notes:

1. The list of reviewable decisions is set out in s 80 of the Act. This section was last amended by 182 of 2012.]

[National Land Ordinance 1989 \(ACT\)](#)

Section 51 of the *Lake Ordinance 1918*, as applied provisions under *National Land Ordinance 1989 (ACT)*

<p>Sections 14(2) 19(1) 22(2) 25 26(1) 26(2) 26(3) 29(1)</p>	<p>The following decision of the Minister:</p> <ul style="list-style-type: none"> - a determination made under s 14(2); - to refuse to approve the anchoring of a buoy or the erection of a wharf or jetty under s 19(1); - to impose conditions on an approval under s 19(1);
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	<ul style="list-style-type: none"> - to refuse to authorise or approve the conduct of a function under s 22(2); - to impose conditions on an authority under s 22(2); - to refuse to grant or renew a permit to moor a boat under s 25; - to refuse to authorise the use of a power boat under s 26(1); - to impose conditions on an authority under s 26(1); - to impose further conditions, or to vary or revoke a condition imposed, on an authority under s 26(2); - to revoke an authority under s 26(3); - to refuse to grant a permit to use a hovercraft under s 29(1); - to impose conditions on the grant of a permit under s 29(1).
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[Notes:

1. Section 5 of the *National Land Ordinance 1989* (ACT) gives effect to *Lakes Ordinance 1976* with respect to National Land on and after ACT self-government day (11 May 1989). The *Lakes Ordinance 1976* as in force immediately before 11 May 1989 continues to have effect in relation to National Land under the *National Land Ordinance 1989*, and as modified by that Ordinance. It is administered by the Commonwealth.
2. This Ordinance only exists as an applied provision of the *National Law Ordinance 1989* and is incorporated by reference in that instrument.
3. The *Lakes Ordinance* was amended by *Lakes (Amendment) Ordinance 1992*. The amendments are subsequently incorporated in the compilation of the applied provisions of the *National Land Ordinance 1989* and continued to exist as an applied provision in the *National Land Ordinance 1989*. Section 4 of the *National Land Ordinance 1989* provides that, with the Attorney-General's approval, the National Capital Authority is to manage National Land designated in writing by the Attorney-General as land required for the special purposes of Canberra as the National Capital.]

[National Library Regulations 2018](#)

Regulation 34 (F2018L01295)

Sections 13 and 22	<p>The following decisions of an authorised officer:</p> <ul style="list-style-type: none"> - to prohibit entry on to Library property under s 13; - to refuse to allow access to, or use of, an item of Library collection material or electronic Library material under s 22
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Section 21(1)	The decision of Director-General under s 21(1) to direct that the access to, or use of, an item of Library collection material or electronic Library material be prohibited or subject to conditions;
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[Note:

1. These Regulations commenced on 15 September 2018 and repealed *National Library Regulations 1994*

[National Measurement Act 1960](#)

Section 19J (137 of 2008)

Reviewable decisions made under various sections	<p>The following decisions of the Secretary of the Department of Industry, Innovation and Science:</p> <ul style="list-style-type: none"> - to refuse to issue a permit under s 18JX; - to refuse an application by a person to be a servicing licensee under s 18NB; - to impose a condition on a servicing licence under s 18NG; - to amend a condition of a servicing licence under s 18NG(3); - to refuse an application to amend a condition of a servicing licence under s 18NI; - to refuse an application to amend a servicing licence because of a change in the partnership holding the licence under s 18NJ; - to refuse to renew a servicing licence under s 18NL; - to make an order in respect of a person under s 18NN; - to refuse an application by a person to be a public weighbridge licensee under s 18PB; - to impose a condition on a public weighbridge licence under s 18PG; - to amend a condition of a public weighbridge licence under s 18PG(3); - to refuse an application to amend a condition of a public weighbridge licence under s 18PI;
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	<ul style="list-style-type: none"> - to refuse an application to amend a public weighbridge licence because of a change in the partnership holding the licence under s 18PJ; - to refuse to renew a public weighbridge licence under s 18PM; - to revoke a public weighbridge licence under s 18PP; - to make an order in respect of a person under ss 18PQ, 18PR or 18PS; - to take disciplinary action against a servicing licensee or a public weighbridge licensee under s 18QC; - to refuse an application by a person to be a utility meter verifier under s 18RA; - to impose a condition on a utility meter verifier's appointment under s 18RA(3)(b); - to vary or revoke a condition on a utility meter verifier's appointment under s 18RA(4); - to take disciplinary action against a utility meter verifier under s 18RG.
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National Measurement Regulations 1999

Regulation 86 (SR 110 of 1999)

<p>Regulation 85(5)</p>	<p>The following decisions of a verifying authority that have been reconsidered under reg 85(5):</p> <ul style="list-style-type: none"> - to refuse under reg 12(4) to proceed with an application for verification of a standard of measurement until the applicant complies with a notice to lodge additional information; - to refuse to verify a standard of measurement under reg 13(1); - not to verify an artefact until the applicant applies with a notice under reg 34B(4); - not to verify an artefact under reg 34C(1).
	<p>The following decisions of a certifying authority that have been reconsidered under reg 85(5):</p> <ul style="list-style-type: none"> - to refuse under reg 36(4) to proceed with an application for

	<p>certification of a measuring instrument until the applicant complies with a notice to lodge additional information;</p> <ul style="list-style-type: none"> - to refuse to certify a measuring instrument or to issue a certificate for the instrument in a way not sought by the applicant under reg 37(1); - to refuse under reg 46(4) to proceed with an application for certification of a reference material until the applicant complies with a notice to lodge additional information; - to refuse under reg 47(3) to proceed with an application to vary the certification of a reference material until the applicant complies with a notice to lodge additional information; - to refuse to certify a reference material or to issue a certificate for the material in a way not sought by the applicant under reg 48(1); - to refuse to vary a certificate for a reference material or to vary a certificate in a way not sought by the applicant under reg 49(1).
<p>4.</p>	<p>The following decisions of an approving authority that have been reconsidered under reg 85(5):</p> <ul style="list-style-type: none"> - to refuse under reg 58(4) to proceed with an application for approval of the pattern of a measuring instrument until the applicant complies with a notice to lodge additional information; - to refuse under reg 59(3) to proceed with an application to vary the approval of the pattern of a measuring instrument until the applicant complies with a notice to lodge additional information; - to refuse to approve the pattern of a measuring instrument or to give an approval in a way not sought by the applicant under reg 60(1); - to refuse to vary an approval of the pattern of a measuring instrument or to vary an approval in a way not sought by the applicant under reg 61(1).

	<p>The following decisions of the Chief Metrologist that have been reconsidered under reg 85(5):</p> <ul style="list-style-type: none"> - to refuse to permit a stated person to sign certificate of a stated kind for a verifying, certifying or approving authority under reg 71; - to cancel the permission of a person to sign certificate of a stated kind for a verifying, certifying or approving authority under reg 71; - to refuse to vary an appointment as a verifying or certifying authority or to vary an appointment in a way not sought by the applicant under reg 72(3); - to refuse to appoint a person as a verifying or certifying authority under reg 73(1); - to vary, cancel or withdraw an instrument or certificate under reg 82(3). <p>5.</p>
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[Notes:

1. The list of decisions in relation to which a person may request reconsideration is set out in reg 85(1). The following instruments introduced or have amended this provision: SR 110 of 1999 and SLI 179 of 2010.]

[National Rental Affordability Scheme Regulations 2008](#)

Regulation 33(1) (SR 133 of 2009)

<p>Reviewable decisions made under various regulations</p>	<p>The following decisions of the Secretary of the Department of Social Services after internal review has been requested and completed :</p> <ul style="list-style-type: none"> - under reg 22 to revoke an allocation; or - <i>under reg 22BA, 22BB or 22BC to determine that an approved participant has committed an individual breach, a serious breach or a disqualifying breach; or</i> - <i>under reg 22BH to redirect an incentive; or</i> - set out in a review notice under reg 28 that confirms a decision to reduce the amount of an incentive (whether or not the decision set out in the review notice varies the amount of the reduction); or
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	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - under reg 22 to revoke an allocation; or - <i>under reg 22BA, 22BB or 22BC to determine that an approved participant has committed an individual breach, a serious breach or a disqualifying breach; or</i> - <i>under reg 22BH to redirect an incentive; or</i> - under reg 30 to determine that an error arose making an incentive for a particular allocation, to vary the incentive to correct the error, and where appropriate, recoup any overpayment.
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[Notes:

1. Regulation 30(2) provides that an application for review of a decision under reg 28(1) may only be made after and an internal review of the decision under reg 28(3) has been requested and completed. However, if the internal review has not been completed within 2 months after requesting the review, the person may apply to the Tribunal for review of the decision.
2. Reviewable decisions under reg 22BA, 22BB or 22BC and 22BH will commence on 3 March 2019 pursuant to *National Rental Affordability Scheme Amendment (Investor Protection) Regulations 2019*.]

[National Vocational Education and Training Regulator Act 2011](#)

Section 197(1) (12 of 2011); Section 203 (32 of 2015)

<p>Reviewable decisions made under various sections</p>	<p>Any decision that has been affirmed or varied on reconsideration by the National VET Regulator (NVR), or was made by a person other than a member of staff of the NVR, as set out below:</p> <ul style="list-style-type: none"> - A decision to grant or reject an application for registration (including renewal of registration) as an NVR registered training organisation under s 17; - A decision to determine the period for which an NVR registered training organisation is registered under s 17 - A decision to impose or vary a condition on an NVR registered training organisation's registration under s 29. - A decision not to determine a shorter period for making an application for renewal of registration as an NVR registered training organisation under s 31. - A decision to change, or refuse to change, an NVR
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	<p>registered training organisation's scope of registration under s 33.</p> <ul style="list-style-type: none">- A decision to give a written direction to an NVR registered training organisation requiring the organisation to rectify a breach of a condition of the organisation's registration under s 35A.- A decision to give a written direction to an NVR registered training organisation requiring the organisation to notify its VET students, in writing, of a matter set out in the direction under s 36.- A decision to amend an NVR registered training organisation's scope of registration under s 36.- A decision to suspend all or part of an NVR registered training organisation's scope of registration under s 38.- A decision to cancel an NVR registered training organisation's registration under s 39.- A decision to defer making a decision to change an NVR registered training organisation's scope of registration until the organisation addresses issues identified by the National VET Regulator under s 41.- A decision not to allow an NVR registered training organisation's registration to be withdrawn under s 42.- A decision to grant or reject an application for accreditation of a course (including renewal of accreditation) as a VET accredited course under s 44.- A decision to impose or vary a condition on the accreditation of a VET accredited course.- A decision to amend a VET accredited course under s 51.- A decision to cancel the accreditation of a VET accredited course under s 52.- A decision to issue, or not issue, a VET qualification under s 55.- A decision to issue, or not issue, a VET statement of attainment under s 55.- A decision to cancel, or not cancel, a VET qualification under s 56.- A decision to cancel, or not cancel, a VET statement of attainment under s 56. <p>6.</p>
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	<ul style="list-style-type: none"> - A decision to enter other matters on the National Register under s 216.
Section 197(2)	<p>A reviewable State decision as conferred by a corresponding State law where:</p> <ul style="list-style-type: none"> - the law under which the decision was made provides for review by the Tribunal; and - The decision is declared by the regulations to be a reviewable decision.

[Notes:

1. The list of reviewable decisions is set out in s 199 of this Act. The following Acts have amended this list: 32 of 2015 and introduced s 35A with effect from 3 April 2015.
2. If a person applies to the Regulator for reconsideration of a decision and the Regulator does not notify the person of his or her decision within 90 after receiving the application, the Regulator is taken to have affirmed the original decision: s 202(2).
3. Item 24 of Schedule 1 to the *National Vocational Education and Training Regulator (Transitional Provisions) Act 2011* provides that an application may be made to the Tribunal for review.
4. Under s 197(2), a reviewable State decision is a decision made by the National VET Regulator in performing its function and exercising its powers as conferred by a corresponding State law in accordance with the requirements set out in that provision.]

[National Vocational Education and Training Regulator \(Transitional Provisions\) Act 2011](#)

Section 24 (13 of 2011)

<p>Section 11(1), 17, 20(1), 29(1), 33, 42, 44, 48(1)</p>	<p>A decision by the National VET Regulator:</p> <ul style="list-style-type: none"> - a decision in accordance with s 17 of the new law to register an organisation as an NVR registered training organisation under para 7(1)(d), 8(1)(d), 9(1)(d) or 10(1)(d) of the Schedule; - a decision in accordance with s 17 of the new law not to register an organisation as an NVR registered training organisation under para 7(1)(e), 8(1)(e), 9(1)(e) or 10(1)(e) of the Schedule; - a decision in accordance with s 29(1) of the new law to impose a condition on an NVR registered training organisation’s registration under sub-item 7(2), 8(2), 9(2), 10(2), 12(3), 13(3) or para 5(1)(c) of the Schedule; - a decision in accordance with s 44 of the new law to accredit or not accredit a course as a VET accredited course under para 18(1)(d), 18(1)(e) or 19(1)(d) or 19(1)(e) of the Schedule; - a decision in accordance with s 48(1) of the new law to impose a condition on a VET accredited course’s accreditation under sub-item 16(2), 18(2) or 19(2) of the Schedule; - a decision in accordance with s 33 of the new law to change an NVR registered training organisation’s scope of registration under para 12(2)(d) or 13(2)(d) of the Schedule; - a decision in accordance with s 33 of the new law not to change an NVR registered training organisation’s scope of registration under para 12(2)(e) or 13(2)(e) of the Schedule; - a decision in accordance with s 42 of the new law to allow or not allow a registered training organisation to withdraw its registration under para 14(2)(c) or 15(2)(c) of the Schedule; - to determine a longer period within which the Regulator may make a decision on an application under s 11(1) or 20(1).
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[Native Title \(Prescribed Bodies Corporate\) Regulations 1999](#)

Regulation 25(4) (257 of 2011)

Regulation 25(1)	The following opinions of the Registrar of Aboriginal and Torres Strait Islander Corporation: <ul style="list-style-type: none">- a reconsideration opinion of the Registrar of Aboriginal and Torres Strait Islander Corporations' (Registrar) original opinion on fees charged for services under reg 23(1)- a confirmation of the original opinion as a result of the Registrar not giving an opinion within the period required for the purpose of reconsideration under reg 23;- a decision not to give an opinion for the purpose of reconsideration under reg 23.
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[Notes:

1. The relevant periods for when a reconsideration decision is to have been deemed to have been made by the Regulator are set out in reg 25.]

[Native Title \(Tribunal\) Regulations 1993](#)

Regulation 8A(4)

Section 8(d)	The following decisions of the Registrar not to waive an application fee under section 8(d).
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[Navigation Act 2012](#)

Sections 313(1), (2) and (3) (128 of 2012)

Reviewable decisions made under various sections	The following decisions of an issuing body: <ul style="list-style-type: none">- to refuse to make a declaration in relation to a vessel under s 17, 19 or 25;- to refuse to issue, or to impose a condition on, a seafarer certificate under s 31;- to vary, or refuse to vary, a seafarer certificate under s 32;- to revoke a seafarer certificate under s 33;
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	<ul style="list-style-type: none">- to refuse to issue, or to impose a condition on, a maritime labour certificate under s 44;- to vary, or refuse to vary, a maritime labour certificate under s 45;- to revoke a maritime labour certificate under s 46;- to determine the seafarers to be carried by a vessel under s 51;- to refuse to issue, or to impose a condition on, a safety certificate under s 100;- to vary, or refuse to vary, a safety certificate under s 101;- to revoke a safety certificate under s 102;- to refuse to use, or to impose a condition on a pollution certificate under s 132;- to vary, or refuse to vary, a pollution certificate under s 133;- to revoke a pollution certificate under s 134;- to give a direction under s 147;- to refuse to issue, or to impose a condition on, a tonnage certificate under s 155;- to vary, or refuse to vary, a tonnage certificate under s 156;- to revoke a tonnage certificate under s 157;- to refuse to grant, or to impose a condition on, an exemption under s 172;- to give a notice under s 191;- to give a direction under s 246;- to detain a vessel under s 248;- to release a detained vessel subject to a condition under s 250;- to not accept, or to cancel, an undertaking under s 306;- to not exempt a vessel or a class of vessel under s 334 <p>7.</p>
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Sections 250, 252(3)	The following decisions of an officer of Customs: <ul style="list-style-type: none"> - to release a detained vessel under s 250; - to detain a vessel under s 252(3).
Section 334	The following decision of the Minister: not to exempt a vessel under s 334.

[Notes:

1. The Tribunal's jurisdiction under this Act commenced on 1 July 2013.
2. A 'recognised organisation' is defined as an organisation prescribed by the regulations for the purposes of this definition: s 14.]

[Northern Prawn Fishery Management Plan 1995](#)

Section 165(7) of the *Fisheries Management Act 1991*

Section 165(5) of the Fisheries Management Act 1991	The following decisions of the Australian Fisheries Management Authority that have been reconsidered under s 165(5) of the <i>Fisheries Management Act 1991</i> : <ul style="list-style-type: none"> - to cancel a person's registration as an eligible person for the grant of a statutory fishing right under cl 17(5).
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[Notes:

1. This Plan was made under s 17(1) of the *Fisheries Management Act 1991*. Refer to the entry in this list for the Act for other relevant information.]

[North Marine Park Network Management Plan 2018](#)

Regulation 14.16(8) of the *Environment Protection and Biodiversity Conservation Regulations 2000*

Reg 4.3.3.2	A reconsidered decision made by the Director of National Park pursuant to Part 4 of the Management Plan in relation to permits and other types of authorisations.
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[Notes:

1. This plan was approved on 25 January 2018.

2. This plan was made under s 370 of the *Environment Protection and Biodiversity Conservation Act 1999*.]

[North-West Marine Park Network Management Plan 2018](#)
[North-west Commonwealth Marine Reserves Network Management Plan 2014-24](#)

Regulation 14.16(8) of the Environment Protection and Biodiversity Conservation Regulations 2000

Part 4, Strategy 2, A7 and A8	The following decisions of the Director of National Parks that have been reconsidered by the Director: any decision about a permit or class approval made under Part 5.2
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[Notes:

1. This plan was approved on 25 January 2018 and made under s 370 of the *Environment Protection and Biodiversity Conservation Act 1999*.]

[Nuclear Non-Proliferation \(Safeguards\) Act 1987](#)

Section 22(4) (8 of 1987)

Various sections, including s 18(1), 18(3), 18(7), 19(1), 73	<p>The following decisions of the Minister for Foreign Affairs:</p> <ul style="list-style-type: none"> - to refuse to grant a permit under the Act; - to impose a condition or restriction on the grant of a permit under the Act; - to vary a permit under the Act; - to refuse to grant an authority to communicate information under s 18(1); - to impose a condition or restriction on the grant of an authority to communicate information under s 18(3); - to vary an authority to communicate information under s 18(7); - to revoke a permit or authority under s 19(1); - to give directions to be complied with by a permit or authority holder under s 73.
Sections 12(2)(b), 17(2)(b)	<p>The following decisions of the Director of Safeguards:</p> <ul style="list-style-type: none"> - not to include a statement of the kind referred to in s 14(a),

	14(b), 15, 16A(1), 16B(1) or 18(2) in a report in relation to an application for a permit or authority.
Section 22(1)(b)	Any decision of a person pursuant to a condition on the grant of a permit or of an authority under s 18 to refuse to approve or consent to the doing of an act or thing under s 22(1)(b).

[Notes:

1. The list of reviewable decisions is set out in ss 22(1) and (4) of the Act. The following Act introduced or have amended the list of decisions: 8 of 1987 and 50 of 2007.
2. The Minister may certify pursuant to s 22(5) that it is in the public interest that a decision that would otherwise be reviewable should be not be reviewable by the Tribunal.]

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[Occupational Health and Safety \(Maritime Industry\) \(National Standards\) Regulations 2003](#)

Regulation 2.10 (SR 324 of 2003)

<p>Schedule 3 - various clauses</p>	<p>The following decisions of the Seacare Authority under Schedule 3:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption for the use of a hazardous substance under cl 1.02(1)(b); - to refuse to grant an exemption for the use of chrysotile under cl 2.04(1)(b); - to make an exemption for the use of a hazardous substance subject to conditions under cl 1.03(1); - to make an exemption for the use of chrysotile subject to conditions under cl 2.05(2); - to add a condition to, or vary or revoke a condition of, an exemption for the use of a hazardous substance under cl 1.03(2); - to add a condition to, or vary or revoke a condition of, an exemption for the use of chrysotile under cl 2.05(3); - to cancel an exemption for the use of a hazardous substance under cl 1.04(2)(a); - to cancel an exemption for the use of chrysotile under cl 2.06(2)(a).
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[Offshore Minerals Act 1994](#)

Section 407(9) (28 of 1994)

<p>Various sections and regulations including s 407(3)</p>	<p>The following decisions made by the Minister for Industry, Innovation and Science acting as Designated Authority for an external territory offshore area under the following enactments:</p> <ul style="list-style-type: none"> - decisions made under this Act (s 419(1)(a)); - decisions made under associated revenue Act including: <ul style="list-style-type: none"> o the Exploration Licence Fees Act; o the Mining Licence Fees Act; o the Retention Licence Fees Act; o the Works Licence Fees Act;
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	<ul style="list-style-type: none"> ○ the Registration Fees Act; ○ the Royalty Act; ○ the Exploration Licence User Charge Act; ○ the Retention Licence User Charge Act: s 410(1)(b); <ul style="list-style-type: none"> - decisions made under regulations of this Act: s 419(1)(c); - a decision under s 407(3) to extend, or refuse to extend, the period within which a person may apply for reconsideration of a decision of a delegate of the Designated Authority.
Section 407(5)	<p>The following reviewable delegated decisions made by a delegate of the Designated Authority which have been reconsidered by the Designated Authority:</p> <ul style="list-style-type: none"> - decisions made under this Act (s 419(1)(a)); - decisions made under associated revenue Act including: <ul style="list-style-type: none"> ○ the Exploration Licence Fees Act; ○ the Mining Licence Fees Act; ○ the Retention Licence Fees Act; ○ the Works Licence Fees Act; ○ the Registration Fees Act; ○ the Royalty Act; ○ the Exploration Licence User Charge Act; ○ the Retention Licence User Charge Act; - decisions made under regulations of this Act: s 419(1)(c). - a decision under s 407(3) to extend, or refuse to extend, the period within which a person may apply for reconsideration of a decision of a delegate of the Designated Authority

Notes:

1. A Designated Authority for the purpose of an AAT review is the ‘responsible Commonwealth Minister for an external territory offshore area’.
2. Section 407(9) provides that a person whose interests are affected by a reviewable decision may apply to AAT for review of the decision. ‘Reviewable decision’ means a decision made by the Designated Authority (including a decision under s 407(3)). Designated Authority would be reviewing decision requested for reconsideration and those they made under the enactments.
3. A ‘reviewable delegated decision’ means a decision made by a delegate of the Designated Authority under s 419 in relation to this Act; an associated revenue Act (see section 4) and regulations made under the Act. An ‘associated revenue Act’ is defined under s 4 and include a list of the Acts mentioned above.

[Offshore Petroleum and Greenhouse Gas Storage Act 2006](#)

Sections 747 and 747A (112 of 2011)

<p>Schedule 5 - various clauses</p>	<p>The following decisions of the Minister for Industry, Innovation and Science:</p> <ul style="list-style-type: none"> - to make publicly known, or make available to a person, under cl 6 of Sch 5 information contained in or accompanying an application for grant or renewal of certain permits, leases, licences or authorities; - to make publicly known, or make available to a person, under cl 7(1) of Sch 5 certain information contained in a document relating to the seabed or subsoil or to petroleum in block; - to make publicly known, or make available to a person, under cl 8 of Sch 5 information contained in a document given to the Designated Authority where the information is already publicly known or consent has been given by a permittee, lessee, licensee, or authority holder; - to allow, wholly or partly, or to disallow under cl 9(6) of Sch 5 an objection to the disclosure of information contained in a document relating to the seabed, subsoil or petroleum in a block that was given to the Minister more than 5 years ago. - regulations made under s 738(2)(c) and s 739(2)(c) on the protection of confidentiality of documentary information or the eligible samples obtained by the Minister.
	<p>The following decision of the Titles Administrator for a state or the Northern Territory that has been reconsidered by the Minister for Industry, Innovation and Science:</p> <ul style="list-style-type: none"> - regulations made for the purpose of para 712(2)(c) or 713(2)(c), where the decision is of a kind referred to in para 718(2)(b); or - regulations made for the purpose of para 715(2)(c) or 716(2)(c).

[Notes:

1. The definition of decisions that are subject to reconsideration or review is set out in s 745. See 'reviewable Ministerial decision' and 'reviewable Titles Administrator decision'.
2. Application may be made to the AAT for review of reviewable decisions made by the responsible Commonwealth Minister, defined as the Minister responsible for administration of this Act or another Minister acting for and on behalf of that Minister: s 7. The Minister can delegate his or her powers: s 778.

3. Pursuant to item 38 of Sch 6 to this Act, the provisions of this Act dealing with reconsideration and AAT review ss 746 and 747 relating to reviewable decisions and AAT review rights apply to any relevant or reviewable decisions made under the *Petroleum (Submerged Lands) Act 1967* and regulations made under that Act. Note that s 746 no longer in legislation, therefore under the provision, it is likely that only reviewable Ministerial decisions can be reviewed. apply to any relevant or reviewable decisions made under the *Petroleum (Submerged Lands) Act 1967* and regulations made under that Act.]

[Offshore Petroleum and Greenhouse Gas Storage \(Resource Management and Administration\) Regulations 2011](#)

Sections 747 and 747A of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (112 of 2011)

Various regulations including reg 10.07(4)	The following decisions of the Minister for Industry, Innovation and Science: <ul style="list-style-type: none">- to allow or disallow an objection to the classification of documentary information under reg 10.07(4)
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[Notes:

1. The definition of decisions under these regulations that are subject to reconsideration or review is set out in s 745 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.]

[Ombudsman Act 1976](#)

Sections 10A and 11 (199 of 1991)

Section 10A, 11	The Ombudsman may refer a specified question about the taking of an action, or the exercise of a power, to the Tribunal for an advisory opinion under s 10A. The Ombudsman may recommend that the principal officer of a Department refer a specified question about the taking of an action, or the exercise of a power, to the Tribunal for an advisory opinion under s 11.
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[Notes:

1. This enactment provides for an advisory opinion and for a deemed application, not for review of a decision.]

[Ozone Protection and Synthetic Greenhouse Gas Management Act 1989](#)

Section 66 (126 of 2003)

Various reviewable decisions made under the section	The following decisions of the Minister for the Environment: <ul style="list-style-type: none">- to refuse to grant a licence under ss 16 or 17;- to impose, revoke or vary a condition under s 18;- to terminate a licence under s 19A;- to refuse to transfer a licence under s 19B;- to refuse to make an amendment under s 19C;- to cancel a licence under s 20;- to allocate or refuse to allocate a quota under s 28;- to vary or revoke a reserve HCFC quota under s 33;- to direct a licensee to export a quantity of HCFCs under section 35A;- to direct an SGG licensee to export a quantity of HFCs under section 36H- to refuse to grant an exemption under s 40;- to specify an exemption condition under s 40;- to cancel an exemption under s 40.
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[Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995](#)

Regulations 3AA(8), 3B, 6A, 73(4), 80(3), 125, 238, 245 and 317 (F2017L00964)

Various regulations	The following decisions of the Minister for the Environment: <ul style="list-style-type: none">- to refuse to grant a permit under reg 3A(1);- to grant a permit with a particular period of validity under reg 3A(2);- to revoke a permit under reg 3A(3);- to refuse under reg 3C(2) to waive the application fee for a controlled substances licence or a used substances licence;- to refuse under reg 3C(3) to waive the application fee for an
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	<p>essential uses licence;</p> <ul style="list-style-type: none"> - to refuse under reg 3C(4) to waive the application fee for a controlled substances licence, a used substances licence or an essential uses licence; <p>refuse to waive the fee for a renewal of a licence (reg 3D)(b)</p> <ul style="list-style-type: none"> - to specify under reg 73(1)(c) equipment for which the Minister considers it would be impracticable for the importer or licence holder to comply with the ban and to remove or retrofit the equipment because it is incidental to the main import; - to refuse under reg 80(2) to waive the fee for applying for an exemption under s 40(1) of the Act; - to refuse to grant a feedstock permit under reg 242(1); - to grant a feedstock permit to use a particular amount of methyl bromide under reg 242(2)(b)(i); - to refuse to grant a feedstock permit to use methyl bromide to manufacture a particular chemical under reg 242(2)(b)(ii); - to grant a feedstock permit to buy a particular amount of methyl bromide from a particular supplier under reg 242(2)(b)(iii); - to cancel or suspend a feedstock permit under reg 244(1)(a).
<p>Regulation 3AA(8)</p>	<p>The following decisions of the Minister for the Environment:</p> <ul style="list-style-type: none"> - to refuse to make an SGG notice under regulation 3AA(1); - to vary or revoke an SGG notice under 3AA(6).
<p>Regulation 124(3)</p>	<p>The following decisions of the relevant authority or the Minister for the Environment that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to refuse an application for an RAC industry permit under reg 121; - to determine the period for which a permit is in force under reg 121; - to impose a condition on a permit under reg 121.
<p>Regulation 124(3)</p>	<p>The following decisions of the Minister for the Environment that have been confirmed or varied on reconsideration:</p>

	<ul style="list-style-type: none"> - to suspend or cancel an RAC industry permit under reg 123(1); - that a thing that contributes to the grounds for a suspension of a permit is not remedied under reg 123(1A)
<p>Regulations 235, 235 and 237</p>	<p>The decisions of the Minister:</p> <ul style="list-style-type: none"> - under reg 235: <ul style="list-style-type: none"> ▪ to refuse to grant a non-QPS permit; ▪ to refuse to grant a non-QPS permit covering a particular person as a nominated non-QPS supplier; ▪ to provide for a particular amount of methyl bromide as an allocated amount for a non-QPS permit holder; ▪ to grant a non-QPS permit subject to particular conditions; - under reg 236: <ul style="list-style-type: none"> ▪ to refuse to vary a non-QPS permit on application under para 236(4)(b); ▪ to vary a non-QPS permit under para 236(4)(a) on application with effect from a date other than that applied for; ▪ to vary a non-QPS permit under reg 236(6); - under reg 237: <ul style="list-style-type: none"> ▪ to refuse to transfer a non-QPS permit; or ▪ to transfer a permit with effect from a date other than that applied for.
<p>Regulation 316(3)</p>	<p>The following decisions of the Fire Protection Industry Board that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to refuse an application for a fire protection industry permit under reg 313; - to determine the period for which a fire protection industry permit is in force under reg 313; - to impose a condition on a fire protection industry permit.
<p>Regulation 316(3)</p>	<p>The following decisions of the Minister for the Environment that have been confirmed or varied on reconsideration:</p>

	<ul style="list-style-type: none"> - to suspend or cancel a fire protection industry permit under reg 315(1); - that a thing that contributes to the grounds for a suspension of a permit is not remedied under reg 315(1A).
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[Notes:

1. The decisions relating to RAC industry permits in relation to which a person may apply for reconsideration are set out in reg 124(1). The following instrument introduced this provision: SR 380 of 2004.
2. A relevant authority in relation to an RAC permit means the relevant Board appointed under s 120(2), or the Minister for the Environment: s110. A relevant Board, in relation to an RAC permit means the RAC Industry Board that granted the permit, or in relation to an application, the Board to which an application is made: s 110.
3. If a person applies for reconsideration of a decision relating to an RAC industry permit under reg 124(1) and the relevant authority or Minister does not confirm, vary or reverse the decision within 60 days of receiving the application, the relevant authority or Minister is taken to have confirmed the decision: reg 124(7).
4. Before making a decision under reg 124(3) the relevant authority or Minister may request the applicant in writing to provide further information reasonably needed to make the decision: reg 124(4). If further information is requested the period starting on the day the written request was made and ending on the day the applicant gives the information is not to be counted for reg 124(7): reg 124(5). If the applicant does not provide the requested information before the thirtieth day after the written request is made, that day and each day after is to be counted: reg 124(6).
5. If a person applies for a feedstock permit under reg 241 and the Minister has not made a decision about the application 30 days after the application was made or any further information was sought, the Minister is taken to have refused the application.
6. The decisions relating to fire protection industry permits in relation to which a person may apply for reconsideration are set out in reg 316(1).
7. If a person applies for reconsideration of a decision relating to a fire protection industry permit under reg 316(1) and the Board or Minister do not confirm, vary or reverse the decision within 60 days of receiving the application, the Board or Minister is taken to have confirmed the decision: reg 316(7).
8. Before making a decision under reg 316(3) the relevant authority or Minister may request the applicant in writing to provide further information reasonably needed to make the decision: reg 316(4). If further information is requested the period starting the day the written request was made and ending on the day the applicant gives the information is not to be counted for reg 316(7): reg 316(5). If the applicant does not provide the requested information before the thirtieth day after the written request is made, that day and each day after is to be counted: reg 316(6).]

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Paid Parental Leave Act 2010

Section 216(1), 224(1), 237(1), 200R(1) (55 of 2016)

AAT first review	
<p>Sections 203(4) 205(1)</p>	<p>The following decisions:</p> <ul style="list-style-type: none"> - An “AAT reviewable claimant decision”: <ul style="list-style-type: none"> o that has been affirmed, varied or set aside and substituted by the Secretary of the Department of Social Services or by an authorised review officer under s 203(4) or s 205(1), other than a decision listed in s 215(2) o a claimant decision made personally by a PPL agency representative; - An ‘AAT reviewable employee decision’ relating to the employer, including: <ul style="list-style-type: none"> o an employer determination decision that has been affirmed, varied or set aside and substituted with a new decision under Part 5-1 of the Act; o an employer determination decision or an employer funding amount decision made personally by a PPL agency representative.
AAT second review	
<p>Section 237(1)</p>	<p>A decision of the AAT under s 43(1) of the AAT Act that has been affirmed, varied, set aside and substituted with a new decision on AAT first review in relation to an AAT reviewable claimant decision.</p>
AAT single review	
<p>Sections 200E, 200H or 200J</p>	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to revoke a departure prohibition order under s 200E to; - to issue a departure authorisation certificate under s 200H; and - to make a decision about a security under s 200J.

[Notes:

1. Section 206 defines a claimant decision as any decision under this Act other than:
 1. a decision under Part 3-2 (which deals with the payment of instalments by employer)
 2. a decision under Part 3-5 (which deals with employer determinations)
 3. a decision under Part 4-2 (which deals with compliance)
 4. a decision under the Paid Parental Leave Rules, if the Rules state that s 206 does not apply to the decision
 5. a decision under the regulations, if the regulations state that s 206 does not apply to the decision.
2. An employer determination decision is a decision of an officer under s 101 to make an employer determination: s 207(1).
3. An employer funding amount decision is a decision of an officer under s 75 to pay a PPL funding amount to an employer: s 208(1)
4. An application by an employer for AAT first review of an AAT reviewable employer decision must be lodged within 14 days after the day on which the AAT reviewable employer decision was made: s 224(4)
5. Section 215(2) provides a list of claimant decisions that are not reviewable under AAT first review.]

[Papua New Guinea \(Members of the Forces Benefits\) Regulation 2016](#)

Regulation 26 (F2016L01701)

Regulations 9 11(2) 18 19 21 22 23	The following decisions: <ul style="list-style-type: none"> - - a decision by the prescribed authority under s 9 that a person's claim has been rejected; - a decision by the prescribed authority under s 9 that a person's claim has been allowed subject to one or more conditions; - a determination by the Minister under s 11(2) of the percentage of the total incapacity rate payable to a member who is partially incapacitated; - a decision by the prescribed authority under s 18 or 19 that a pension is no longer payable to a person; - a decision by the prescribed authority under s 21 that travelling expenses, or travelling expenses of a particular amount or kind, not be provided to a member or an attendant; - a decision by the prescribed authority under s 22 that a member is not entitled to a gratuity, annuity, allowance or addition to a pension;
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	<ul style="list-style-type: none"> - a decision by the prescribed authority under s 22 about the amount or rate of a gratuity, annuity, allowance or addition to a pension payable under that section; - a decision by the prescribed authority under s 23 that a person is not eligible for the grant of educational and training facilities
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[Notes:

1. The *Papua New Guinea (Members of the Forces Benefits) Regulations 1961* were repealed by this Regulation with effect from 3 November 2016.]

[Papua New Guinea \(Staffing Assistance\) Act 1973](#)

Section 55G (58 of 2011)

Sections 54(4A)(a) 54(4A)(b)	Decisions of the Commonwealth Superannuation Corporation (CSC) or a delegate of the Corporation that have been confirmed or varied by the Corporation on reconsideration.
Section 55B(1)(a)	Decisions of the CSC or a delegate of the Corporation that have been confirmed or varied on reconsideration by a Reconsideration Advisory Committee.
Sections 55F(1)(c) 55F(1)(d)	Decisions of the CSC or a delegate of the Corporation that have been confirmed or varied by the Corporation on reconsideration, following a recommendation of the Reconsideration Advisory Committee.

[Notes:

1. Section 54(4) of the Act provides that after receiving a reconsideration request the CSC may: itself reconsider the decision; refer the decision to a Reconsideration Advisory Committee for reconsideration or; refer the decision to the Committee for it to make for a recommendation to the CSC in relation to the decision.
2. Item 15(5) of Schedule 2 to the Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011 provides an application may be made to the Tribunal for review of a decision made by the Commissioner of Superannuation, or a delegate of the Commissioner before 1 July 2011, provided the period for making an application for review has not ended.]

[Parliamentary Injury Compensation Scheme Instrument 2016](#)

Section 71(1) (F2016L00652)

Reviewable decision	Description of decision and sections under which reviewable decisions are made
Section 71	<p>The following determinations, decisions or requirements made by Comcare that have been reconsidered under s 69(1):</p> <ul style="list-style-type: none"> - normal weekly earnings of members under s 15; - normal weekly earnings of the Prime Minister's spouse under s 16; - compensation for injuries under 23; - compensation under s 24; - compensation for medial and related expenses under s 25; - compensation for injuries resulting in death under s 26; - compensation in respect of funeral expenses under s 27; - compensation for injuries resulting in incapacity for covered current members under s 28; - compensation for injuries resulting in incapacity for covered former members under s 29; - compensation for injuries resulting in incapacity of the Prime Minister's spouse under s 30; - compensation for injuries resulting in incapacity if the covered person is in receipt of a superannuation pension under s 31; - compensation for injuries resulting in incapacity if the covered person is in receipt of a lump sum benefit under s 32 - compensation for injuries resulting in incapacity if the covered person is in receipt of a superannuation pension and a lump sum benefit under s 33; - compensation where covered person is maintained in a hospital under s 34; - compensation for injuries resulting in permanent impairment under s 36; - interim payment of compensation under s 37;

	<ul style="list-style-type: none"> - compensation for non-economic loss under s 39; - compensation for household services and attendant care services under s 41; - compensation for certain alterations to a covered persons house or vehicle or other alterations or modifications under s 42; - to redeem compensation by lump sum under s 43; - to make recurrent payments after payment of lump sum under s 44; - to assess employment capability under s 63, and - to obtain information from administrators of superannuation schemes under s 85(6)(a).
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[Notes:

1. This Instrument commenced on 9 May 2016 and replaced the *Petroleum Resource Rent Tax Assessment Act 2005*.
2. Reviewable decision' is defined as a decision made under section 69. Section 69 refers to decision made upon reconsideration of a determination. A determination is defined under section 66.
3. Section 72 modifies the AAT Act in relation to section 18C and section 29(2). Section 29(2) is modified to be read as being 60 day instead of the 28 day time limit to lodge an application. Section 18C of the AAT Act will be read as referring to any place within or outside Australia.
4. Section 71(2) of the Act provides that application to the Tribunal may only be made by the claimant.
5. Comcare may reconsider or cause the determination to be reconsidered by a delegate or another person whether or not an application has been made to the AAT for a review of a reviewable decision.
6. This Instrument will cease on 1 October 2026].

[Parliamentary Contributory Superannuation Act 1948](#)

Section 25(6) (37 of 1981)

Section 25(4)	<p>The decisions of Parliamentary Retiring Allowances Trust:</p> <ul style="list-style-type: none"> - made under the Act and Regulations that have been confirmed or varied by the Trust on reconsideration; - made under s 25 of the <i>Parliamentary Contributory</i>
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	<i>Superannuation Act 1948</i> as amended and in force before the commencement of s 25 of this Act (28 March 1979).
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Patents Act 1990

Section 224 (35 of 2012)

<p>Various reviewable decisions made under the sections</p>	<p>The following decisions of the Commissioner of Patents:</p> <ul style="list-style-type: none"> - to give an international application a filing date under the Patent Co-operation Treaty under s 10; - to give directions under s 17 about a dealing with the patent or an interest in it, the grant of licences under the patent or the exercise of a right under s 16; - to make a determination under s 32 in relation to the procedure to be followed in processing a patent application; - to grant a patent or petty patent to a person claiming interests in existing patents or petty patents under s 33; - to refuse to accept an application for an innovation patent under s 52; - to allow the inspection or production of documents under s 56(1)(b); - to refuse to accept an application for an extension of the term of a patent under s 74(3); - to direct that the consent of a mortgagee or licensee is not necessary in relation to a proposed amendment under s 103(2); - to direct that a patent request proceed in the names other than the applicant under s 113; - to revoke a patent under s 137(3); - to consent to a withdrawal of an application under s 141(1)(b); - to restore, or refuse to restore, under s 150(2) an application that has lapsed under s 148; - to reinstate, or refuse to reinstate, an international application under s 151(2); - to take steps under s 152(2) to give effect to a
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	<p>certificate issued by the Director of Safeguards under s147;</p> <ul style="list-style-type: none"> - to prohibit or restrict under s 152(3) the publication or communication of information about the subject matter of an application; - to prohibit or restrict under s 173 publication of information about the subject of applications or access to micro-organisms deposited for the purposes of s 41; - to grant a patent under s 215 to the legal representative of an applicant or nominated person who dies or to substitute the name in a patent where a patentee dies or, in the case of a body corporate, ceases to exist; - to extend, or refuse to extend, the time for doing required acts under s 223.
<p>Sections 147(2) 147(3) 149 152(1)</p>	<p>The following decisions of the Director of Safeguards:</p> <ul style="list-style-type: none"> - to issue, or refuse to issue, a certificate that a specification contains "associated technology" information under s 147(2); - to include in a certificate the direction that an application should lapse or that the application should not be treated as an international application under s 147(3); - to revoke, or refuse to revoke, under s 149 a direction given under s 147; - to give a notice to the Commissioner of any prohibitions or restrictions on publication or communication of information in a specification under s 152(1).
<p>Section 198</p>	<p>The following decision of the Designated Manager to refuse to register an individual as a patent attorney under s 198.</p>

Patents Regulations 1991

Regulation 22.26(2)

<p>Various reviewable decisions made under reg 22.26</p>	<p>The following decisions of the Commissioner:</p> <ul style="list-style-type: none"> - request for samples and viability statement under
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	<p>para 3.24(1)(b);</p> <ul style="list-style-type: none">- request for Commissioner's certificate authorising release of sample of a micro-organism under reg 3.25(2);- public inspection of prescribed documents under para 4.3(2)(b);- dismissal of opposition under reg 5.17 or 5.18;- determination of opposition under reg 5.19;- grant of standard patent for prescribed period under para 6.2(1)(b)(ii);- decisions made under reg 13.4(3);- protection or compensation of certain persons under 22.21(5). <p>The following decisions of the Board in relation to:</p> <ul style="list-style-type: none">- evidence of academic qualifications under reg 20.5;- evidence of knowledge requirements under reg 20.7; <p>The following decisions of the Designated Manager in relation to:</p> <ul style="list-style-type: none">- failure to comply with continuing professional education requirements under reg 20.28;- suspension of registration for serious offence under reg 20.28B;- imposing a condition when restoring attorney's name to Register of Patent Attorneys under reg 20.29(3);- returning to Register of Patent Attorneys in other circumstances under reg 20.31;- failing to maintain professional indemnity insurance under reg 20A.8; <p>The following decisions of a Panel of the Disciplinary Tribunal:</p> <ul style="list-style-type: none">- decision of Panel of Disciplinary Tribunal under reg 20.43;- penalties on professional misconduct under reg 20.44;- penalties on unsatisfactory professional conduct under reg 20.45;
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	<ul style="list-style-type: none"> - finding that attorney was unqualified at time of registration under reg 20.46; - finding that registration obtained by fraud under reg 20.47; - decision of Panel of Disciplinary Tribunal under reg 20A.18.
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Personal Property Securities Act 2009

Section 191 (130 of 2009)

<p>Various sections</p>	<p>The following decisions made by the Registrar of Personal Property Securities:</p> <ul style="list-style-type: none"> - to refuse to register a financing statement under s 150(1); - to refuse to register a financing change statement under s 150(2); - to register a financing change statement to amend the register to end the effect of a registration under s 150(2); - to refuse to give a person access to the register to search for data under s 170; - to refuse to give a person a copy of a registered financing statement in relation to which the person is registered as a secured party, or of a verification statement, under s 175; - to refuse to give a person a report relating to registered data in relation to the person under s 176(1); - to register a financing change statement in accordance with an amendment demand under s 181(1); - to refuse to register a financing change statement in accordance with an amendment demand under s 181(1); - to register a financing change statement to remove data from the register under s 184(1)(a), (b) or (c); - that data removed from the register is not to be made available for search in the register under s 178(2), 181(5) or 184(2)(a);
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	<ul style="list-style-type: none"> - to register a financing change statement to restore incorrectly removed data to the register under s 186; - to register a financing change statement to amend a registration to correct an error or omission made by the Registrar under s 188; - to register a financing change statement to remove migrated data from the register under s 334(2).
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Personally Controlled Electronic Health Records Act 2012

Section 97(8) (63 of 2012)

<p>Section 97(6)</p>	<p>The following decisions that have been reconsidered by the Systems Operator:</p> <ul style="list-style-type: none"> - to determine that a person is or is not the authorised representative of a consumer under s 6; - to refuse to register a consumer under s 41; - to refuse to register a health provider organisation or to impose a condition on such a registration under s 44; - to refuse to register a person as a repository operator, a portal operator or a contracted service provider, or to impose a condition on such a registration under s 49; - to refuse to specify a repository as a repository to which the registration of a repository relates under s 49; - to cancel or suspend the registration of a consumer or other entity under s 51; - to cancel or suspend the registration of a consumer or other entity, on request under s 51; - to vary the registration of a consumer or other entity on request under s 52; - to refuse to vary the registration of a consumer or other entity under s 52.
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[Notes:

1. The System Operator is defined as the Secretary of the Department, or a body established by a law and prescribed in the regulations to be the System Operator.
2. This Act was renamed as “*My Health Records Act 2012*” on 27 November 2015.]

Petroleum Excise (Prices) Act 1987

Section 12(6) (149 of 1987)

<p>Section 12(3)</p>	<p>The following decisions of the Minister or an authorised person that have been confirmed or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to fix a transaction price under s 4(2); - to refuse to declare a production area to be a limited production area under s 6(1B); - to revoke a declaration that a production area is a limited production area under s 6(1E); - to determine the final VOLWARE price for a month and an oil producing region under s 7(3); - to fix the transaction price for a transaction under s 7(6); - to amend a determination of the final VOLWARE price for a month and an oil producing region under s 7(9).
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[Notes:

1. The list of ‘reviewable decisions’ in relation to which a person may request reconsideration is set out in s 4(1).
2. Under s 12(7), where a decision is deemed, because of the operation of subsection (4), to be confirmed, section 29 of the Administrative Appeals Tribunal Act 1975 applies as if the prescribed time for making application for review of the decision were the period commencing on the day on which the decision is deemed to be confirmed and ending on the twenty-eighth day after that day.]

Petroleum Resource Rent Tax Assessment Act 1987

Section 20(12) (88 of 2009)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Sections 20(1) 20(8)</p>	<p>The following decisions of the Resource Minister:</p> <ul style="list-style-type: none"> - to refuse an application or request to issue a certificate concerning combining of petroleum projects under s 20(1); - to cancel a certificate under s 20(8).
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<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to transfer the expenditure that a person failed to transfer under s 45C(2); - to revoke a transfer of expenditure under s 45C(6); - to determine, or refuse to determine, that appropriate adjustments be made to the assessable receipts derived, or deductible expenditure incurred, by a person under s 53(1)(c); - to make an assessment of the amount of the taxable profit of any person in relation to a petroleum project, and of the tax payable on that amount under s 61, 62, 63 or 67; - not to remit an amount of instalment transfer interest charge under s 98D(1).
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[Notes:

1. Section 106A of the Act provides that a person may object against any decision made under the Act that is prescribed for the purposes of this section. The following provisions of the *Petroleum Resource Rent Tax Assessment Regulations 2005* prescribe decisions under s 24(2) of this Act for the purposes of s 106A: reg 41.
2. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
3. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Petroleum Resource Rent Tax Assessment Regulation 2015](#)

Regulation 47 (SLI 254 of 2015)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p>
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	<ul style="list-style-type: none"> - about whether a transaction is non-arm's length under section 12 - to substitute an estimate under subsection 13(5) - that the Commissioner is not satisfied about a matter referred to in subsection 23(1) or (2) (about comparable uncontrolled prices) - a determination of the RPM price under section 25 - a determination of the market value of project liquid or project electricity under 27(5) or 45(5)
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[Notes:

1. Section 106A of the *Petroleum Resource Rent Tax Assessment Act 1987* provides that a person may object against any decision made under the Regulations that is prescribed for the purposes of this section. Section 47 of the *Petroleum Resource Rent Tax Assessment Regulations 2015* prescribe decisions under these Regulations for the purposes of s 106A which objections can be made.
2. Under reg 47, a person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
3. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Pig Industry Act 2001](#)

Subsection 39(3) (30 of 2001)

<p>Subsection 39(2)</p>	<p>A decision of the Minister for Agriculture determining whether the transferring employee's terms and conditions of employment, with the successor body (the pig industry services body) is equivalent to the terms and conditions of employment with the statutory authority with whom the person was employed.</p>
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[Plant Breeder's Rights Act 1994](#)

Section 77(1) (148 of 2002)

Various sections	<p>The following decisions of the Secretary of the Department of Industry, Innovation and Science:</p> <ul style="list-style-type: none">- to decide under s 19(7) to exercise a power under s 19(3);- to make propagating material available under s 19(10);- to certify, or refuse to certify, that a particular plant variety has no direct use as a consumer product under s 19(11);- to accept or reject an application for plant breeder's rights under s 30;- to vary, or refuse to vary, an application for plant breeder's rights under s 31;- to refuse to extend the period for giving a detailed description of the plant variety to which the application applies under s 34(1);- to require a test growing under s 37;- not to proceed further with an application, objection or request for revocation under s 37(2B);- a determination under s 38(4) that the Secretary is satisfied that the variety has a particular characteristic and is equivalent to a test growing of the variety in Australia;- a determination under s 38(5) that the Secretary is satisfied that it would take longer than 2 years to demonstrate that the variety has a particular characteristic;- to issue a notice of cessation of provisional protection under s 39(2);- to refuse to extend the period for rebutting the prima facie case of essential derivation under s 40(8)(b);- to issue a declaration of essential derivation under s 40;- to require a test growing under s 41;- to grant, or refuse to grant, plant breeder's rights in a
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	<p>plant variety under s 44;</p> <ul style="list-style-type: none"> - to revoke, or not to revoke, plant breeder's rights in a plant variety or a declaration that a plant variety is essentially derived from another plant variety under s 50.
Section 21	<p>The following decision of the Registrar:</p> <ul style="list-style-type: none"> - to amend or to refuse to amend the Register.
Section 49(2)	<p>A decision of the Minister under s 49(2) to impose such conditions on PBR that is to be granted or that has been granted as the Minister considers appropriate.</p>

[Notes:

1. The Tribunal does not have power to extend the time for making an application to the Tribunal for review of a decision under this Act: s 77(2).]

[Plant Breeder's Rights Regulations 1994](#)

Regulations 3A(4), 5(5) (SR 83 of 1999)

<p>Regulations 3A(1) 5(1) 5(2) 5(3)</p>	<p>The following decisions of the Secretary of the Department of Industry, Innovation and Science or an authorised person:</p> <ul style="list-style-type: none"> - to refuse to authorise an establishment to conduct a test growing of a plant variety under reg 3A(1); - to refuse to refund: <ul style="list-style-type: none"> o an amount paid in excess of a prescribed fee under reg 5(1); o a fee for a service, or so much of a fee as is proportionate to the part of a service, that has not been provided under reg 5(2); - to refuse to remit an amount equal to an amount that could be refunded under reg 5(3).
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Pooled Development Funds Act 1992

Section 56(1) (100 of 1992)

<p>Section 55(5)</p>	<p>The following decisions of the Innovation and Science Australia that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to refuse under s 14 to make a registration declaration in relation to a company; - to refuse under s 17 to approve a variation of an approved investment plan of a pooled development fund ("PDF"); - to refuse under s 20(1)(b), 20(2), 23(1), 24(2), 25(1) or 27 to give an approval in relation to an investment proposed to be made by a PDF; - to refuse under s 29(2)(b) to give an approval to a PDF entering into a transaction; - to refuse under s 31(1) to give an approval in relation to a person's shareholding in a PDF; - to refuse under s 32(1) to make in relation to a payment day of a PDF a determination for the purposes of para (a) of the definition of "investment period" or "required percentage" in s 32(1); - to give a person a direction under s 33(2), 34(1), 35(1) or 36(1); - to revoke under s 47 a registration declaration in relation to a company; - to refuse under s 52A to register an entity under Part 7A; - to revoke under s 52D a registration of an entity under Part 7A.
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[Notes:

1. The list of decisions that are subject to reconsideration under the Act is set out in s 4(1).
2. If a person requests reconsideration of a decision and Innovation and Science Australia does not confirm, vary or revoke the decision before the end of the period of 60 days after the day on which Innovation and Science Australia receives the request, Innovation and Science Australia is taken, at the end of that period, to have confirmed the decision: s 55(6).]

[Premium Support \(Medical Indemnity Provider\) Scheme 2006](#)

Section 47(7) (F2006L01959)

<p>Section 47(5)</p>	<p>The following decisions of the Medicare Australia CEO that have been reviewed by a reviewing officer:</p> <ul style="list-style-type: none"> - to refuse under s 13(2)(b) to approve a later date for payment of a UMP support payment; - a deemed decision under s 27(2) that a member is not an eligible member following a calculation by a contractor that the member is not eligible for an advance subsidy; - to determine under s 34 whether a contractor was entitled to receive on behalf of a member the amount of advance subsidy paid under the Scheme and if applicable, the amount of subsidy that the contractor was entitled to receive on behalf of the member; - a deemed decision under s 36(2) that a member is not an eligible member following a calculation by a contractor that the member is not eligible for an advance subsidy.
	<p>The following decision of an authorised officer that has been reviewed by a reviewing officer:</p> <ul style="list-style-type: none"> - to determine under s 43(1) whether a contractor is eligible for an administration fee and, if so, the amount of the administration fee payable to a contractor; - to determine under s 46(a) that an administration fee was incorrectly paid.

[Notes:

1. The Scheme instrument was made pursuant to the *Medical Indemnity Act 2002*.
2. The list of reviewable decisions that may be reconsidered under the Act is set out in s 47(1). The following instruments introduced or amended s 47(1): F2006L01959.
3. Where the applicant applies for a review of a reviewable decision under ss 47(2) or (7), the amount of the premium is not reviewable.]

Primary Industries (Customs) Charges Act 1999

Section 28(5) of the *Primary Industries Levies and Charges Collection Act 1991* (11 of 1999)

Section 28(3) of the <i>Primary Industries Levies and Charges Collection Act 1991</i>	The following decision of the Secretary of the Department of Agriculture that has been affirmed, varied or revoked by the Minister for Agriculture on reconsideration: <ul style="list-style-type: none">- to determine under cl. 3(3)(a) of Sch 6 the declared value of a quantity of deer velvet exported from Australia.
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[Notes:

1. Section 28(9)(e) of the *Primary Industries Levies and Charges Collection Act 1991* provides that the decision referred to above is subject to review under that Act.]

Primary Industries (Excise) Levies Act 1999

Section 28(5) of the *Primary Industries Levies and Charges Collection Act 1991* (11 of 1999)

Section 28(3) of the <i>Primary Industries Levies and Charges Collection Act 1991</i>	The following decision of the Secretary of the Department of Agriculture that has been affirmed, varied or revoked by the Minister for Agriculture on reconsideration: <ul style="list-style-type: none">- to determine under cl 5(2) of Sch 8 the declared value of a quantity of deer velvet used in the production of other goods
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[Notes:

1. Section 28(9)(d) of the *Primary Industries Levies and Charges Collection Act 1991* provides that the decision referred to above is subject to review under that Act.]

Primary Industries Levies and Charges Collection Act 1991

Section 28(5) (118 of 1999)

Section 28(3)	The following decision of the Minister for Agriculture that has been affirmed, varied or revoked on reconsideration: <ul style="list-style-type: none">- to refuse to remit the whole or part of an amount of penalty under s 16;- a determination by the Secretary, or a delegate of the
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	<p>Secretary, under subclause 5(2) of Schedule 8 to the <i>Primary Industries (Excise) Levies Act 1999</i>, of the declared value of a quantity of deer velvet used in the production of other goods; or</p> <ul style="list-style-type: none"> - a determination by the Secretary, or a delegate of the Secretary, under paragraph 3(3)(a) of Schedule 6 to the <i>Primary Industries (Customs) Charges Act 1999</i>, of the declared value of a quantity of deer velvet exported from Australia.
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[Primary Industries Levies and Charges Collection Regulations 1991](#)

Clause 17 of Schedule 15; Clause 17 of Schedule 16; Clause 17 of Schedule 21;
 The following clauses of Schedule 22: Clauses 3.25, 4.21, 7.26, 8.10, 9.25, 11.25, 13.18, 14.26, 15.19, 17.19, 18.17, 19.20, 25.23, 26.19, 27.21 and 31.18
 Clause 2.20 of Schedule 34; Clause 19 of Schedule 35;
 The following clauses of Schedule 37: Clauses 1.18, 2.18, 3.22, 5.18, 9.26 and 10.21

<p>Schedule 15 – Forest industries products</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 15:</p> <ul style="list-style-type: none"> - to refuse to grant to a producer an exemption from lodging quarterly returns in relation to leviable logs, under cl 13 - to refuse to continue an exemption from lodging quarterly returns for the following year in relation to leviable logs, under cl 14
<p>Schedule 16 – Forest industries (export)</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 16:</p> <ul style="list-style-type: none"> - to refuse to grant to a producer an exemption from lodging quarterly returns in relation to chargeable logs, under cl 13 - to refuse to continue an exemption from lodging quarterly returns for the following year in relation to chargeable logs, under cl 14
<p>Schedule 21– Honey</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 21:</p> <ul style="list-style-type: none"> - to refuse to grant to a person an exemption from lodging quarterly returns in relation to honey, under cl 11C(1)(a) - to refuse to continue an exemption from lodging quarterly returns for the following year in relation to honey, under cl 11D(1)(a)

<p>Schedule 22 - various clauses</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 22:</p> <ul style="list-style-type: none"> - to refuse to grant to a person an exemption from lodging quarterly returns in relation to apples and pears under cl 3.17(1)(a); - to refuse under cl 3.18(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to apples and pears; - to refuse to grant to a person an exemption from the requirement to lodge quarterly returns in relation to avocados under cl 4.14(1)(a); - to refuse under cl 4.15(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to avocados; - to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to citrus under cl 7.18(1)(a); - to refuse under cl 7.19(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to citrus; - to refuse under cl 8.8C(1)(a) to grant an exemption from the requirement to lodge quarterly returns in relation to custard apples; - to refuse under cl 8.8D(1)(a) to continue an exemption from lodging quarterly returns in relation to custard apples; - to refuse to grant an exemption from the requirement to lodge monthly returns in relation to dried vine fruits under cl 9.17(1)(a); - to refuse under cl 9.18(1)(a) to continue an exemption from lodging monthly returns for the following year in relation to dried vine fruits; - to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to nashi under cl 11.17(1)(a); - to refuse under cl 11.18(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to nashi; - to refuse to grant an exemption from lodging quarterly returns in relation to passionfruit under cl 13.15(1)(a); - to refuse to continue an exemption from lodging quarterly returns in relation to passionfruit under cl 13.16(1)(a); - to refuse to grant an exemption from the requirement to lodge
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	<p>quarterly returns in relation to potatoes under cl 14.19(1)(a);</p> <ul style="list-style-type: none">- to refuse under cl 14.20(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to potatoes;- to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to stone fruit under cl 15.15(1)(a);- to refuse under cl 15.16(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to stone fruit;- to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to vegetables under cl 17.15(1)(a);- to refuse under cl 17.16(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to vegetables;- to refuse to grant an approval to pay levy by an alternative payment method under cl 18.8B(1)(a);- to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to hard onions under cl 19.16(1)(a);- to refuse under cl 19.17(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to hard onions;- to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to rubus under cl 25.16(1)(a);- to refuse under cl 25.17(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to rubus;- to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to turf under cl 26.14(1)(a);- to refuse under cl 26.15(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to turf;- to refuse under cl 27.15(1)(a) to grant an exemption from the requirement to lodge quarterly returns in relation to bananas;- to refuse under cl 27.16(1)(a) to continue an exemption from the requirement to lodge quarterly returns in relation to bananas;- to refuse under cl 28.18(1)(a) to grant an exemption from the requirement to lodge quarterly returns in relation to pineapples;- to refuse under cl 28.19(1)(a) to continue an exemption from the requirement to lodge quarterly returns in relation to pineapples
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	<ul style="list-style-type: none"> - to refuse to grant an exemption under para 30.15(1)(a) in relation to sweet potatoes - to refuse to continue an exemption under para 30.16(1)(a) in relation to sweet potatoes - to refuse under s 31.14(1)(a) to grant or to continue an exemption from the requirement to lodge returns for quarters in a levy year in relation to melons - to refuse to continue an exemption under para 31.15(1)(a) in relation to melons
<p>Schedule 35</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 35:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to wine under cl 15(1)(a); - to refuse under cl 16(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to wine.
<p>Schedule 37</p>	<p>The following decisions of the Secretary of the Department of Agriculture under Sch 37:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption from the requirement to lodge monthly returns in relation to macropods under cl 1.14(1)(a); - to refuse under cl 1.15(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to macropods; - to refuse to grant an exemption from the requirement to lodge monthly returns in relation to wool under cl 2.20(1)(a); - to refuse under cl 2.21(1)(a) to continue an exemption from lodging monthly returns for the following year in relation to wool; - to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to farmed prawns under cl 3.14(1)(a); - to refuse to continue an exemption from lodging quarterly returns for the following year in relation to farmed prawns under cl 3.15(1)(a) to refuse to grant an exemption from the requirement to lodge quarterly returns in relation to bees under cl 5.14(1)(a); - to refuse under cl 5.15(1)(a) to continue an exemption from lodging quarterly returns for the following year in relation to bees;

	<ul style="list-style-type: none"> - to refuse under clause 9.19 to grant an exemption from the requirement to lodge quarterly returns in relation to leviable logs; - to refuse under cl 9.20 to continue an exemption from lodging quarterly returns in relation to leviable logs for the following year; - to refuse to grant an exemption from lodging quarterly returns in relation to ginger under cl 10.14(1)(a); - to refuse to continue an exemption from lodging quarterly returns in relation to ginger under cl 10.15(1)(a).
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[Primary Industries Levies and Charges \(National Residue Survey Levies\) Regulations 1998](#)

Regulations 23, 123 (SR 147 of 1998)

<p>Regulations 14 15 114 115</p>	<p>The following decisions of the Secretary of the Department of Agriculture:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption from the requirement to lodge quarterly returns under reg 14 or 114; - to refuse to continue an exemption under reg 15 or 115.
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[Privacy Act 1988](#)

Sections 96 (12 of 2017)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Privacy Commissioner:</p> <ul style="list-style-type: none"> - to not register an APP Code developed by an APP Code developer under s 26H(1); - to not register a CR code developed by a CR Code developer under s 26S(1); - to refuse an application for a declaration under s 26WQ(7) for exemption from eligible data breach notification—or extending the time for notifying individuals; - to make a declaration under s 26WQ(1)(d) that an eligible data breach be notified to individuals within a specified time; - to give a direction under s 26WR(1) to notify an eligible
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	<p>data breach;</p> <ul style="list-style-type: none"> - to make a determination under s 52(1) or 52(1A) following an investigation of an act or practice; - to dismiss an application under s 73(1A) for a public interest determination about an agency or organisation's acts and practices; - to refuse under s 95 to approve National Health and Medical Research Council (NHMRC) guidelines for protection of privacy by agencies in medical research; - to refuse under s 95A(2) to approve guidelines issued by the NHMRC or a prescribed authority that relate to the use and disclosure of health information for research, or the compilation or analysis of statistics, relevant to public health or public safety; - to refuse under s 95A(4) to approve guidelines issued by the NHMRC or a prescribed authority that relate to the collection of health information for (a) research, or the compilation or analysis of statistics, relevant to public health or public safety or (b) the management, funding or monitoring of a health service; - to refuse under s 95AA(2) to approve guidelines issued by the NHMRC that relate to the use and disclosure of genetic information for the purposes of lessening or preventing a serious threat to life, health or safety of a genetic relative of a person to whom the genetic information relates; - to revoke under s 95A(6) an approval of guidelines issued by the NHMRC or a prescribed authority.
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[Product Emissions Standards Rules 2017](#)

Section 50 (F2018L00021)

Section 50	<p>The following decisions of the Secretary of the Department of Environment and Energy</p> <ul style="list-style-type: none"> - to refuse an application for certification under Subdivision A of Division 2 of Part 4; - to vary, suspend or revoke, or not to end a suspension of, an Australian certificate of conformity under Subdivision B of Division 2 of Part 4; - to refuse an application for an exemption under Division 2 of
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	<p>Part 5;</p> <ul style="list-style-type: none"> - to specify a condition in an exemption under Division 3 of Part 5; - to vary, suspend or revoke, or not to end a suspension of, an exemption under Division 4 of Part 5; - not to waive a fee under section 44.
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Private Health Insurance Act 2007

Section 328-5 (87 of 2015)

Sections 23-20 23-35	<p>The following decisions of the Chief Executive Medicare:</p> <ul style="list-style-type: none"> - to reject an application for registration of a person in respect of a health insurance policy under s 23-20; - to revoke a person’s registration in respect of a health insurance policy under s 23-35.
Section 282-15(4)	<p>The following decisions of the Chief Executive Medicare that have been affirmed on reconsideration:</p> <ul style="list-style-type: none"> - a decision that an amount is recoverable as a debt under s 282-1(1)(a) or (b); - a decision that an amount is recoverable as a debt due to the Commonwealth under s 282-1(1)(h) in respect of a payment made to an individual; - a decision under s 282-10(1) to set off a debt against an amount otherwise payable to a person (other than a private health insurer) or his or her estate.
Section 279-45(3)	<p>The following decisions of the Chief Executive Medicare that have been affirmed, varied or revoked on reconsideration:</p> <ul style="list-style-type: none"> - to refuse under s 279-20(1) a claim by a private health insurer for reimbursement or pay only such part of the claim as he or she is satisfied is correct; - to refuse under s 279-40(3) an application from a private health insurer for an additional amount or decide to pay only part of the additional amount sought.
Sections 121-5(6)	<p>The following decisions of the Minister for Health:</p>

<p>121-7(1)(b) 169-10(2) 206-1 279-5</p>	<ul style="list-style-type: none"> - to refuse to make a declaration, or to revoke a declaration, that a facility is a hospital under s 121-5(6); - to specify a condition, in relation to a particular facility, to which a declaration that a facility is a hospital is subject under s 121-7(1)(b); - to direct a private health insurer not to make a change that it proposes to make to its rules under s 169-10(2); - to refuse under s 191-1(3) a request for a longer period for a private health insurer to respond to a request for an explanation; - to refuse under s 197-1(3) to consent to a private health insurer withdrawing or varying an undertaking; - to give a direction to a private health insurer under s 200-1; - to revoke a private health insurer's status as a participating insurer under s 206-1; - to reject an application to become a participating insurer under s 279-5.
<p>Sections 191-1(3) 197-1(3) 200-1 307-20(1) or (2).</p>	<p>The following decisions of the Minister for Health or the Australian Prudential Regulation Authority:</p> <ul style="list-style-type: none"> - to refuse under s 191-1(3) a request for a longer period for a private health insurer to respond to a request for an explanation; - to refuse under s 197-1(3) to consent to a private health insurer withdrawing or varying an undertaking; - to give a direction to a private health insurer under s 200-1; - not to waive, or to waive only a part of, an amount of late payment penalty (other than late payment penalty in respect of an amount of collapsed insurer levy) under s 307-20(1) or (2).
<p>Section 121-8C</p>	<p>A decision by the Minister to revoke of a *hospital in a class set out in the Private Health Insurance (Health Insurance Business) Rules 2018</p>
<p>Section 121-8A</p>	<p>A decision by the Minister that a hospital does not satisfy the assessment criteria set out in the Private Health Insurance (Health Insurance Business) Rules 2018</p>

[Notes:

1. If a person applies to the Chief Executive Medicare for reconsideration of one of the following decisions and the Chief Executive has not told the claimant of the decision on the reconsideration within 28 days after receiving the application, the CEO is taken to have affirmed the original decision:
2. A decision under s 282-1(1)(h) that an amount is recoverable as a debt due to the Commonwealth or a decision under s 282-10(1) to set off a debt against an amount otherwise payable to a person (other than a private health insurer) or his or her estate: s 282-15(8).
3. If a private health insurer requests the Chief Executive Medicare under s 279-45(1) to reconsider a decision under s 279-20(1) or 279-40(2) and the Chief Executive has not notified the private health insurer of the decision on the reconsideration within 28 days after receiving the request, the Chief Executive is taken to have revoked the decision: s 279-45(6)
4. AAT reviewable power under ss 121-8C and 121 8A commences on 1 January 2019.]

[Private Health Insurance \(Prudential Supervision\) Act 2015](#)

Section 168(7) (85 of 2015)

<p>Sections 15 20 27(3)(b)(ii) 32 33 37 92 96 99 115</p>	<p>The following decisions that have been confirmed or varied upon reconsideration by the Australian Prudential Regulation Authority:</p> <ul style="list-style-type: none"> - to refuse an application for registration as a private health insurer under s 15; - to grant an application, subject to terms and conditions, for registration as a private health insurer under s 15; - to refuse an application for approval for a private health insurer to convert to being registered as a for profit insurer, under s 20; - to refuse to approve the crediting of an amount to a health benefits fund of a private health insurer under s 27(3)(b)(ii); - to refuse to approve a restructure of the health benefits fund of a private health insurer under s 32; - to refuse to approve a transfer of the health benefits of one or more private health insurers under s 33; - to refuse to approve a termination of the health insurer funds of a private health insurer under s 37; - to make, vary or revoke a prudential standard referred to in s 92(3)(c), under 92; - to give a direction on a ground specified in s 96(1)(a), (b) or (c), under s 96;
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	<ul style="list-style-type: none"> - to vary, or to refuse to vary or revoke a direction that was given under s 96 on a ground specified in s 96(1)(a), (b) or (c), under s 99; - to give a direction to terminate the appointment of a person as appointed actuary under s 115.
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[Notes:

1. Section 122 notes that a person is not entitled to refuse or fail to comply with a requirement under the Act on the ground that it may make the person liable to a penalty by way of disqualification under section 120, despite anything in the *Administrative Appeals Tribunal Act 1975*.
2. The time limit for making an application is on the 28th day from the day on which the decision is taken to be confirmed: s168(8).]

[Product Grants and Benefits Administration Act 2000](#)

Section 14ZZ of the *Taxation Administration Act 1953*

<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i></p>	<p>The following decisions of the Commissioner of Taxation that have been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to refuse an application for registration under s 10; - to cancel registration under s 11; - to make an assessment of the amount of a grant or benefit under s 17; - to amend an assessment of the amount of a grant or benefit under s 20.
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[Notes:

1. Section 53(1) provides that, if a person is dissatisfied with a reviewable grant or benefit decision which is defined in s 53(2), they may object against the decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The following Acts introduced or have amended the list of reviewable decisions: 61 of 2000 and 73 of 2006.
2. This Act sets out the administrative provisions for the assessment and payment of grants and benefits available under the following Acts: *Energy Grants (Cleaner Fuels) Scheme Act 2004*, *Energy Grants (Credits) Scheme Act 2003* and *Product Stewardship (Oil) Act 2000*. The grants and benefits to which the Act applies are defined in s 8.
3. Section 53(1) provides that, if a person is dissatisfied with a reviewable grant or benefit decision which is defined in s 53(2), they may object against the decision in the manner

set out in Part IVC of the *Taxation Administration Act 1953*. The following Acts introduced or have amended the list of reviewable decisions: 61 of 2000 and 73 of 2006.

4. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

Product Stewardship Act 2011

Section 96(1) (76 of 2011)

<p>Section 95(4)</p>	<ul style="list-style-type: none"> - The following decisions that have been internally reviewed by the Minister for the Environment (not decision made personally by him): <ul style="list-style-type: none"> o A decision by an accrediting authority under a determination under section 13 to: <ul style="list-style-type: none"> ▪ cancel or refuse to cancel the accreditation; ▪ refuse to accredit; ▪ impose condition in relation to; ▪ the voluntary arrangement in relation to a class of products;
<p>Sections 18(6) 26 28 32(1) 33</p>	<p>The following decisions made by the Minister for the Environment personally:</p> <ul style="list-style-type: none"> - to vary, refuse to vary or revoke a notice requiring a person to become a member of an approved co-regulatory arrangement under s 18(6); - to refuse to approve the co-regulatory arrangement in relation to a class of products under s 26; - to cancel or refuse to cancel the approval of the co-regulatory arrangement in relation to a class of products under s 28; - to make a determination that this Act has effect as if the person were a liable party under s 32(1); - to refuse to consent to the appointment of a new administrator under s 33.

[Notes:

1. A list of reviewable decisions and persons who may apply for review under this Act is set out in s 93.]

[Product Stewardship \(Voluntary Arrangements\) Instrument 2012](#)

Section 96(1) of the *Product Stewardship Act 2011*

Sections 2.03(1) 2.08(1) 2.10(1)	The following decisions of the Minister for the Environment: <ul style="list-style-type: none">- to refuse to accredit a voluntary arrangement in relation to class of products under s 2.03(1);- to impose conditions on the accreditation of a voluntary arrangement in relation to a class of products under s 2.08(1);- to cancel, or refuse to cancel the accreditation of a voluntary arrangement under s 2.10(1).
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[Protection of Cultural Objects on Loan Act 2013](#)

Section 18 (12 of 2013)

Sections 15 16 17	The following decisions of the Minister for the Arts: <ul style="list-style-type: none">- to refuse to approve a borrowing institution under s 15;- to impose or vary a condition on the approval of a borrowing institution under s 16;- to revoke an approval of a borrowing institution under s 17.
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[Protection of Movable Cultural Heritage Act 1986](#)

Section 48 (88 of 1990)

Sections 10(5)(a) 10(5)(b) 10A(6)(b) 10A(7)(b) 11(2) 12(3)(a)	The following decisions of the Minister for the Arts: <ul style="list-style-type: none">- to impose a condition on a permit under s 10(5)(a);- to refuse to grant a permit or certificate under ss 10(5)(b);
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<p>12(3)(b) 12(5) 13(1)</p>	<ul style="list-style-type: none"> - to refuse to grant a permit under s 10A(6)(b); - to impose a condition on a permit under s 10A(7)(b); - to specify the period of effect for a permit under s 11(2); - to impose a condition on a certificate under s 12(3)(a); - to refuse to grant a certificate under s 12(3)(b); - to specify the period of effect for a certificate under s 12(5); - to impose a condition on a permit or certificate, to vary or revoke a condition on a permit or certificate, to vary the period of effect of a permit or certificate or to revoke a permit or certificate under s 13(1).
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[Protection of the Sea \(Civil Liability\) Act 1981](#)

Section 19 (39 of 1983)

<p>Sections 16 17(3)</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to refuse to issue an insurance certificate under s 16(2); - to cancel a certificate under s 17(3).
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[Protection of the Sea \(Civil Liability for Bunker Oil Pollution Damage\) Act 2008](#)

Section 24 (76 of 2008)

<p>Sections 18(7) 22(1)</p>	<p>The following decisions of the Australian Maritime Safety Authority:</p> <ul style="list-style-type: none"> - to refuse to issue an insurance certificate under s 18(7); - to cancel a certificate under s 22(1).
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[Public Lending Right Act 1985](#)

Section 20(8) (200 of 1985)

<p>Section 20(5)</p>	<p>Decisions of the Public Lending Committee in relation to a claim that have been confirmed, varied or substituted upon reconsideration.</p>
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[Radiocommunications Act 1992](#)

Sections 292 and 292A (174 of 1992) and Section 292A (108 of 2000)

Section 289(1)	<p>The following decisions of the Australian Communications and Media Authority that have been affirmed or varied on reconsideration:</p> <ul style="list-style-type: none">- to vary a spectrum licence under s 73;- to suspend a spectrum licence under s 75;- to cancel a spectrum licence under s 77;- to change the core conditions of a spectrum licence on its reissue under s 82;- to vary or cancel a spectrum licence under s 87;- to vary a spectrum licence under s 92(2)(b);- to refuse to issue an apparatus licence under s 100;- to refuse to issue a transmitter licence under s 101A;- to refuse to issue a datacasting transmitter licence under section 102B otherwise than because of a decision under paragraph 102B(b);- to include conditions in an apparatus licence under ss 107(1)(g), 108A(1)(f), 109(1)(f), 109A(1)(k) or 109B(1)(t);- a decision under s 111 concerning the conditions of an apparatus licence;- to give a direction under s 116(1) to revoke an authorisation under s 114;- to refuse to issue a certificate of proficiency under s 121;- to cancel a certificate of proficiency under s 124;- to suspend an apparatus licence under s 126;- to cancel an apparatus licence under s 128;- to refuse to renew an apparatus licence or to renew an apparatus licence with different conditions under s 130;- to refuse to transfer an apparatus licence under s 131AB otherwise than because of a decision under paragraph
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	<p>131ACA(b);</p> <ul style="list-style-type: none"> - to refuse to issue a provisional international broadcasting certificate under s 131AF; - to refuse to include details of a radiocommunications transmitter in the Register under s 145; - to refuse to correct the Register under s 153; - to refuse to issue a permit under s 167; - a decision under s 168 about the conditions of a permit; - to give a notice under s 169(9); - to cancel a permit under s 171; - to refuse to give permission under s 174 to supply a non-standard device; - to refuse to give permission under ss 193(1) or 195(1) to use a transmitter; - to give directions under s 212 in relation to the settlement of an interference dispute; - to refuse to give to a person an accreditation under s 263; - to withdraw a person’s accreditation under s 264; - to make a pre-acquisition declaration under Pt 1 of the Sch.
<p>Section 292A</p>	<p>The following decisions of the Australian Communications and Media Authority:</p> <ul style="list-style-type: none"> - to issue a datacasting transmitter licence under paragraph 102B(b); - under s 106(6A); - to give a direction under s 114(3C); - to give a direction to suspend a datacasting transmitter license under s 128C(1); - to cancel a datacasting transmitter license under s 128D; - to transfer a datacasting transmitter licence under paragraph 131ACA(b).

[Notes:

1. The list of decisions which may be reconsidered under the Act is set out in s 285 of the Act. The following Acts introduced or have amended the list of reviewable decisions: 174 of 1992, 32 of 1995, 59 of 1997, 119 of 1997, 108 of 2000, 172 of 2000 and 68 of 2007.
3. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application, the ACMA is taken to have affirmed the original decision: s 290(1).]

[Radiocommunications \(Trading Rules for Spectrum Licences\) Determination 2012](#)

Section 10(1)

Section 8(2)	The following decision of the Australian Communications and Media Authority: to refuse to give written permission for a licensee to trade part of their licence under s 8(2).
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[Notes:

1. This determination was made under s 88 of the *Radiocommunications Act 1992*.]

[Radiocommunications Taxes Collection \(Penalties on Unpaid Tax\) Determination 2015](#)

Section 16 (F2015L00179)

Section 14(1)(b)	The following decision of the Australian Communications and Media Authority: to confirm, vary or revoke a decision under s 10(1) to (a) remit all, or a part, of an amount of penalty interest payable by a person or (b) not to remit any part of an amount of penalty interest by a person.
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[Registration of Deaths Abroad Act 1984](#)

Section 27 (57 of 2016)

Sections 19(4) 20(1) 20(3) 21(1) 21(3) 22(1) 22(3)	The following decisions of the Registrar: <ul style="list-style-type: none">- to register, or refuse to register, a death under s 12:- to register a death under s 13- to refuse an application made under s 19(1) to search in the index and the Register for an entry relating to a specified death or to provide a copy or an extract of a relevant entry;- to cause particulars to be entered in the Register to correct
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	<p>an entry under s 20(1);</p> <ul style="list-style-type: none"> - to cause particulars to be entered in a Certificate of a Death Abroad under subsection 21(1); - a decision of the Registrar to cancel the registration of a death under subsection 22(1); or - a refusal by the Registrar of an application made under subsection 20(3), 21(3) or 22(3).
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[Renewable Energy \(Electricity\) Act 2000](#)

Sections 57(6), 60(a) and 66(5) (174 of 2000)

<p>Sections 57(3) 58(1)</p>	<p>The following decision of the Renewable Energy Regulator (the Regulator):</p> <ul style="list-style-type: none"> - to refuse a request to review a liable entity’s objection after 60 days have passed under s 57(3); - the objection decision made in response to an objection, pursuant to s 60(a)
<p>Section 66(3)</p>	<p>The following decisions of the Renewable Energy Regulator that have been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to register a person under s 11; - any decision made under s 12B in relation to an application under s 12A about provisional accreditation of a power station; - any decision under s 14 in relation to an application for accreditation of a power station; - to refuse to accredit a power station under s 15; - to amend, or refuse to amend, an electricity generation return under section 20A; - not to register a certificate under s 26; - to suspend a person’s registration under s 30 or s 30A; - to refuse to approve a person as the nominated person for an accredited power station under s 30B; - to vary, or refuse to vary, under s 30C a determination as to which components are taken to be a power station for the purposes of the Act;

	<ul style="list-style-type: none"> - to suspend the accreditation of an accredited power station under s 30D or s 30E; - to vary the 1997 eligible renewable power baseline for an accredited power station under s 30F; - to vary the 2008 WCMG limit for an accredited power station under s 30G; - to refuse to determine an amount, or to determine an amount that is different from the proposed amount under s 38AF or 38AG; - to amend, or refuse to amend, an energy acquisition statement under s 45A or 45B; - to amend, or to refuse to amend, a partial exemption certificate under s 46C; - to assess a penalty charge under s 102; - not to remit, or to remit only a part of, penalty charge under s 103.
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[Notes:

1. If the Renewable Energy Regulator fails to make a decision on an objection within 60 days after being given a written notice requiring the making of the objection decision, the Regulator is deemed to have made a decision under s 58(1) to disallow the objection: s 59(3).
2. The list of reviewable decisions that are subject to reconsideration is set out in s 66(1) of the Act. The following Acts have introduced or amended the list of reviewable decisions: 174 of 2000, 90 of 2006, 78 of 2009 and 69 of 2010.
3. A table in s 66(1) sets out who may apply for reconsideration of the decisions specified above.
4. The Renewable Energy Regulator is taken to have confirmed a decision if it does not give written notice of its reconsideration decision within 60 days of the request for reconsideration: s 66(4).]

[Renewable Energy \(Electricity\) Amendment \(Transitional Provision\) Regulations 2010](#)

Regulation 11(5) (SLI 322 of 2010)

Regulation 11(3)	<p>The following decision of the Renewable Energy Regulator that has been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to determine under reg 10(1) that a contract is a contract to which sub-item 7(1) of Schedule 2 to the <i>Renewable Energy (Electricity) Amendment Act 2010</i> applies and the annual transfer number for each year for the contract.
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[Notes:

1. A party to a contract may ask the Regulator to reconsider a determination made under reg 10(1): reg 11(1). The Regulator is taken to have made a decision confirming the determination under reg 11(3) if the Regulator does not give written notice of the Regulator’s decision under reg 11(3) within 60 days of the request: reg 11(4).]

Renewable Energy (Electricity) Regulations 2001

Regulation 49(5)

<p>Various reviewable decisions made under regulation 49(3)</p>	<p>The following decisions of the Renewable Energy Regulator that have been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to determine the number of certificates that may be created for a solar water heater under reg 19BA; - to make or vary a determination about a solar water heater in relation to a request made under reg 19BC; - to give a notice requiring application for exemption certificate to be accompanied by audit report under s 22UG(4); - to specify a formula in an exemption certificate under s 22ZHC(3) - to declare that a person is not eligible to design and install small generation units under reg 47(2).
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[Notes:

1. A list of decision that can be reconsidered and subsequently subject to review by the Tribunal upon application is listed in s 49(1). Reviewable decision made under s 22UG(4) and 22ZHC(3) commenced on 19 December 2017 pursuant to *Renewable Energy (Electricity) Amendment (Exemptions and Other Measures) Regulations 2017*.
2. The Regulator is taken to have made a decision confirming the original decision if the Regulator does not give written notice of the Regulator’s decision under reg 49(3) to the party within 60 days after the party gives the request to the Minister: reg 49(4)(a). The Regulator’s decision is taken to have been made immediately after the end of the 60 days: reg 49(4)(b).]

Resale Royalty Right for Visual Artists Act 2009

Section 49 (125 of 2009)

<p>Sections 35(2)</p>	<p>The following decisions of the Minister for the Arts:</p>
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36(1)	<ul style="list-style-type: none"> - to appoint or refuse to appoint a body to be the collecting society under s 35(2); - to revoke the appointment of a body as the collecting society in the circumstances to which s 36 applies because of paragraph 36(1)(a).
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[Research Involving Human Embryos Act 2002](#)

Section 32(1) and 45(1) (172 of 2006)

<p>Sections 21(2) 23(1) 24(4) 24(8) 25(1) 26(1) 26(2)</p>	<p>The following decisions of the National Health and Medical Research Council (NHMRC) Licensing Committee:</p> <ul style="list-style-type: none"> - to refuse to issue a licence authorising use of excess ART embryos, use of excess human eggs or the creation or use of any other embryo under s 21(2); - a decision in respect of the period throughout which a licence is to be in force under s 23(1); - to specify a licence condition under s 24(4); - to modify guidelines for a licence relating to proper consent under s 24(8); - to vary, or refuse to vary, a licence under s 25(1); - to suspend or revoke a licence under s 26(1); - any reviewable State decision: <ul style="list-style-type: none"> o if the law under which the decision was made provides for review by the Tribunal, and o the decision is declared by the regulations to be a reviewable State decision for the purposes of s 4
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[Notes:

1. Section 31 of the Act sets out who may apply for review of the decisions noted above as an 'eligible person'.
2. The following State legislation are declared to be a corresponding State law for the purposes of the *Research Involving Human Embryos Act 2002* (Cth) and contain reviewable State decision for the purpose of the Commonwealth Act:
 - a. [Research Involving Human Embryos Act 2008 \(Vic\)](#)
 - b. [Research Involving Human Embryos Act 2003 \(SA\)](#)
 - c. [Research Involving Human Embryos and Prohibition of Human Cloning for Reproduction Act 2003 \(QLD\)](#)

- d. [Human Cloning and Embryo Research Act 2004 \(ACT\)](#)
- e. [Human Reproductive Technology Act 1991 \(WA\)](#)

Retirement Savings Accounts Act 1997

Section 189(7) (54 of 1998)

<p>Section 189(4)</p>	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied upon reconsideration:</p> <ul style="list-style-type: none"> - to treat an application as having been withdrawn under s 24(2); - to refuse an application for approval under s 26(2); - to specify conditions in an instrument of approval under s 26(4); - to treat an application as having been withdrawn under s 28(4); - to vary the approval of an RSA institution under ss 29 or 30; - to refuse to vary the approval of an RSA institution under s 29.
	<p>The following decisions either of APRA or ASIC that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to give or vary a direction under s 45F or 45G; - to make an exemption under s 174; - to make a declaration under s 177; - to revoke an exemption or declaration under s 179; - to give a direction under s 182; - to refuse to revoke a direction under s 182.

[Notes:

1. The list of 'reviewable decisions' that may be reconsidered under the Act is set out in s 16. The following Acts introduced or have amended the list of reviewable decisions: 61 of 1997, 121 of 2001, 123 of 2001, 25 of 2008 and 91 of 2012.
2. If APRA or ASIC do not confirm, revoke or vary a decision before the end of the period of 60 days after the day on which the request to reconsider the decision was received, the decision is taken to have been confirmed at the end of that period: s 189(5). A person

has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 189(8).

3. If a person requests reconsideration of a reviewable decision under s 189(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 189(9). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

Retirement Savings Accounts Regulations 1997

Regulation 6.03 (SR 116 of 1997)

Regulation 6.02(3)	The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration: <ul style="list-style-type: none">- to determine a form of consent under para (b) of the definition of consent under reg 4.30 or 4A.27(8);
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[Notes:

1. If a person seeks reconsideration of a decision and APRA does not confirm, vary or revoke the decision before the end of the period of 60 days after the day on which APRA received the request, APRA is taken to have confirmed the decision at the end of that period: reg 6.02(4).
2. Under s 6.03, a review by the Tribunal includes a decision that is taken under sub-regulation 6.02(4) to have been confirmed.]

Road Vehicle Standards Rules 2018

Section 230

Section 230	The following decisions: <ul style="list-style-type: none">- a decision to refuse to consider an application for a road vehicle type approval;- a decision to refuse to grant a road vehicle type approval;- a decision to impose a condition on a road vehicle type approval;- a decision to refuse to consider an application for a concessional RAV entry approval;- a decision to refuse to grant a concessional RAV entry approval;- a decision to impose a condition on a concessional RAV entry
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	<p>approval;</p> <ul style="list-style-type: none">- a decision to refuse to consider an application for a RAW approval;- a decision to refuse to grant a RAW approval;- a decision to impose a condition on a RAW approval;- a decision to refuse to consider an application for approval of a Model Report;- a decision to refuse to approve a Model Report;- a decision to impose a condition on a Model Report approval;- a decision to refuse to consider an application to approve a variation to a Model Report;- a decision to refuse to approve a variation to a Model Report;- a decision to refuse to consider an application for an AVV approval;- a decision to refuse to grant an AVV approval;- a decision to impose a condition on an AVV approval;- a decision to refuse to consider an application for a testing facility approval;- a decision to refuse to grant a testing facility approval;- a decision to impose a condition on a testing facility approval;- a decision to refuse to consider an application relating to the entry of a variant of a model, or a make and model, of a road vehicle on the SEVs Register;- a decision to refuse to enter a variant of a model, or a make and model, of a road vehicle on the SEVs Register;- a decision to refuse to consider an application for a non-RAV entry import approval;- a decision to refuse to grant a non-RAV entry import approval;- a decision to impose a condition on a non-RAV entry import approval;- a decision to refuse to consider an application for a reimportation import approval;- a decision to refuse to grant a reimportation import approval;- a decision to grant a reimportation import approval subject to
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	<p>a condition;</p> <ul style="list-style-type: none">- a decision to refuse to consider an application for a road vehicle component type approval;- a decision to refuse to grant a road vehicle component type approval;- a decision to impose a condition on a road vehicle component type approval;- a decision to vary, suspend or revoke an approval on the Minister's or Secretary's own initiative;- a decision to refuse to consider an application by the holder of an approval for variation of the approval;- a decision to refuse to vary an approval in response to an application by the holder of the approval;- a decision to vary an approval in terms other than those requested by the holder of the approval in an application for variation of the approval;- a decision to suspend an approval for a period, or until the occurrence of a specified event, other than that requested by the holder of the approval in an application for the suspension or revocation of the approval;- a decision to refuse to consider an application for an advisory notice;- a decision to refuse to issue an advisory notice that a specified thing is not a road vehicle.
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[Safety, Rehabilitation and Compensation Act 1988](#)

Sections 34R, 64(1), 67(7) (144 of 2001)

<p>Sections 34F(2)(a) 34L(2)(a) 34Q 34P(c)</p>	<p>The following decisions of Comcare:</p> <ul style="list-style-type: none"> - to refuse an application for approval of a person as a rehabilitation program provider under s 34, including s 34F(2)(a); - to refuse an application for renewal of the approval of a person as a rehabilitation program provider under s 34, including s 34L(2)(a); - to revoke an approval of a person as a rehabilitation program provider under s 34, including s 34Q; - a decision to impose particular conditions under s 34P(c) on the grant of an approval of a person as a rehabilitation program provider.
<p>Section 38(4)</p>	<p>The following decisions of a rehabilitation authority that have been affirmed, varied or revoked by Comcare on reconsideration:</p> <ul style="list-style-type: none"> - a decision under s 36 in relation to the assessment of an employees' capability of undertaking a rehabilitation program; - a decision under s 37 in relation to the provision of a rehabilitation program.
<p>Section 62(3)(b)</p>	<p>The following decision of a determining authority:</p> <p style="padding-left: 40px;">to allow, or refuse to allow, a person a further period within which to request reconsideration of a determination under s 62(3)(b).</p>
<p>Section 62(5)</p>	<p>Determinations, decisions or requirements of a determining authority under ss 8, 14, 15, 16, 17, 18, 19, 20, 21, 21A, 22, 24, 25, 27, 29, 29A, 30, 31, 34, 36, 37, 39, 114B(5)(a) or under Div 3 of Pt X that have been affirmed, varied or revoked by the determination authority on reconsideration.</p>
<p>Sections 67(3) 67(4)</p>	<p>The following decisions of a determining authority: to make a declaration under ss 67(3) or 67(4) that the responsible authority is not liable to reimburse the claimant for costs reasonably incurred in connection with that proceeding.</p>

[Notes:

1. An application for review may be lodged by:
 - a claimant;
 - if the decision affects the Commonwealth or a Commonwealth authority, the Commonwealth, or, the Commonwealth authority, respectively;
 - if the decision affects a corporation that holds a licence under Pt VIII, the licensed corporation: s 64(1).

This is despite s 27 of the *Administrative Appeals Tribunal Act 1975*: s 64(3).

2. Section 65(4) of the Act modifies the time for lodging an application for review with the Tribunal. An application for review of a decision made under ss 38(4), 62(3) or 62(5) must be lodged within 60 days of receiving the decision.
3. From 1 July 2004, compensation for members of the Defence Force is provided under the *Military, Rehabilitation and Compensation Act 2004* for injuries, aggravation of an injury or disease contracted on or after that date. From that date the Military, Rehabilitation and Compensation Commission (MRCC) replaces Comcare as a party to any proceedings under this Act in respect of ADF members.
4. From 12 October 2017, all applications under the SRC Act involving the MRCC that are:
 - a) before the Tribunal on 12 October 2017; or made to the Tribunal on or after that date, will be taken to be applications made under the SRC (Defence-related Claims) Act.]

[Safety, Rehabilitation and Compensation \(Defence-related Claims\) Act 1988](#)

Sections 64(1), 67(7) (144 of 2001)

Section 38(4)	<p>The following decisions of a rehabilitation authority that have been affirmed, varied or revoked by MRCC on reconsideration:</p> <ul style="list-style-type: none"> - a decision under s 36 in relation to the assessment of an employees' capability of undertaking a rehabilitation program; - a decision under s 37 in relation to the provision of a rehabilitation program.
Section 62(3)(b)	<p>The following decision of a determining authority:</p> <ul style="list-style-type: none"> - to allow, or refuse to allow, a person a further period within which to request reconsideration of a determination under s 62(3)(b).
Section 62(5)	<p>Determinations, decisions or requirements of a determining authority under ss 8, 14, 15, 16, 17, 18, 19, 20, 21, 21A, 22, 24, 25, 27, 29, 29A, 30, 31, 36, 37, 39, 114B(5)(a) or under Div 3 of Pt X that have been affirmed, varied or revoked by the</p>

	determination authority on reconsideration.
Sections 67(3) 67(4)	The following decisions of MRCC: to make a declaration under ss 67(3) or 67(4) that the responsible authority is not liable to reimburse the claimant for costs reasonably incurred in connection with that proceeding.

[Notes:

1. This Act commenced on 12 October 2017 and covers military related personnel previously covered under the *Safety, Rehabilitation and Compensation Act 1988*. The Act covers military employment between 1 December 1988 to 1 July 2004. Entitlements of military personnel whose service is prior to the commencement of the *Safety Rehabilitation and Compensation (Defence-related Claims) Act 1988* is covered by the transitional provisions under Part X of the Act.
2. An application for review may be lodged by:
 - a claimant;
 - if the decision affects the Commonwealth
 despite s 27 of the *Administrative Appeals Tribunal Act 1975*: s 64(3).
3. Section 65(4) of the Act modifies the time for lodging an application for review with the Tribunal. An application for review of a decision made under ss 38(4), 62(3) or 62(5) must be lodged within 60 days of receiving the decision.
4. Section 34R of the Act (and decisions that was reviewable under that section by the AAT) was repealed by Act No. 108 of 2017).

[Sea Installations Act 1987](#)

Section 75 (102 of 1987)

Sections 51(4)(c), 55(1)	The following decisions of the Minister for the Environment: <ul style="list-style-type: none"> - a decision for the purposes of s 51(4)(c); - to give a direction under ss 55(1).
Sections 62(1)(g) 62(7)	The following decisions of an inspector: <ul style="list-style-type: none"> - to direct that an installation be left undisturbed for a specified period under s 62(1)(g); - to take possession of, or take a sample of, a structure, plant, substance or thing and remove it from the installation under s 62(7).

Seafarers Rehabilitation and Compensation Act 1992

Sections 74, 80, 88(1), 91(6) (234 of 1992)

<p>Sections 72(1)(b) 73(2)(c) 73A(1)(b) 79(1)(b)</p>	<p>The following decisions of the Seafarers Safety, Rehabilitation and Compensation Authority:</p> <ul style="list-style-type: none"> - to refuse to allow an employer a further period under s 72(1)(b) within which to determine a claim for compensation in relation to an injury resulting in death; - to refuse to allow an employer a further period under s 73(2)(c) within which to determine a claim for compensation in relation to an injury resulting in an employee being incapacitated for work, the loss of, or damage, to property used by an employee or the cost of medical treatment for an injury; - to refuse to allow an employer a further period under s 73A(1)(b) within which to determine a claim for compensation in relation to injuries resulting in permanent impairment; - to refuse to allow an employer a further period under s 79(1)(b) within which to reconsider a determination.
<p>Section 78(3)(b)</p>	<p>The following decision of an employer: to allow, or refuse to allow, a person a further period within which to request reconsideration of a determination under s 78(3)(b).</p>
<p>Section 78(6)</p>	<p>The following determinations, decisions or requirements of an employer that have been affirmed, varied or revoked by the employer on reconsideration:</p> <ul style="list-style-type: none"> - the amount of normal weekly earnings payable under s 13; - whether compensation is payable in respect of an injury under s 26; - whether compensation is payable in respect of property loss or damage under s 27; - whether compensation is payable in respect of medical and related expenses under s 28; - whether compensation is payable in respect of an injury that results in an employee's death under s 29; - whether compensation is payable in respect of an

	<p>employee's funeral expenses under s 30;</p> <ul style="list-style-type: none">- whether compensation is payable in respect of an injury resulting in incapacity for work under s 31;- whether compensation is payable in respect of an injury resulting in incapacity where an employee is in receipt of a superannuation pension under s 33;- whether compensation is payable in respect of an injury resulting in incapacity where an employee is in receipt of a lump sum benefit under s 34;- whether compensation is payable in respect of an injury resulting in incapacity where an employee is in receipt of a rolled-over lump sum benefit under ss 35 or 36;- whether compensation is payable where an employee is maintained in hospital under s 37;- whether compensation is payable in respect of an injury resulting in permanent impairment under s 39;- to make an interim determination under s 40 of the degree of permanent impairment and assess an amount of compensation payable pending a final determination;- to make a determination as to the compensation payable in respect of non-economic loss under s 41;- whether compensation is payable in respect of household services and attendant care services obtained as a result of a non-catastrophic injury under s 43;- whether compensation is payable in respect of household services and attendant care services obtained as a result of a catastrophic injury under 43A;- that liability to make weekly payments be redeemed by payment of a lump sum under s 44;- whether compensation is payable after payment of a lump sum under s 45;- a decision in relation to the assessment of an employee's capability of undertaking rehabilitation programs under s 49;- a decision in relation to the provision of rehabilitation programs under s 50;- whether compensation is payable in respect of certain alterations under s 51;- to require an employee to undergo a medical examination
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	<p>under s 66;</p> <ul style="list-style-type: none"> - to require an employee to give information under s 126.
<p>Sections 91(3) 91(4)</p>	<p>The following decisions of an employer: to make a declaration under ss 91(3) or 91(4) that the employer is not liable to reimburse the claimant for costs reasonably incurred in connection with that proceeding.</p>

[Notes:

1. Section 89(3) of the Act modifies the time for lodging an application for review with the Tribunal of certain decisions. A person must lodge an application for review of a decision made under ss 72(1)(b), 73(2)(c), 73A(1)(b), 78(3)(b) or 78(6) within 60 days of receiving the decision.
2. If an employer has not determined a request for reconsideration within 60 days after receiving the request or such further period as is allowed under s 79, the employer is taken to have made a decision to affirm the primary decision: s 79(6).]

[Sex Discrimination Act 1984](#)

Sections 45 (133 of 1999)

<p>Section 44</p>	<p>The following decisions of the Australian Human Rights Commission:</p> <ul style="list-style-type: none"> - to refuse to grant an exemption or further exemption from the operation of a provision in Div 1 or 2 of Pt II of the Act, or para 41(1)(e), or para 41B(1)(b).
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[Shipping Reform \(Tax Incentives\) Act 2012](#)

Section 24 (53 of 2012)

<p>Sections 8 8(1) 9(3) 13 14(1) 17</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate under s 8(1); - to determine matters set out in a certificate under s 8; - to make or refuse to make a determination under s 9(3); - to vary or revoke a certificate under s 13; - to refuse to give a notice under s 14(1);
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	- to vary or revoke a notice under s 17.
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[Notes:

1. The Minister may delegate any of all of his or her powers under this Act: s 27]

[Shipping Registration Act 1981](#)

Section 78(1) (78 of 1990)

Various sections under the Act	<p>The following decisions of the Registrar:</p> <ul style="list-style-type: none"> - to determine the method by which to measure length of a ship under s 10(2); - to extend, or refuse to extend, the period of effect of a provisional certificate under ss 21(5) or 22(4); - to grant, or refuse to grant, a further provisional registration certificate under s 22(6); - to grant, or refuse to grant, a provisional registration certificate under ss 22A(1) or 22A(2); - to extend, or refuse to extend, the period of effect of a provisional certificate under ss 22A(4); - to grant, or refuse to grant a further provisional registration certificate under s 22A(6); - to disallow the name of a ship under s 27(3); - to extend, or refuse to extend, the period of effect of a provisional certificate under ss 65(4); - a decision in relation to the transfer of registration under s 87(1); - to refuse to accept an instrument or document under s 88(3); - a decision in relation to an application under previous law under s 89.
Section 22(1)	<p>The following decision of a proper officer:</p> <ul style="list-style-type: none"> - to grant, or refuse to grant, a provisional registration certificate under s 22(1).
Sections	The following decisions of the Australian Maritime Safety Authority:

<p>23(1) 58(2A) 92(4)</p>	<ul style="list-style-type: none"> - to direct, or refuse to direct, the Registrar to grant a temporary pass under s 23(1); - to give the Registrar directions with respect to the closure of the registration relating to a ship or any entry or amendment to an entry under s 58(2A); - to direct that the registration relating to a ship be closed under s 92(4).
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Small Superannuation Accounts Act 1995

Section 83 (52 of 1995)

<p>Section 82(4)</p>	<p>Any decision of the Commissioner of Taxation under this Act (other than a decision made under Div 2, 3 or 4 of Pt 6 or a decision relating to the approval of a form) that has been confirmed or varied on reconsideration.</p>
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[Notes:

1. The definition of ‘reviewable decision’ for the purposes of this Act is set out in s 81. The following Acts introduced or have amended the definition: 52 of 1995.
2. If the Commissioner of Taxation does not confirm, revoke or vary a decision before the end of the period of 60 days after the day on which the Commissioner received the request to reconsider the decision, the Commissioner is taken to have confirmed the decision at the end of that period: s 82(5). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 84(1).
3. If a person requests reconsideration of a reviewable decision under s 82(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 84(2). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.]

Social Security Act 1991

Sections 1061ZZFM and 1255(1)

<p>Sections 1244 1247 1248</p>	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to revoke or vary a departure prohibition orders under s 1244; - to issue a departure authorisation certificate under s 1247; and
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	<ul style="list-style-type: none"> - to require a person to give a security under s 1248.
<p>Sections 1061ZZFJ 1061ZZFK</p>	<p>The following decisions made by the Commissioner of Taxation:</p> <ul style="list-style-type: none"> - to delay or refuse to delay the making of an assessment made under s 1061ZZFH - to refuse to amend an assessment made under s 1061ZZFH

Social Security (Administration) Act 1999

Section 142(1) [AAT first review]

Section 179(1) [AAT second review]

Section 138H [AAT single review]

AAT first review	
<p>Sections 126(3) 135(1)</p>	<p>A decision, subject to non-reviewable decisions under s 144, made by:</p> <ul style="list-style-type: none"> - the Secretary of the Department of Social Services, the Chief Executive Centrelink or an authorised review officer made under ss 126 or 135; or - a decision under this Act made personally by the Secretary or the Chief Executive Centrelink
AAT second review	
<p>Section 179(1)</p>	<p>A decision of the AAT on AAT first review made under s 43(1) of the AAT Act.</p>
Other reviewable decisions not AAT first or second review	
<p>Sections 138D 138F</p>	<p>The following reviewable decisions that have been confirmed, varied or set aside on reconsideration:</p> <ul style="list-style-type: none"> - to defer making an assessments: s 1061ZVHE of the 1991 Act; - to amend assessments: s 1061ZVHF of the 1991 Act

[Notes:

1. Act 60 of 2015 amended the Act to introduce first and second AAT review with effect from 1 July 2015.
2. For the purpose of ss 138D and 138F, the 1991 Act is defined as *Social Security Act 1991* (Cth).
3. The standard 28-day time limit for lodging a review application does not apply in respect of applications for AAT first review of decisions under this Act: s 147 (60 of 2015)
4. The review provisions in this Act also apply to decisions under:
 - the *Farm Household Support Act 2014* and schemes made under that Act;
 - the *Aged Care Act 1997* by the Secretary, or by a person to whom the Secretary has sub-delegated power under s 96-2(7) of that Act (see section 85-1);
 - s 5A, 5B, 5C, 5D, 5DA, 5DB, 5E, 5EA or 5EB of the *Health Insurance Act 1973*;
 - the A New Tax System (Bonuses for Older Australians) Act 1999 relating to a claim for a bonus payment;
 - ss 1.5 and 2.2(3) of the Adult Disability Assessment Determination 1999;
 - ss 1.6 and 2.2(3) of the Child Disability Assessment Determination 1999.]

[Social Security and Veterans' Affairs Legislation Amendment \(One-Off Payments and Other 2007 Budget Measures\) Act 2007](#)

Clause 5(2) of Schedule 5 (66 of 2007)

Cl 5(1) of Sch 5	A decision of the Repatriation Commission under cl 5(1) of Schedule 5 regarding a claim for compensation.
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[Notes:

1. The eligibility for compensation payment is outlined in cl 2 of Sch 5.]

[South-east Commonwealth Marine Reserves Network Management Plan 2013-23](#)

Regulation 14.16(8) of the *Environment Protection and Biodiversity Conservation Regulations 2000*

Part 4, Strategy 2, A7 and A8	<p>The following decisions of the Director of National Parks that have been reconsidered by the Director:</p> <ul style="list-style-type: none"> - any decision about a permit or class approval made under Part 5.2
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[Notes:

1. This Plan commenced on 1 July 2013.

2. This Plan was made under s 370 of the Environment Protection and Biodiversity Conservation Act 1999.
3. Clause A8 of the Plan specifies that a person who has requested a reconsideration may apply to the Tribunal for a review of the reconsideration decision.]

[South-west Marine Park Network Management Plan 2018](#)

Regulation 14.16(8) of the Environment Protection and Biodiversity Conservation Act 1999

Reg. 4.3.3.2	The reconsidered decision made by the Director of National Park in relation to decisions about permits and other types of authorisations
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[Notes:

1. This plan was approved on 25 January 2018 and will cease to be in effect on 30 June 2028.
2. This plan was made under s 370 of the *Environment Protection and Biodiversity Conservation Act 1999*.]

[Southern Bluefin Tuna Fishery Management Plan 1995](#)

Section 165(7) of the *Fisheries Management Act 1991*

Section 165(5) of the <i>Fisheries Management Act 1991</i>	<p>The following decisions of the Australian Fisheries Management Authority that have been reconsidered under s 165(5) of the <i>Fisheries Management Act 1991</i>:</p> <ul style="list-style-type: none"> - to determine under subcl 14.2 that a person has not demonstrated to the satisfaction of AFMA that there are exceptional extenuating circumstances that caused an application to be made to after the period specified in para 14.1(a); - to determine under subcl 15.5 that a person has not demonstrated to the satisfaction of AFMA that there are exceptional extenuating circumstances that caused an application to be made to after the period specified in para 15.3(b)
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[Notes:

1. This Plan was made under subsection 17(1) of the *Fisheries Management Act 1991*. Refer to the entry in this list for the Act for other relevant information.
2. Clause 32 of the Plan provides that s 165 of the *Fisheries Management Act 1991* applies to the decisions specified in the right-hand column as if they were ‘relevant decisions’ within the meaning of that section. ‘Relevant decision’ is defined in s 165 of the Act which is reviewable by the Tribunal, having been reconsidered.]

[Southern Squid Jig Fishery Management Plan 2005](#)

Section 165(7) of the *Fisheries Management Act 1991*

<p>Section 165(5) of the <i>Fisheries Management Act 1991</i></p>	<p>The following decisions of the Australian Fisheries Management Authority that have been reconsidered under s 165(5) of the <i>Fisheries Management Act 1991</i>:</p> <ul style="list-style-type: none"> - a decision about the conversion factor for a type of non-standard squid jigging machine under cl 14 (1). - a decision to register the person as eligible for the grant of a fishing right, or to grant or refuse to grant, a fishing right to the person under cl 19(1).
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[Notes:

1. This Plan was made under subsection 17(1) of the *Fisheries Management Act 1991*. Refer to the entry in this list for the Act for other relevant information.
2. Clause 14(5) of the Plan provides that s 165 of the *Fisheries Management Act 1991* applies to the decision specified in the right-hand column as if it were a 'relevant decisions' within the meaning of that section.]

[Space Activities Act 1998](#)

Section 61 (100 of 2002)

<p>Reviewable decisions under various sections</p>	<p>The following decisions of the Minister with respect to:</p> <p>Space licence (Division 2):</p> <ul style="list-style-type: none"> - to refuse to grant, vary or transfer a space licence; - to vary, revoke, suspend or transfer a space licence <p>Launch permit/Overseas launch certificate (Division 3 and Division 4)</p> <ul style="list-style-type: none"> - to refuse to grant, vary or transfer a launch permit or overseas launch certificate; - to vary, revoke, suspend or transferring a launch permit or overseas launch certificate; - to refuse to extend, or further extend, the period for which a launch permit or overseas launch certificate remains in force;
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	<p>Authorisation (s 43)</p> <ul style="list-style-type: none"> - to refuse to give or vary an authorisation under s 43; - to vary, revoke or suspend an authorisation under s 43 <p>Exemption certificate (Division 6)</p> <ul style="list-style-type: none"> - to refuse to grant or vary an exemption certificate; - to vary or revoke an exemption certificate; - to refuse to extend, or further extend, the period for which an exemption certificate remains in force <p>Declaration (s 8A)</p> <ul style="list-style-type: none"> - to refuse to make a declaration; - to vary or revoke a declaration;
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[Space Activities Regulations 2001](#)

Regulation 11.02 (SR 33 of 2003)

<p>Regulations 2.04C(4) 2.04D (4) 3.02B (2) 3.02C (2)</p>	<p>The following decisions of the Minister:</p> <ul style="list-style-type: none"> - in relation to space license conditions: <ul style="list-style-type: none"> o to direct the revision of specified plans including, the program management plan, the flight test plan, the technology security plan, the risk hazard analysis methodology or the environmental plan under regs 2.04C(4) and 2.04D - in relation to launch permit conditions: <ul style="list-style-type: none"> o to direct the revision of specified plans, including the program management plan, technology security plan, flight safety plan, or the environmental plan under regs 3.02B(2) and 3.02C(2).
<p>Regulations 2.06A (4) (b) (ii) 2.06B (4) (b) (ii) 2.08A (4) (b) (ii)</p>	<p>The following decisions of the Minister to refuse to grant permission to provide certain documents:</p> <ul style="list-style-type: none"> - in relation to an application for the transfer of a space licence, where a technical recognition instrument exists in relation to a launch facility that is relevant to

	<p>that application, under reg. 2.06A(4)(b)(ii);</p> <ul style="list-style-type: none"> - in relation to an application for the transfer of a space licence, where a technical recognition instrument exists in relation to a launch vehicle or a kind of launch vehicle, or a particular part of a launch vehicle or kind of launch vehicle, that is relevant to that application, under reg. 2.06B(4)(b)(ii); - in relation to an application for the transfer of a space licence, where a technical recognition instrument exists in relation to a launch facility that is relevant to that application, under reg. 2.08A(4)(b)(ii).
<p>Regulations 10.02 (b) 10.03 (1) (b) 10.03 (2) (b) 10.03 (3)</p>	<p>A decision by an investigator to allow an amount under regs 10.02 (b), 10.03 (1) (b), 10.03 (2) (b), or 10.03 (3), relating to the costs and expenses for an investigation into any accident or incident.</p>

[Stronger Futures in the Northern Territory Act 2012](#)

Sections 31, 110 (100 of 2012)

<p>Sections 12(4) 12(5) 13(3) 13(4) 17(1) 17(6) 23(1) 24(1)</p>	<p>The following decisions of the Minister for Indigenous Affairs:</p> <ul style="list-style-type: none"> - a determination about what is not authorised by a NT licence under s 12(4); - a determination about the conditions of a NT licence under s 12(5); - a determination about what is not authorised by a NT permit under s 13(3); - a determination about the conditions of a NT permit under s 13(4); - a determination to refuse to approve an alcohol management plan under s 17(1); - a determination to refuse to make a determination in relation to an application for approval of an alcohol management plan under s 17(6); - a determination to refuse to approve a variation of an alcohol management plan under s 23(1); - a determination to revoke an approval of an alcohol management plan under s 24(1).
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<p>Section 14(1)</p>	<p>The following decision of the NT Licensing Commission:</p> <ul style="list-style-type: none"> - a determination about posting a notice about alcohol offences in an alcohol protected area under s 14(1).
<p>Sections 41(1), 45(1), 52(1), 58(1), 59(1), 62(1), 65(1)</p>	<p>The following decisions of the Secretary of the Department of the Prime Minister and Cabinet:</p> <ul style="list-style-type: none"> - a determination that a community store licence is required in relation to a community store under s 41(1); - a determination to refuse to grant a community store licence under s 45(1); - a determination to impose conditions on a community store licence under s 52(1); - a determination to refuse to vary a community store licence under s 58(1); - a determination to revoke a community store licence under s 59(1); - a determination that an owner of a community store is required to be registered under the CATSI Act under s 62(1); - a determination to revoke a community store licence under s 65(1).

[Notes:

1. This Act ceases to have effect on 16 July 2022: s 118(1).]

Student Assistance Act 1973

Section 311(2) [AAT first review]
 Section 320(1) [AAT second review]
 Sections 43X, 12ZZQ(1), 308H [AAT single review]

AAT first review	
Section 306	<p>The following decisions that have been affirmed, varied or set aside and substituted by the Secretary of the Department of Social Services or an authorised review officer under s 306:</p> <ul style="list-style-type: none"> - all decisions of an officer under the Act relating to the Student Financial Supplement Scheme (s 302(1)(b)); - all decisions of an officer under this Act relating to the recovery of amounts paid under a current or former special educational assistance scheme (s302(1)(c)).
AAT second review	
Section 320	Decisions made by the AAT under s 43(1) of the AAT Act on AAT first review.
AAT single review	
Sections 308D 308F	<p>The following decisions of the Commissioner of Taxation that has been reviewed on consideration:</p> <ul style="list-style-type: none"> - to defer, or refuse to defer, the making of an assessment of a person's accumulated ABSTUDY student start-up loan (SSL) debt under s 10K; - to amend or refuse to amend an assessment under s 10L.
Sections 43L 43P 43Q	<p>The following decisions of the Secretary:</p> <ul style="list-style-type: none"> - to revoke or vary a departure prohibition order under s 43L; - to issue a departure authorisation certificate under s 43P; and - to require a person to give a security under s 43Q.

Sections 12ZP(1) 12ZP(2)	The following decision of the Commissioner of Taxation: <ul style="list-style-type: none">- to defer the making of an assessment of an amount of the accumulated FS debt under s 12ZP(1);- to refuse to amend the making of an assessment of an amount of the accumulated FS debt under s 12ZP(2)
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[Notes:

1. The *Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998* amended Part 6 of this Act to provide that the Secretary may raise and recover an overpayment in respect of an amount of AUSTUDY or Student Financial Supplement as it related to AUSTUDY paid prior to 1 July 1998 that should not have been paid. Item 134 of Schedule 11 to the amending Act provides that a person may seek review of any such decision as if the amendments had not occurred.
2. Act 60 of 2015 amended this Act to introduce AAT first and second review with effect from 1 July 2015.
3. An application for AAT first review must be made within 3 months or such longer period as the AAT allows after the original decision was affirmed, varied or set aside by the Secretary or authorised review officer. Section 29(1)(d) of the AAT Act does not apply: s 312.
4. Section 41(2) of the AAT Act does not apply for AAT first review applications: s 313. The AAT cannot review a decision under s 305, 314, 343 or 345 for the purpose of an 'AAT first review'.
5. A person dissatisfied with a decision of the AAT on AAT first review, the person may apply to the AAT for a further review ('AAT second review').
6. The Secretary may review a decision, even though an application has been made to the Tribunal for a review of that decision, subject to conditions: s 303.
7. For other reviewable decisions that are not AAT first review of second review, applications for review can be made directly in the AAT General and Other Divisions.

[Student Identifiers Act 2014](#)

Section 13 (36 of 2014)

Sections 10 12	The following decisions of the Registrar: <ul style="list-style-type: none"> - to refuse to assign an identifier to the individual under section 10; - to revoke a student identifier of the individual, or assign a new identifier to the individual under section 12.
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[Notes:

1. Section 13(1) has effect despite section 27(1) of the *Administrative Appeals Tribunal Act 1975*: s 13(2)]

[Subsidy Principles 2014](#)

Sections 27(1), 31(1), 59(1), 77(1), 81(1) (F2014L00862)
 Section 85-8 of the *Aged Care Act 1997* (112 of 1997)

Sections 25(3) 29(3) 52(1) 53(1) 53(5)(a) 75(3) 79(3)	The following decisions of the Secretary, Department of Health: <ul style="list-style-type: none"> - to refuse to make a determination under s 25(3) or s 75(3) that a care recipient is eligible for an oxygen supplement; - to refuse to make a determination under s 29(3) or s 79(3) that a care recipient is eligible for an enteral feeding supplement; - to refuse to make a determination in relation to residential care service under s 52(1) or s 53(1) ; - a decision under s 53(5)(a) that the Secretary is not satisfied as referred to in s 53(1)(b) in relation to a refurbished service.
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[Notes:

1. These Principles were made under section 96-1 of the *Aged Care Act 1997*.
2. Section 85-8 of the *Aged Care Act 1997* specified that decisions are reviewable by the Tribunal upon reconsideration. Section 85-1 sets out a list of reviewable decision including a reference to s 96-1. In particular, s 96-1 refers to a decision under Principles made under s 96-1 that is specified in the Principles concerned to be a decision reviewable under this section. If the provision specified in the Principles as the provision under which the decision is made, it is reviewable by the Tribunal after reconsideration.

3. These Principles will cease on 1 October 2024].

Superannuation Act 1922

Section 133B (58 of 2011)

Sections 127(5)(a) 127(5)(b)	Decisions of the Commonwealth Superannuation Corporation (CSC) or a delegate of the Corporation under this Act that have been confirmed or varied by the Corporation on reconsideration.
Section 130(1)(a)	Decisions of the CSC or a delegate of the Corporation under this Act that have been confirmed or varied on reconsideration by a Reconsideration Advisory Committee.
Sections 133A(1)(c) 133A(1)(d)	Decisions of the CSC or a delegate of the Corporation under this Act that have been confirmed or varied by the Corporation on reconsideration, following a recommendation of the Reconsideration Advisory Committee.

[Notes:

1. Section 127(4) of the Act provides that after receiving a reconsideration request the CSC may: itself reconsider the decision; refer the decision to a Reconsideration Advisory Committee for reconsideration or; refer the decision to the Committee for it to make for a recommendation to the CSC in relation to the decision.
2. Item 15(7) of Schedule 2 to the *Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011* provides that despite the repeal of s 154 of the *Superannuation Act 1976* an application may be made to the Tribunal for review of a decision made by the Commissioner of Superannuation, or a delegate of the Commissioner under that Act, the *Superannuation Act 1922* or regulations made under either if those Acts before 1 July 2011, provided the period for making an application for review has not ended.]

Superannuation Contributions Tax (Assessment and Collection) Act 1997

Section 14ZZ of the *Taxation Administration Act 1953* (11 of 1999)

Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	The following objection decision of the Commissioner of Taxation under s 24 of the Act: - to make an assessment of liability to pay superannuation contributions surcharge.
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[Notes:

1. Section 24 provides that, if a member is dissatisfied with the Commissioner's assessment in so far as it is based on the calculation of the member's adjusted taxable income, the member or a superannuation provider may object against it in respect of that calculation in the way set out in Pt IVC of the *Taxation Administration Act 1953*. The Tribunal may only review a decision to allow, wholly or in part, or to disallow a taxation objection.
2. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
3. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Superannuation Contributions Tax \(Members of Constitutionally Protected Superannuation Funds\) Assessment and Collection Act 1997](#)

Section 14ZZ of the *Taxation Administration Act 1953* (11 of 1999)

Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	The following objection decision of the Commissioner of Taxation under s 20 of the Act: - to make an assessment of liability to pay superannuation contributions surcharge under s 14.
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[Notes:

1. Section 20 provides that, if a member is dissatisfied with the Commissioner's assessment under s 14 in so far as it is based on the calculation of the member's adjusted taxable income, the member may object against it in respect of that calculation in the way set out in Pt IVC of the *Taxation Administration Act 1953*. The Tribunal may only review a decision to allow, wholly or in part, or to disallow a taxation objection.
2. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
3. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Superannuation Guarantee \(Administration\) Act 1992](#)

Section 14ZZ of the *Taxation Administration Act 1953* (34 of 1997)

Section 14ZY(1) of the	The following decisions of the Commissioner of Taxation in relation to which an objection has been allowed, wholly or in part, or
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<p><i>Taxation Administration Act 1953.</i></p>	<p>disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i>:</p> <ul style="list-style-type: none"> - to give, or refuse to give, under s 15C(4) a certificate of coverage for an international social security agreement; - to vary, to refuse to vary or to revoke under s 15C(6) a certificate of coverage for an international social security agreement; - to make an assessment of an employer's superannuation guarantee shortfall for the year and of the superannuation guarantee charge payable on the shortfall under s 36(1) or 37(1).
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[Notes:

1. The following provisions of the *Superannuation Guarantee (Administration) Act 1992* provide that a person may object against the decisions specified in the right-hand column in the manner set out in Part IVC of the *Taxation Administration Act 1953*: ss 15C(7) and 42.
2. The following Acts introduced, amended or repealed provisions specifying that a person may object against a decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*: 111 of 1992, 179 of 1999 and 15 of 2007.
3. A person dissatisfied with any of the above decisions may object against them in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
4. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Superannuation Industry \(Supervision\) Act 1993](#)

Section 344(8) (54 of 1998)

Section 14ZZ (Part IVC) of the *Taxation Administration Act 1953*

<p>Section 344(4)</p>	<p>The following decisions of the Australian Prudential Regulation Authority (APRA) that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to make a declaration under s 18(6) or (7); - to make a declaration under s 18(7) subject to conditions
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	<p>under s 18(7A);</p> <ul style="list-style-type: none">- to revoke a declaration that a superannuation fund is not a public offer superannuation fund under s 18(7C);- to revoke a declaration under s 18(10);- to treat an application for an RSE licence as having been withdrawn under s 29CA(2);- to refuse an application for an RSE licence under s 29D(2);- to impose additional conditions on an RSE licence under s 29EA(1);- to treat an application for variation of an RSE licence so that it is an RSE licence of a different class as having been withdrawn under s 29FA(2);- to treat an application for variation or revocation of a condition imposed on an RSE licence as having been withdrawn under s 29FA(2);- to refuse to vary an RSE licence so that it is an RSE licence of a different class under s 29FC(1);- to refuse to vary or revoke any conditions imposed on an RSE licence under s 29FC(1);- to vary or revoke any conditions imposed on an RSE licence under s 29FD(1);- to cancel an RSE licence under s 29G(1);- to refuse an application for registration of a registrable superannuation entity under s 29M(2);- to cancel the registration of a registrable superannuation entity under s 29N(2);- to refuse to authorise an RSE licensee to offer a class of beneficial interest in a regulated superannuation fund as a MySuper product under s 29T(2);- to cancel an authority to offer a class of beneficial interest in a regulated superannuation fund as a MySuper product under s 29U(1);- to determine, vary or revoke a prudential standard referred to in s 34C(1)(e) or (f);- to refuse to grant an arrangement approval under s 92;- to revoke an arrangement approval under s 92;
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	<ul style="list-style-type: none"> - to approve or not approve a higher percentage under ss 93A(2) or (3); - to specify conditions to which an approval is subject under s 93A(4); - to vary an approval under s 93A(5); - to refuse to approve a borrowing under s 95(2); - to refuse to waive a requirement under s 117(6); - to allow, or refuse to allow, a longer period under ss 123(2)(b) (ii) or 123(3)(c)(ii); - to give a written direction under s 131AA(1) , other than a direction on the ground mentioned in para 133AA(2)(a); - to give a direction under subsection 131D(1), 131DA(1) or 131DA(3); - to vary a direction under subsection 131DC(1); - to refuse to authorise an RSE licensee to operate a regulated superannuation fund as an eligible rollover fund under s 242F(2); - to cancel an authority to operate a regulated superannuation fund as an eligible rollover fund under s 242J(1); - to refuse to give a notice under s 342(2) in relation to a fund; - to give a notice under s 342(6) in relation to a fund.
	<p>The following decisions of the Regulator that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to give or vary a direction under s 34P or 34Q; - to refuse to give approval under s 35A(2)(b); - to give an approval subject to conditions under s 35A(3); - to give a notice under s 40; - to refuse to give a notice under s 40; - to allow, or refuse to allow, under s 42(1AA)(b) a longer period than 60 days from the date a superannuation fund came into existence to comply with ss 19(2) to 19(4); - to treat, or refuse to treat, under s 42(1AA)(c)(ii) a fund as

	<p>if it had satisfied the Act and regulations where the trustee contravened the Act or regulations in relation to the entity in the pre-lodgment period;</p> <ul style="list-style-type: none"> - to allow, or refuse to allow, under s 42(1AC)(b) a longer period than 28 days to rectify non-compliance with one or more of the requirements under ss 19(2) to 19(4) of the Act from the date of the notice from the Commissioner informing the trustee of the non-compliance; - to treat, or refuse to treat, under s 42(1AC)(d)(ii) a fund as if it had satisfied the Act and regulations where the trustee contravened the Act or regulations in relation to the entity in the rectification period; - to allow, or refuse to allow, s 50(1) of the Act to apply in relation to a superannuation fund under s 50(1)(c); - to refuse to give an approval under s 62(1)(b)(v); - to give a direction under s 63; - to refuse to revoke a direction under s 63; - to make a determination under s 70A(1); - to refuse to revoke a determination under s 70A(1); - to refuse to make a determination under s 71(1)(e); - to revoke a determination under s 71(1)(e); - to make a determination under s 71(4); - to refuse to revoke a determination under s 71(4); - to disqualify an individual under ss 126A(1), (2) or (3); - to refuse to revoke the disqualification of an individual under s 126A(5); - to refuse to allow a longer period than 14 days to make an application for waiver under s 126B(4); - to refuse to make a declaration waiving an applicant's status as a disqualified person under s 126D(3); - to refuse under s 126F(3) to waive, in whole or in part, the requirement to pay an amount under s 126F(2); - to refuse an application to registration as an approved SMSF Auditor under s 128B; - to impose or vary conditions, or additional conditions, on a person's registration as an approved SMSF auditor under
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	<p>s 128D(1)(a);</p> <ul style="list-style-type: none"> - to refuse an application to vary or revoke conditions, or additional conditions, imposed on a person's registration as an approved SMSF auditor under s 128D(1)(b); - to cancel a person's registration as an approved SMSF auditor under s 128E(2); - to refuse an application to waive the payment of the whole or a part of a fee under s 128L(4); - to make a disqualification or suspension order under s 130F(2); - to refuse an application to revoke a disqualification or suspension order under s 130F(8); - to make a disqualification order under s 131; - to refuse to revoke a disqualification order under s 131; - to suspend or remove a trustee of a superannuation entity under s 133; - to give a written notice to a trustee directing the person to do, or not to do, one or more specified acts or things under s 141; - to make an exemption under s 328 that applies to a particular person or a particular group of individual trustees; - to make a declaration under s 332 that applies to a particular person or a particular group of individual trustees; - to vary or revoke an exemption or declaration under s 335 that applies to a particular person or a particular group of individual trustees; - to extend, or not to extend, a period within which a particular filled-up form is to be given to the authorised recipient under s 347A(9).
<p>Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>.</p>	<p>The following decisions of the Regulator pursuant to s 165:</p> <ul style="list-style-type: none"> - to give a rectification direction or an education direction, or to vary one otherwise than in accordance with a request under s 164; - to refuse to vary a rectification direction or an education direction under s 164

[Notes:

1. The list of 'reviewable decisions' that may be reconsidered is set out in s 10(1).
2. If the Regulator do not confirm, revoke or vary a decision before the end of the period of 60 days after the day on which they received the request to reconsider the decision, they are taken to have confirmed the decision at the end of that period: s 344(5). A person has 28 days from the day on which the decision is taken to have been confirmed to lodge an application for review with the AAT: s 344(9).
3. 'Regulator' is defined under s 10(1) as APRA, ASIC, Commissioner of Taxation or Chief Executive Medicare if the provision in which it occurs is, or is being applied for the purpose of, a provision administered by the relevant agency.
4. The only persons taken to be affected by a reviewable decision (other than a reviewable decision covered by paras (dd), (de), (df), (dg), (dl), (dm), (dn), (doa), (dob), (dod), (q), (qa), (qb), (r), (ra), (rb), (rc), (rd), (re), (rf), (rg), (rh), (ri), (s) or (t), (ua), (ub) of the definition of "reviewable decision" in s 10(1) are trustees of superannuation entities: s 344(12).
5. If a person requests reconsideration of a reviewable decision under s 344(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 344(10). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.
6. Section 165 allows a person who is dissatisfied with a decision of the Regulator in relation to rectification direction or an education direction to object against the decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*. This provision was inserted by Act No. 11 of 2014.]

[Superannuation Industry \(Supervision\) Regulations 1994](#)

Regulation 13.26 (SR 344 of 1996)

<p>Regulations 13.25(3)</p>	<p>The following decisions of the Australian Prudential Regulation Authority that have been confirmed or varied on reconsideration by the Regulator:</p> <ul style="list-style-type: none"> - to refuse under reg 1.05(2)(c) to approve a sum payable as benefit; - to refuse under reg 4.08A(2)(e) to approve an arrangement for management and control of a fund; - to refuse to suspend or vary an obligation of a trustee under reg 6.37(6); - to refuse to approve a proposed element of an actuarial basis for calculation of value A under reg 12.05(5) or (6); - to refuse to approve a proposed assumption or element of an actuarial basis for calculation of value B under reg 12.06(5); - to specify under reg 12.08 a day on or before which an
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	<p>application is to be made;</p> <ul style="list-style-type: none"> - to refuse to approve an application to transfer a PJFC under reg 12.12(2) or 12.13(2); - to revoke under reg 12.14 an approval of an application to transfer a PJFC.
<p>Regulations 13.25(3)</p>	<p>The following decisions of the Regulator that have been confirmed or varied on reconsideration by the Regulator:</p> <ul style="list-style-type: none"> - to refuse under reg 1.06(2)(c) to approve a sum payable as benefit; - to refuse to approve the use of a factor under reg 1.08(2); - to not determine the form of consent under reg 4.12(2)(b), 6.27B(b) or 7A.16(8)(b); - to refuse under reg 7A.03J(2)(a)(ii) to allow a longer period for a rollover or transfer of a non-member spouse's interest - to refuse under reg 7A.03K(2)(b) or 7A.13(7)(b) to allow a longer period to pay a lump sum; - to refuse under reg 7A.12(4)(a)(ii) to allow a longer period for rolling over or transferring transferable benefits; - to refuse under reg 7A.16(3)(b) to allow a longer period to allocate, rollover or transfer non-member spouse entitlements; - to give a direction to a trustee to obtain a new or a replacement funding and solvency certificate under reg 9.09(1A); - to refuse under reg 9.24(2) to approve an actuary's recommendation for an accumulation fund; - to refuse under reg 9.44(2) to approve an actuary's recommendation for an accumulation fund; - to refuse to consent to an alteration of accrued benefits under reg 13.16(2)(a)(ii) or (d)(ii) - to confirm or vary a reviewable decision under reg 13.25.

[Notes:

1. The list of decisions under these regulations that are subject to reconsideration are set out in the definition of 'reviewable decisions' in reg 1.03(1). The following regulations introduced or have amended this list: SR 344 of 1996; SR 117 of 1997; SR 83 of 1998 and SR 353 of 2001; SLI 343 of 2007 and SLI 71 of 2009.
2. Regulations 13.25 and 13.26 refer to the Regulator which is defined in s 10(1) of the *Superannuation Industry (Supervision) Act 1993* to mean either the Australian Prudential Regulation Authority ("APRA"), the Australian Securities and Investments Commission ("ASIC"), Commissioner of Taxation or Chief Executive Medicare.
3. Regulation 13.25(4) provides that, if the Regulator does not confirm, vary or revoke a reviewable decision before the end of the period of 60 days after the day on which the Regulator received a request for reconsideration, the Regulator is taken to have confirmed the decision under reg 13.25(3) at the end of that period.]

[Superannuation \(Self Managed Superannuation Funds\) Taxation Act 1987](#)

Section 16(6) (121 of 1999)

Section 16(3)	The following decision of the Commissioner of Taxation that has been confirmed or varied on reconsideration: - not to remit, or to remit only part of, an amount of levy under s 15DF.
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[Notes:

1. The definition of 'reviewable decision' for the purposes of this Act is set out in s 3(1).
2. Section 16(9) requires that any hearing take place in private.
3. If a person requests reconsideration of a reviewable decision under s 16(1), s 41 of the AAT Act applies as if the making of the request were the making of an application to the Tribunal for review of that decision: s 16(8). A person may seek an order relating to the implementation of the reviewable decision under s 41 of the AAT Act.
4. Where a decision is deemed to be confirmed, s 29 of the AAT Act applies for review of the decision.]

[Superannuation \(Unclaimed Money and Lost Members\) Act 1999](#)

Section 14ZZ of the *Taxation Administration Act 1953*

Section 14ZY(1) of the <i>Taxation Administration Act 1953</i>	The following decisions of the Commissioner of Taxation that have been allowed, wholly or in part, or disallowed by the Commissioner under Part IVC of the <i>Taxation Administration Act 1953</i> : - any decision made or notice given by the Commissioner in the administration of Division 2, 4 or 5 of Part 3A of the
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	<i>Superannuation (Unclaimed Money and Lost Members) Act 1999.</i>
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[Notes:

1. Section 20P of the *Superannuation (Unclaimed Money and Lost Members) Act 1999* provides that a person who is dissatisfied with a notice given, or a decision made, by the Commissioner in the administration of Division 2, 4 or 5 of Part 3A may object against the notice or decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Commissioner will then make an objection decision from which a person can apply for review to the Tribunal.
2. The note to section 20P gives the following examples of decisions made by the Commissioner in the administration of divisions 4 and 5 of Part 3A of this Act:
 - (a) decisions that the conditions exist for him or her to make a payment under section 20H, revoke (under section 20J) a notice given under section 20C or make a refund under section 20K; and
 - (b) refusal of an application mentioned in section 20H; and
 - (c) decisions about recovery under section 20L of an overpayment under section 20H.
3. The following Acts introduced or have amended section 20P: 151 of 2008.
4. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
5. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

[Sydney Airport Curfew Act 1995](#)

Section 12(7) (134 of 1995)

Section 12(4)	A decision of the Secretary to refuse to grant an approval for movements during curfew shoulder periods.
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[Sydney Harbour Federation Trust Regulations 2001](#)

Regulations 25(7), 37(6) (SR 296 of 2001)

Regulations 25(5) 25(6) 37(1)	The following decisions of the Sydney Harbour Federation Trust: <ul style="list-style-type: none"> - to grant a licence or permit subject to conditions under reg 25(5);
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	<ul style="list-style-type: none">- to refuse to grant a licence or permit under reg 25(6);- to make an order under reg 37(1) to any person engaged in promoting, conducting or carrying out an activity on Trust land.
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[Tax Agent Services Act 2009](#)

Sections 70-10 (120 of 2013)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Tax Practitioners Board:</p> <ul style="list-style-type: none"> - to reject an application for registration (including renewal of registration) under s 20-25; - to specify a condition to which registration is subject under s 20-25; - to refuse to vary a condition to which registration is subject under s 20-40; - not to determine a shorter period for making a renewal application under s 20-50(1); - to terminate registration under s 30-B or 40-A - to make an order or to specify a time period in respect of an order under s 30-20; - to suspend registration (including a decision as to the length of the suspension) under s 30-25; - not to terminate registration under s 40-A; - to determine a period during which an application for registration may not be made under s 40-25; - to extend the period of time within which an investigation is to be completed under s 60-125(4).
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[Tax Agent Services Regulations 2009](#)

Regulation 6A (SLI 115 of 2014)

<p>Regulations 4C 4D 4G 5B 5E 5H 5L</p>	<p>The following decisions of the Tax Practitioners Board:</p> <ul style="list-style-type: none"> - not to recognise an organisation as a recognised BAS agent association under reg 4C or 4D; - to terminate a recognised BAS agent association's recognition under reg 4G; - not to recognise an organisation as a recognised tax
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	<p>agent association under reg 5B;</p> <ul style="list-style-type: none">- to terminate a recognised tax agent association's recognition under reg 5E;- not to recognise an organisation as a recognised tax (financial) adviser association under reg 5H;- to terminate a recognised tax (financial) adviser association's recognition under reg 5L.
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[Notes:

1. On 29 October 2010, the *Tax Agent Services Amendment Regulations 2010 (No. 1)* repealed and substituted the provisions of the Regulations dealing with the recognition of professional associations as recognised BAS agent associations or recognised tax agent associations.
2. On 23 July 2014, the *Tax Agent Services Amendment (Tax (Financial) Advisers) Regulation 2014* (SLI 115 of 2014) amended the regulations to prescribe the registration requirements for financial planners registered as tax (financial) advisers.]

[Taxation Administration Act 1953](#)

Decisions under this Act are subject to merits review in the AAT in two ways:

1. Where a person who is dissatisfied with the tax decision lodged an objection against that decision. The Australian Taxation Office (ATO), after reviewing that objection, provide an **objection decision** in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Tribunal may only review a decision to allow, wholly or in part, or to disallow a taxation objection under **Part IVC of the *Taxation Administration Act 1953***.
2. Tax decisions that can be lodged directly with the Tribunal.

Decisions to which Part IVC of the *Taxation Administration Act 1953* applies, pursuant to s 14ZZ(1)(a)(i) of the Act:

The following reviewable objection decisions	Section under Schedule 1 of the Act
- to retain a refund	s 8AAZLGA(1)
- to retain refunds until notification under Division 389 or ascertainment of liability	s 8AAZLGB(1)
- to exempt from withholding an amount under s 12-330, subject to conditions	s 12-335
- to vary withholder's status downwards	s 16-110
- refund of withheld amount by the Commissioner to the recipient	s 18-70
- refund by Commissioner of amount withheld from payment in respect of investment	s 18-80
- in relation to the PAYG withholding non-compliance tax if the individual is dissatisfied with the decision.	s 18-130, 18-140, 18-170 or 18-175
- the following decisions set out in s 20-80 <ul style="list-style-type: none"> o not to grant an exemption under s 12-319(1) from withholding obligations in relation to ss 12-315 and 12-317; o not to give a certificate under subsection 12-335(1) exempting an entity from notifying the 	s 20-80

<p>Commissioner about a natural resource payment</p> <ul style="list-style-type: none">○ to revoke a certificate under subsection 12-335(3)○ to vary a certificate under subsection 12-335(3)○ under subsection 14-220(1) not to issue a certificate on application under subsection 14-220(2)○ under subsection 14-220(1) to issue a certificate○ under subsection 14-235(2) not to vary an amount on application under subsection 14-235(3)○ Refusal to determine under subsection 16 110(1) that a large withholder is a *medium withholder or a *small withholder for a particular month or particular months○ Refusal to determine under subsection 16 110(1) that a medium withholder is a small withholder for a particular month or particular months○ Decision to revoke a determination made under subsection 16-110(1)○ Decision to vary a determination made under subsection 16-110(1) for a particular month or particular months○ Determination under subsection 16-115(1) that a small withholder is a medium withholder or a large withholder for a particular month or particular months○ Determination under subsection 16-115(1) that a medium withholder is a large withholder○ not to revoke a determination made under subsection 16-115(1)○ not to vary a determination made under subsection 16-115(1) for a particular month or particular months○ under section 16-147 not to register an entity that has applied to be registered○ under section 16-148 to cancel a registration (including making a determination under subsection 16-148(5))○ not to refund an amount under section 18-70	
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o not to refund an amount under section 18-80	
- *excess concessional contributions determination for a financial year	s 97-5
- *excess non-concessional contributions determination for a financial year	s 97-25
- a reviewable GST decision listed in the table under s 110-50(2) or a reviewable GST transitional decision under the GST Act.	s 110-50
- a reviewable wine tax decision listed in the table (s 111-50(s111-50(1)
- a reviewable fuel tax decision listed in the table (s 112-50)	s 112-50 (1)
- a determination in relation to liability for levy under <i>Major Bank Levy Act 2017</i>	s117-50
- a determination of, or not to make a determination that an amount of tax that is “deferred to a debt account”	s133-10 and s 133-25
- a notice given in relation to debt account discharge liability	s 133-125
- a determination of an excess transfer balance (excluding default commutation notice)	s 136-15
- a determination concerning first home super saver determination pursuant to s 138-15	s 138-10
- a decision the Commissioner makes not to make a determination pursuant to s 138-15	s 138-10(2A)
- a failure by the Commissioner to make assessment within 30 days after giving notice in relation to an assessable amount.	s 155-30
- to amend an assessment of an assessable amount	s 155-35
- an assessment of an outstanding tax-related liability in	s 260-140

relation to an a deceased person's estate	
- to determine the total amount of outstanding tax-related liabilities in relation to an un-administered estate	s 260-145
- A direction to pay superannuation guarantee charge under s 265-90	s 265-110
- a decision not to remit an amount of shortfall interest charge under s 280-160	s 280-170
- a decision to refuse to remit or remit only part of the penalty amount	S 298-20
- assessment of administrative penalties under Division 284 or section 288-115	s 298-30
- to release or not release, in whole or in part, an individual from particular taxation liabilities on the grounds of serious hardship	s 340-5
- a failure by the Commissioner to make a private ruling within 30 days of notice given, or has not otherwise declined to make a ruling at the end of that period	s 359-50
- a private ruling decision	s 359-60
- a decision to give or vary an education direction, or refuse to vary an education direction under s 384-35	s 384-40
- To refuse an exemption application under s 389-10	s 389-10
- a decision of the Commissioner determining a period within which the entity may correct false or misleading notification	s 389-25
- a decision on correcting a statement by a superannuation provider	s 390-7
- a decision on preparing and giving reports under s 396-55 or for a specified classes of transactions	s 396-70(1)

- a decision to treat an institutional account as a Reportable Account	s 396-130
- a decision to give notice regarding a Reporting Financial Institution	s 396-130
- to refuse an application for endorsement under s 426-25	s 426-35
- to revoke an entity's endorsement	s 426-60
- a decision to: <ul style="list-style-type: none"> o suspend the trustee; o change the time a suspension of the trustee ends; o remove the trustee 	S 426-125

[Notes

1. Section 14ZZ(1)(a)(i) provides that if a decision is a reviewable objective decision, the person can apply to the Tribunal for review of decision. A reviewable objective decision is an objective decision that is not an ineligible income tax remission decision. Objective decisions are (s14ZY(2)):
 - a. a decision by the Commissioner to allow, wholly or in part the decision, or disallow it S14ZY(1);
 - b. a taxation objection under s14ZY(1A) in relation to Commissioner's failure to make a private ruling under s 359-50(3);
 - c. a taxation objection under s 14ZY(1B) in relation to Commissioner's failure to make an assessment of an assessable amount under s 155-30(2).
2. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
3. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*. In relation to an objection under s 359-30(2) of Schedule 1 against the Commissioner's failure to make a private ruling, if the Commissioner has not made an objection decision by the end of 60 days after the day on which the taxation objection was lodged or the day on which an extension of time to lodge the objection was granted, the Commissioner is deemed to have made a decision to disallow the objection: s 14ZYB(2) of the *Taxation Administration Act 1953*.
4. For the purposes of s 298-20 of Schedule 1, the value of a penalty unit is specified in s 4AA of the *Crimes Act 1914* and is currently \$210.

Decisions which a review application may be made directly to the Tribunal under the *Taxation Administration Act 1953*

Sections 14Y and 14ZX(4) (216 of 1991)

Sections 14T 14U 14ZX(1)	The following decisions of the Commissioner of Taxation: <ul style="list-style-type: none">- to refuse to vary or revoke a departure prohibition order under s 14T;- to issue, or refuse to issue, a certificate authorizing the person to depart from Australia for a foreign country on or before the seventh day after a day specified in the certificate under s 14U;- to refuse under s 14ZX(1) to deal with an objection as if it had been lodged within the time limit.
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[Notes:

1. An application for review of any of these decisions must be lodged with the Tribunal within 28 days after the decision is given to a person.
2. This Act governs merits review of most decisions of the Commissioner of Taxation under other Commonwealth taxation laws.

The below legislation provide that if a person is dissatisfied with particular decisions, he/she may object against those decisions in the manner set out in Pt IVC of the *Taxation Administration Act 1953*. An application may be made to the Tribunal under s 14ZZ of the *Taxation Administration Act 1953* for review of a decision to allow, wholly or in part, or to disallow a taxation objection under s 14ZY(1).

- *A New Tax System (Australian Business Number) Act 1999*
- *A New Tax System (Bonuses for Older Australians) Act 1999*
- *A New Tax System (Goods and Services Tax) Act 1999*
- *A New Tax System (Goods and Services Tax) Regulations 1999*
- *A New Tax System (Wine Equalisation Tax) Act 1999*
- *Customs (Prohibited Imports) Regulations 1956*
- *Excise Act 1901*
- *Excise Regulations 1925*
- *Fringe Benefits Tax Assessment Act 1986*
- *Income Tax Assessment Act 1936*
- *Income Tax Assessment Act 1997*
- *Income Tax (Transitional Provisions) Act 1997*
- *Minerals Resource Rent Tax Act 2012*
- *Petroleum Resource Rent Tax Assessment Act 1987*
- *Product Grants and Benefits Administration Act 2000*
- *Superannuation Contributions Tax (Assessment and Collection) Act 1997*
- *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997*
- *Superannuation Guarantee (Administration) Act 1992*
- *Superannuation (Unclaimed Money and Lost Members) Act 1999*

- *Termination Payments Tax (Assessment and Collection) Act 1997*
- *Trust Recoupment Tax Assessment Act 1985*

Please refer to entries for the above enactments for a list of the reviewable decisions.

[Telecommunications Act 1997](#)

Section 562 (47 of 1997); Section 314A(5C) (C2017A00111)

<p>Section 559(1)</p>	<p>The decisions of the Australian Communications and Media Authority (ACMA) that have been affirmed or varied by the Authority on reconsideration under Part 1 Schedule 4 of the Act.</p> <p>Part 1 Schedule 4 includes the following decision of ACMA:</p> <ul style="list-style-type: none"> - to refuse to grant a carrier licence under ss 56, 58 or 59 (other than a decision made in compliance with ss 56A or 58A); - to give, or vary, a direction or to refuse to revoke a direction under s 69; - to cancel a carrier licence under s 72; - to remit, or refuse to remit, part or all of a late payment penalty under s 73(6); - to refuse to make a nominated carrier declaration under s 81; - to revoke a nominated carrier declaration under s 83; - a decision referred to in s 99(5) dealing with decisions under service provider determination; - to give, or vary, a direction or to refuse to revoke a direction in relation to the service provider rules under s 102; - to refuse to register an industry code under s 117; - to give, or vary, a direction or to refuse to revoke a direction to comply with a code under s 121; - a decision referred to in subsection 70(3) (which deals with remission of late payment penalty) of the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i> - a decision under section 129 of the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>
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	<ul style="list-style-type: none"> to refuse to make a declaration; - a decision under section 130 of the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i> to give a direction; - a decision under the integrated public number database scheme: <ul style="list-style-type: none"> o to refuse to grant a person an authorisation; o to impose conditions on the grant of an authorisation; o to vary or revoke an authorisation; o specified by the Minister for Communications and the Arts in a legislative instrument under section 295Q; - to refuse to make a declaration in relation to the pre-selection mechanism under s 352; - to refuse to make a declaration in relation to calling line identification under s 356; - to refuse to issue a connection permit under s 394; - to make a declaration in relation to the duration of connection permits under s 397; - to specify, impose, vary or revoke a condition of a connection permit under s 398(1)(c) or 398(3); - to cancel a connection permit under s 402; - to refuse to grant a cabling licence under s 427; - to specify, impose, vary or revoke a condition of a cabling licence under s 432; - to cancel a cabling licence under s 438; - to remit, or refuse to remit, the whole or part of a late payment penalty under s 468(6); - a decision in relation to the withdrawal of numbers under s 468(10); - to refuse to issue or cancel an exemption certificate a under clause 5 of Schedule 1; - to cancel a facility installation permit under clause 34 of Schedule 3; - to refuse to grant, or grant subject to conditions, a
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	<p>protection zone installation permit under clause 56 of Schedule 3A;</p> <ul style="list-style-type: none"> - to vary or specify a condition in a protection zone installation permit (other than a condition specified under paragraph 58A(1)(d) of Schedule 3A) under clause 58A of Schedule 3A; - to refuse to extend the duration of a protection zone installation permit under clause 61 of Schedule 3A; - to suspend or cancel a protection zone installation permit under clause 62 of Schedule 3A; - to refuse to grant, or grant subject to conditions, a non-protection zone installation permit under clause 69 of Schedule 3A; - to specify a condition in a non-protection zone installation permit (other than a condition specified under paragraph 73A(1)(c) of Schedule 3A) under clause 73A of Schedule 3A; - to refuse to extend the duration of a non-protection zone installation permit under clause 76 of Schedule 3A; - to suspend or cancel a non-protection zone installation permit under clause 77 of Schedule 3A.
<p>Section 314A(5B)</p>	<p>Decision of the Communications Access Co-ordinator to refuse an application under s 5B(b)</p> <p>This application requires the carrier or nominated carriage service provider to 'notify changes to telecommunications services or telecommunications systems that may likely to have a material adverse effect on the capacity of the carrier or provider to comply with obligations under s 313(1A) or (2A) and to make the nominated changes'.</p>

[Notes:

1. The list of decisions which may be reconsidered under the Act is set out in clause 1 of Schedule 4 to the Act.

2. Subitems 1(xa) and (xb) of Schedule 4 specify two decisions that may be made under clause 5 in Schedule 1 of the Act. Clause 5 of Schedule 1 was repealed on 24 September 2005.
3. Clause 55 of Schedule 3 was repealed by the Omnibus Repeal Day (Autumn 2014) Act (109 of 2014) with effect from 16 October 2014.
4. This Act also sets out the review mechanism for the following decisions:
 - a decision about the remission of the whole or part of an amount of late payment penalty under an instrument made pursuant to s 73(4) of the Act: subitem 1(d) of Schedule 4 to the Act;
 - a decision of an administrative character made under a service provider determination that has been made pursuant to s 99(1) of the Act: subitem 1(g) of Schedule 4 to the Act;
 - certain decisions under the Telecommunications (Consumer Protection and Service Standards) Act 1999: subitems 1(ja), (repealed by the Omnibus Repeal Day (Autumn 2014) Act (109 of 2014) with effect from 16 October 2014) (k), (l) and (m);
 - certain decisions made under the integrated public number database scheme made pursuant to s 295A of the Act: subitems 1(ma), (mb), (mc) and (md) of Schedule 4 to the Act;
 - a decision about the remission of the whole or part of an amount of late payment penalty under an instrument made pursuant to s 486(4) of the Act: subitem 1(w) of Schedule 4 to the Act.
 - a decision about the remission of the whole or party of a late payment penalty under s 121(3) of the *Telecommunications Universal Service Management Agency Act 2012*: subitem 1(jb) of Schedule 4 of the Act.

See the separate entries for the Act and relevant instruments for further information.

5. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application or the receipt of further information that it has requested, the ACMA is taken to have refused the application: s 560(1)
6. Part 2 of Schedule 4 sets out decisions which are not subject to deadlines set out in s 566 of the Act: ss 56, 58, 427, 432(3).]

[Telecommunications \(Collection of Numbering Charges\) Determination 2014](#)

Section 562 of the *Telecommunications Act 1997*

Section 559(1) of the <i>Telecommunications Act 1997</i>	The following decisions of the Australian Communications and Media Authority that have been affirmed or varied by the Authority on reconsideration: <ul style="list-style-type: none">- to refuse to remit all or part of an amount of late payment penalty under s 9(1).
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[Notes:

1. The relevant section is found in 'Note' under Clause 11 of the Determination.
2. Decisions about the remission of the whole or a part of an amount of late payment penalty made under a determination made by the ACMA under s 468(4) of the Telecommunications Act 1997 are subject to review in accordance with the review provisions of that Act: see subitem 1(w) of Schedule 4 to the Telecommunications Act 1997. A person affected by a decision listed above in the right-hand column may request that ACMA reconsider the decision.
3. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application or the receipt of further information that it has requested, the ACMA is taken to have refused the application: s 556(3).
4. This Determination replaced and continued the arrangements for the Telecommunications (Annual Numbering Charge – Late Payment Penalty) Determination 2000, with effect from 1 April 2015: F2014L01783.]

[Telecommunications \(Consumer Protection and Service Standards\) Act 1999](#)

Section 562 of the *Telecommunications Act 1997* (38 of 2015)

<p>Section 559(1) of the <i>Telecommunications Act 1997</i></p>	<p>The following decisions of the Australian Communications and Media Authority that have been affirmed or varied by the Authority on reconsideration:</p> <ul style="list-style-type: none"> - to refuse to remit late payment penalty under s 70 (3); - to refuse to make a declaration exempting a specified carrier or eligible carriage service provider from entering into a Telecommunications Industry Ombudsman (TIO) scheme under s 129; - to give a direction to join a TIO scheme under s 130.
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[Notes:

1. The list of decisions under this Act which may be reconsidered is set out in sub-items 1(ja), (k), (l) and (m) of Schedule 4 to the *Telecommunications Act 1997*. The review provisions of the *Telecommunications Act 1997* apply to the review of these decisions as it relates to remission of late payment penalty. The following Acts introduced or have amended the list of reviewable decisions: 52 of 1999, 142 of 2000, 109 of 2014 and 38 of 2015.
2. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application or the receipt of further information that it has requested, the ACMA is taken to have refused the application: s 556(3).
3. Section 101A was repealed by the *Omnibus Repeal Day (Autumn 2014) Act 2014* (109 of 2014), with effect from 16 October 2014).
4. Section 23D was repealed and replaced by s 70 by the *Telecommunications Legislation Amendment (Deregulation) Act 2015* commencing 1 July 2015: No 38 of 2015.]

[Telecommunications \(Eligible Revenue\) Determination 2015](#)

Section 39 (F2015L00842)

<p>Various reviewable decisions under the Act</p>	<p>Any declaration made under this determination, which includes the following decisions of the Australian Communications and Media Authority to:</p> <ul style="list-style-type: none"> - declare that a specified amount or the value of a benefit or service is a non-telecommunications sales revenue under s 9(2); - declare that a specified amount is an inter-person input payment of a participating person, or declared related party or consolidated related party under s 10(3); - declare that a specified amount of revenue is bundled revenue under s 13(4); - make a declaration relating to initial sales revenue under s 15(5); - make a declaration relating to telecommunication sales revenue under s 17(3); - declare that a specified amount is part of a specified participating person's gross telecommunications sales revenue for an eligible revenue period under s 20(1); - make a declaration relating to other input amounts under s 30(1); - make a declaration that one or more participating persons are not entitled to deduct a specified amount or payment under this Part under s 32(1); - declare that a specific amount of gross telecommunications sales revenue of one or more specified participating persons may be deducted under s 33; - to make a declaration relating to revenue accounted for on a group basis under s 36(3).
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[Notes:

1. This Determination commenced on 19 June 2015: F2015L00842.]

[Telecommunications Numbering Plan 2015](#)

Section 131 (F2015L00319)

<p>Various reviewable decisions under the Act</p>	<p>The following decisions of the Australian Communications and Media Authority that have been affirmed, varied or revoked on internal review:</p> <ul style="list-style-type: none">- not to approve an operation plan under s 34(4);- not to approve an amendment of an operation plan or a replacement operation plan under s 35(3);- to direct a carriage service provider to amend or replace an approved operation plan under s 36(1);- a decision under s 36(4) that a carriage service provider has not complied with a direction;- not to approve an application for allocation of an international signalling point code under s 48(7);- not to approve an application for allocation of a mobile network code under s 51(7);- to withdraw an international signalling point code or a mobile network code under s 53(1);- a decision under s 60 not to approve an application for allocation of a carriage service provider identification code because of the ground in s 60(3);- to allocate under s 61(3) a number subject to a condition;- to allocate under s 61(4) a number with effect from, or until, a particular date;- not to approve an application for allocation of a number under s 64(1);- to allocate under s 68(2) a number subject to a condition;- to allocate under s 68(4) a number with effect from, or until, a particular date;- not to approve an application to surrender a number under s 89(1);- to withdraw a number under s 91(1);- to withdraw a number under s 92(1);
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	<ul style="list-style-type: none"> - to withdraw a number under s 93(1); - to withdraw a number under s 94(1); - not to approve recall and replacement of a number under s 98(3); - not to grant an exemption under s 104(4); - not to grant an exemption under s 118(1).
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[Notes:

1. This Plan was registered on 19 March 2015 and will commence on a date to be fixed by the ACMA by legislative instrument, or by 1 October 2015.
2. Section 127 lists the reviewable decisions].

[Telecommunications \(Service Provider – Identity Checks for Prepaid Mobile Carriage Services\) Determination 2017](#)

Section 562 of the *Telecommunications Act 1997*

<p>Various reviewable decisions under the Act</p>	<p>The following decisions of the Australian Communications and Media Authority that has been affirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - to approve the supply of a prepaid mobile carriage service during emergency that have been internally reconsidered by ACMA under Part 29 of the <i>Telecommunications Act 1997</i>: <ul style="list-style-type: none"> o Approval to extend carriage services to an emergency-affected individual or class of prepaid mobile carriage services beyond the usual 30-day activation period, s 3.1(2)(c); o Supplying a prepaid mobile carriage service to family violence-affected individuals. The service provider is exempt from complying with the 30-day activation maximum where ACMA has approved a longer period in writing, s 3.2(2)(c); o Approval or refusal of a compliance plan under section 5 by ACMA, s 5.5(2); o Approval of amendment of an approved compliance plan by ACMA, s 5.6(4) o Revocation of an approved compliance plan by ACMA, s 5.8(10).
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[Telecommunications Service Provider \(Mobile Premium Services\) Determination 2010 \(No.1\)](#)

Section 562 of the *Telecommunications Act 1997*

<p>Section 559(1) of the <i>Telecommunications Act 1997</i></p>	<p>The following decisions of the Australian Communications and Media Authority that have been affirmed or varied upon reconsideration:</p> <ul style="list-style-type: none"> - to give a notice about non-compliance with the Determination and steps to be taken by the mobile carriage service provider under cl 13(2).
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[Notes

1. Decisions of an administrative character made under a service provider determination made by the ACMA under s 99(1) of the *Telecommunications Act 1997* are subject to review in accordance with the review provisions of that Act: see subitem 1(g) of Schedule 4 to the *Telecommunications Act 1997*. A person affected by a decision listed above in the right-hand column may request that ACMA reconsider the decision.
2. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application or the receipt of further information that it has requested, the ACMA is taken to have refused the application: s 556(3).]

[Telecommunications Service Provider \(Mobile Premium Services\) Determination 2010 \(No. 2\)](#)

Section 562 of the *Telecommunications Act 1997*

<p>Section 559(1) of the <i>Telecommunications Act 1997</i></p>	<p>The following decisions of the Australian Communications and Media Authority that have been affirmed or varied upon reconsideration:</p> <ul style="list-style-type: none"> - to make, suspend, vary or revoke a do not bill order under cl 3.4; - to make, vary or give an interim do not bill order under cl 3.9.
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[Notes

1. Decisions of an administrative character made under a service provider determination made by the ACMA under s 99(1) of the *Telecommunications Act 1997* are subject to review in accordance with the review provisions of that Act: see subitem 1(g) of Schedule 4 to the *Telecommunications Act 1997*. A person affected by a decision listed above in the right-hand column may request that ACMA reconsider the decision.

2. If the ACMA fails to notify a person of its decision on a request for reconsideration within 90 days after receiving the application or the receipt of further information that it has requested, the ACMA is taken to have refused the application: s 556(3).]

Telstra Corporation Act 1991

Section 8CA (81 of 1996)

Section 8BM and cl. 9(2), 9(3) of the Schedule	The following decisions of the Minister for Communications and the Arts: <ul style="list-style-type: none">- to issue a direction under s 8BM that a person cease holding a particular ownership stake in Telstra shares that has been acquired through an anti-avoidance scheme;- to allow, or refuse to allow, under cl. 9(2) or 9(3) of the Schedule a longer period during which a person's interest in a share in Telstra must be disregarded.
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Temperate East Marine Park Network Management Plan 2018

Regulation 14.16(8) of the *Environment Protection and Biodiversity Conservation Regulations 2000*

Reg. 4.3.3.2	The reconsidered decision made by the Director of National Park in relation to decisions about permits and other types of authorisations.
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[Notes:

1. This plan was approved on 25 January 2018 and will cease to be in effect on 30 June 2028.
2. The plan was made under s 370 of the *Environment Protection and Biodiversity Conservation Act 1999*.]

Tertiary Education Quality and Standards Agency Act 2011

Section 187(73 of 2011)

Various reviewable decisions under the Act	The decisions set out below that has been: <ul style="list-style-type: none">• made by a person other than a delegate of the Tertiary Education Quality and Standards Agency under s 187; or• made by a delegate of the Tertiary Education Quality and
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	<p>Standards Agency that have been affirmed, varied or revoked on reconsideration by the Agency under s 185(2):</p> <ul style="list-style-type: none">- to determine that an application for registration in a particular provider category is inappropriate under s 19(1)(a);- to determine that it would be appropriate for an application for registration to be in a particular provider category when that provider category differs from that sought by the applicant under s 19(1)(a);- to extend the time within which the Agency may decide an application for registration under s 21(3);- to register, or not register an applicant for registration in a particular provider category under s 21;- to impose a condition on a registration under s 32(1);- to vary a condition imposed on a registration under s 32(2);- to refuse to renew a registration under s 36;- to extend or refuse the period of a registered higher education provider's registration under s 37A;- to change the category in which a registered higher education provider is registered under s 38;- to refuse to authorise a registered higher education provider to self-accredit one or more courses of study under s 41;- to reject an application to withdraw a registration under s 43;- to extend the time within which the Agency may decide an application for accreditation under s 49(3);- to reject an application for accreditation under s 49;- to impose a condition on an accreditation under s 53(1);- to vary a condition imposed on an accreditation under s 53(2);- to refuse to renew an accreditation under s 56;- to extend or refuse to extend the period of the accreditation of a course of study under s 57A;- to shorten the period of an accreditation under s 99;
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	<ul style="list-style-type: none"> - to cancel an accreditation under s 99; - to shorten the period of a registration under s 100; - to cancel a registration under s 101; - to enter details on the Register under s 198(4).
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[Notes:

1. A list of reviewable decisions is set out in s 183 of this Act. Note 1 indicates that reviewable decisions of the delegates of TEQSA may be reviewed by the AAT following a process of internal review by TEQSA. Subsequently, Note 2 provides that the reviewable decisions not made by delegates may be reviewed by the Administrative Appeals Tribunal (see s 187).
2. If a person applies to the Agency for reconsideration of a decision and the Agency does not notify the person of his or her decision within 90 after receiving the application, the Agency is taken to have affirmed the original decision: s 186(2).
3. The Tribunal's jurisdiction to review reconsideration decisions under s 187(b) includes any decision made by the Agency in substitution of one it has revoked: s 185(2)(b).]

[Tertiary Education Quality and Standards Agency \(Consequential Amendments and Transitional Provisions\) Act 2011](#)

Section 187 of the *Tertiary Education Quality and Standards Agency Act 2011*

<p>Items 3(3), 5(1), 10(3), 16(3), 17, 27, 22(1) of Schedule 3</p>	<p>The following decisions of the Tertiary Education Quality and Standards Agency:</p> <ul style="list-style-type: none"> - a determination about the provider category in which a higher education provider will be registered under items 3(3), 5(1), 10(3) and 16(3) of Schedule 3; - to not lift a suspension of a higher education provider's registration under item 8(1) of Schedule 3; - to determine that a higher education provider cannot self-accredit one or more courses of study under items 10(3) and 16(3) of Schedule 3; - to refuse to waive all or part of a fee under items 17 or 27 of Schedule 3; - to not lift a suspension of the accreditation of a course of study under item 22(1) of Schedule 3.
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[Notes:

2. The note to item 31 of Schedule 3 states that Part 10 of the *Tertiary Education Quality and Standards Agency Act* allows review of TESQA’s decisions under that Act that relate to this Schedule. For example, internal and Tribunal review could be sought of a decision under s 32 of that Act to impose a condition on an automatic registration arising under Part 2 of Schedule 3.]

[Textile, Clothing and Footwear Strategic Investment Program Scheme 1999](#)

Section 88(6)

Section 88(2)	<p>The following decisions of the Secretary of the Department of Industry, Innovation and Science that have been confirmed or varied on reconsideration:</p> <ul style="list-style-type: none"> - any decision under the Scheme that affects an entity other than: <ul style="list-style-type: none"> o a decision arising from the application of s 64, 65, 66, 72, 78, 79, 80, 85A or 85B in relation to the entitlement to be paid a grant, or to the amount of a grant; o a decision arising from the application of s 51M, 51N, 51O, 51R, 51S, 51T or 51ZD in relation to the eligibility for a regular advance of a grant, or to the amount of a regular advance.
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[Notes:

1. This Scheme was made under the Textile, Clothing and Footwear Strategic Investment Program Act 1999.
2. The definition of the decisions in relation to which a request for reconsideration may be made is set out in s 87.
3. If the Secretary does not confirm, revoke or vary a decision before the end of the period of 30 days after the day on which the Secretary receives a request for reconsideration, the Secretary is taken, at the end of that period, to have confirmed the decision: s 88(3).
4. On 14 April 2010, the Textile, Clothing and Footwear Strategic Investment Program Amendment (Building Innovative Capability) Act 2010 (43 of 2010) renamed the principal Act the Textile, Clothing and Footwear Investment and Innovation Programs Act 1999. At the same time, the provisions in the Act relating to this Scheme (Part 2 of the Act) were repealed. Item 47 of Schedule 1 to the amending Act provides that the repeal does not affect the operation of Parts 5 and 6 of that Act in respect of the Scheme. Parts 5 and 6 of the Act relate to the recovery of scheme debts and offences under the Act.]

[Therapeutic Goods Act 1989](#)

Sections 6(B)(1), 60(8) (76 of 1993)

Section 60(3)	<p>The following decisions of the Secretary of the Department of Health or a delegate of the Secretary that have been confirmed or revoked by the Minister for Health on reconsideration:</p> <ul style="list-style-type: none">- to declare that therapeutic goods are not therapeutic devices under s 3(1);- to declare that particular goods or classes of goods are, or are not, therapeutic goods or when used, advertised or presented for supply in a particular way are, or are not, therapeutic goods under s 7(1);- to substitute a decision for a decision made by the operation of a computer program under s 7C(3);- to refuse to send to a person a copy of the entry in the Register for particular therapeutic goods under s 9C;- to vary an entry or other information in the Register under s 9D;- to remove entries from the Register under s9F;- to refuse to grant a consent to import therapeutic goods into Australia, to supply therapeutic goods for use in Australia or to export therapeutic goods from Australia under s 14 or 14A;- any decision under Part 3-2 relating to the registration and listing of therapeutic goods;- any decision under Part 3-2A relating to the regulation of biologicals;- any decision under Part 3-3 relating to the manufacture of therapeutic goods;- to declare under s 41BD(3) that a particular instrument, apparatus, appliance, material or other article, or that a particular class of instruments, apparatus, appliances, materials or other articles, are not, for the purposes of this Act, medical devices;- any decision under Part 4-4 relating to conformity assessment certificates;- any decision under Part 4-5 relating to including
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	<p>medical devices on the Register other than a decision under s 41FH relating to selecting applications for auditing or a decision about which aspects of the matters referred to in s 41FI(a) and (b) to consider in auditing an application under Subdiv C of Div 1 of Part 4-5;</p> <ul style="list-style-type: none"> - any decision under Part 4-6 relating to suspension and cancellation from the Register; - any decision under Part 4-7 relating to exempting medical devices from inclusion in the Register; - any decision under Part 4-8 relating to obtaining information; - any decision under Part 4-9 relating to public notification and recovery of medical devices; - to refuse to grant a consent to import medical devices into Australia, to supply medical devices for use in Australia or to export medical devices from Australia under s 41MA or 41MAA; - any decision relating to the approval, or withdrawal of approval, for the use of a restricted representation under s 42DF or 42DI; - any decision relating to the variation of conditions of a restricted representation under 42DH.
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[Notes:

1. Section 6B of the Act provides that application may be made to the Tribunal for review of a decision made by the Secretary in the performance of a function, or the exercise of a power, conferred by a “corresponding State law” if the law under which the decision is made provides for review by the AAT and the decision is declared by the regulations to be a reviewable decision for the purposes of this section.
2. Corresponding State law is defined in s 3(1) of the Act to be a law of a state or territory declared by the regulations to correspond to this Act. While a number of NSW, Tasmanian and Victorian Acts and Regulations have been declared to be corresponding State laws under reg 3 of the Therapeutic Goods Regulations 1990, no decisions have been declared under the regulations to be reviewable decisions for the purposes of s 6B of the Act.]
3. The list of “initial decisions” that may be reconsidered under the Act is set out in s 60(1).

[Therapeutic Goods \(Medical Devices\) Regulations 2002](#)

Regulation 10.7(9) (F2018L00311)

Regulation	The following decisions of the Secretary of the Department of
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<p>10.7(4)</p>	<p>Health, that have been reconsidered by the Minister for Health:</p> <ul style="list-style-type: none"> - to make or refuse to make a conformity assessment (priority applicant) determination of a medical device under reg 4.3C(1)(b)(ii); - to revoke a conformity assessment (priority applicant) determination of a medical device reg 4.3E(1); - to suspend or revoke a conformity assessment certificate under reg. 4.10(2); - the following provisions concerning conformity assessment body determination: <ul style="list-style-type: none"> o reg 4A.6(1); o para 4A.7(3)(a)(i) or (ii); o reg 4A.7(5); o reg 4A.20; o reg 4A.22(3); o reg 4A.23(1); o reg 4A.26(1); o reg 4A.27(1); o reg 4A.28(1); o reg 4A.29(1); - to make or refuse to make a medical device (priority applicant) determination under reg 5.4B(1)(b)(ii) - to revoke a medical device (priority applicant) determination under reg 5.4D(1); - the following provisions concerning conformity assessment body determination assessment fee: <ul style="list-style-type: none"> o reg 9.1C; o reg 9.1D(1); o reg 9.1F(2); - to conduct an abridged assessment of a device under reg. 9.4(2)(a); - to approve, in relation to a kind of medical device, the payment of an assessment fee by instalments under reg. 9.5(1).
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[Notes:

1. The list of decisions that are subject to reconsideration under these Regulations is set out in reg 10.7(1) and was recently amended by the *Therapeutic Goods Legislation Amendment (2018 Measures No. 1) Regulation 2018*).
2. If a person requests reconsideration and does not receive notice of the Minister's decision within 60 days after making the request, the Minister is taken to have confirmed the initial decision: reg 10.7(6).]

Therapeutic Goods Regulations 1990

Regulations 5P, 48(8) (SLI 141 of 2009)

<p>Reviewable decisions made under various sections</p>	<p>The following decisions of the Secretary of the Department of Health that have been confirmed or revoked by the Minister on reconsideration:</p> <ul style="list-style-type: none"> - to order a person under reg 9(1) to withdraw an advertisement or generic information, publish a retraction, publish a correction, recover any advertisement or generic information that is still in circulation, destroy the advertisement or generic information or withdraw a particular claim or representation made by the advertisement or generic information and not use that claim or representation in any other advertisement or generic information; - to assign, or refuse to assign, to therapeutic goods or grouped therapeutic goods a registration or listing number that is not assigned to other therapeutic goods or grouped therapeutic goods under reg 10C(3), (4), (5) or (6); - to refuse to designate a drug as an orphan drug under reg 16J(1)(b)(ii); - to refuse to extend the designation of a medicine as an orphan drug under reg 16L(3)(b); - to revoke the designation of a medicine as an orphan drug under reg 16M(1)(b); - to refuse a priority application for therapeutic goods 16R(1)(b)(ii); - to revoke a therapeutic goods determination in relation to a priority application for therapeutic goods 16T(1); - to cancel under reg 22(8) a licence to manufacture or produce therapeutic goods; - to refuse to waive the charge for the financial year under
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	<p>43AAH(4)(b);</p> <ul style="list-style-type: none"> - to waive or reduce, or refuse to waive or reduce, a fee under reg 45; - to allow, or refuse to allow, a fee payable under item 6 or 7 in Schedule 9 to be paid in instalments under reg 45AA.
<p>Regulations 5G 5K 5L</p>	<ul style="list-style-type: none"> - to refuse, or impose conditions of an advertisement under reg 5G; - to vary condition of approval of an approved advertisement under reg 5K; - to withdraw the approval of an approved advertisement under reg 5L

[Notes:

1. If a person requests reconsideration of a decision under reg 9(1), 10A(7), 10C(3), (4), (5) or (6), 10F(7), 16J(3), 22(8), 45 or 45AA and does not receive notice of the Minister's decision within 60 days after making the request, the Minister is taken to have confirmed the original decision: reg 48(4).
2. Regulation 43AAI was repealed by the Therapeutic Goods Legislation Amendment (Annual Charges Exemption) Regulation 2015 (SLI 75 of 2015), which repealed the right to appeal decisions made under regulations 43AAD(1)(a), 43AAF(1)(a), 43AAH(1)(a), taking effect from 1 July 2015.]

[Torres Strait Fisheries \(Quotas for Tropical Rock Lobster \(Kaiar\)\) Management Plan 2018](#)

Section 21 (F2018L01645)

Section 20	A decision of the Minister under s 20 to provisionally allocate a particular number of quota units to a person.
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[Note:

1. This Management Plan commenced on 1 December 2018.]

Tobacco Advertising Prohibition Act 1992

Section 30 (93 of 2017)

<p>Sections 9(5) 17(2) 18(2) 18(3)</p>	<p>The following decisions of the Minister for Health:</p> <ul style="list-style-type: none"> - to give a notice under s 9(5) excluding an advertisement from the definition of tobacco advertisement; - to specify under s 17(2) that tobacco advertising would not be permitted in the periodical even if it is imported and not principally intended for the Australian market;
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[Notes:

1. Decisions made under s 18 was once reviewable by the AAT but the section was repealed by Act No 93 of 2017 on 23 August 2017.]

Trade Marks Act 1995

Sections 99A(2), 136B(3), 175(5), 178(5), 180(4), 180A(4), 224(7), 228A(7) (35 of 2012)

<p>Sections 175(2) 178(2) 180(1) 180A</p>	<p>The following decisions of the Australian Competition and Consumer Commission:</p> <ul style="list-style-type: none"> - to refuse to issue a certificate under s 175(2); - to approve, or not to approve, a variation of the rules under s 178(2); - to refuse to give consent for the assignment of a registered certification trade mark under s 180(1); - to refuse to give consent for the assignment of an unregistered certification trade make under s 180A.
<p>Sections 99A (1) 224(1) 224(2) 224(3)</p>	<p>The following decisions of the Registrar:</p> <ul style="list-style-type: none"> - to dismiss an opposition against an application for removal of trade mark under s 99A(1); - not to extend time for the doing of a relevant act under s 224(1), 224(2) or 224(3).
<p>Section 228A(4)</p>	<p>The following decision of the Designated Manager:</p>

	<ul style="list-style-type: none"> - to refuse to register an individual as a trade marks attorney under s 228A(4).
Section 136B(1)	<p>The following decision of the Comptroller-General of Customs :</p> <ul style="list-style-type: none"> - to refuse to allow a late claim for the release of seized goods under s 136B(1).

[Notes:

1. The Tribunal's jurisdiction under this Act was amended by the Intellectual Property Laws Amendment (Raising the Bar) Act 2012. These amendments commenced on 15 April 2013.
2. In relation to section 224, a "relevant act" is defined in s 224(8) to mean any act (other than a prescribed act) done in relation to a trade mark, the filing of any document (other than a prescribed document) or any proceedings (other than court proceedings).]

[Trade Marks Regulations 1995](#)

Regulations 21.35, 17A.34B(6), 5.8(6) (F2016L01754)

Regulation 17A.34B(6) (31 of 2013)

Regulations 5.8(6) 17A 34B(6)	<p>A decision of the Registrar:</p> <ul style="list-style-type: none"> - to dismiss the opposition or delete material from the statement of grounds and particulars under reg 5.8(6) or 17A.34B(6)
Reviewable decisions made under various sections	<p>The following decisions of the Board in relation to:</p> <ul style="list-style-type: none"> - evidence of academic qualifications under reg 20.5; - evidence of knowledge requirement under reg 20.7 <p>The decision(s) of Panel of Disciplinary Tribunal under 20A.18</p> <p>The following decisions of the Designated Manager:</p> <ul style="list-style-type: none"> - to suspend registration for serious offence under reg 20.14B; - failing to maintain professional indemnity insurance under reg 20A.8
Reviewable decisions under various sections of the <i>Patents</i>	<p>The following decisions of a Designated Manager:</p> <ul style="list-style-type: none"> - failure to comply with continuing professional education requirements under reg 20.28;

<p><i>Regulations 1991</i></p>	<ul style="list-style-type: none"> - imposing a condition when restoring attorney’s name to Register of Trade Marks Attorneys under reg 20.29(3) ; - returning to the Register in other circumstances under reg 20.31; - suspending registration for serious offence under reg 20.14B; - failing to maintain professional indemnity insurance under reg 20A.8; <p>The following decisions of a Panel of the Disciplinary Tribunal:</p> <ul style="list-style-type: none"> - decision of Panel of Disciplinary Tribunal under reg 20.43 - penalties for professional misconduct under reg 20.44 - penalties for unsatisfactory professional conduct under reg 20.45; - finding that attorney was unqualified at time of registration unre reg 20.46; - finding that registration was obtained by fraud under reg 20.47
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[Notes:

1. The Tribunal’s jurisdiction under these regulations was amended by the Intellectual Property Legislation Amendment (Raising the Bar) Regulation 2013 (No.1). These amendments commenced on 15 April 2013.
2. Regulations 20.14 and 20.15 of the Trade Marks Regulations 1995 provide that Parts 5, 6, 7 and 8 of Chapter 20 of the Patents Regulations 1991, which deal with registration and discipline of registered patent attorneys, apply to trade marks attorneys as if the references to a patent attorney were references to a trade marks attorney.]

[Trade Practices \(Consumer Product Information Standards\) \(Cosmetics\) Regulations 1991](#)

Regulation 8(1) (SR 327 of 1991)

<p>Regulation 7</p>	<p>Decision of the Treasurer in relation to product ingredients.</p>
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Trade Support Loans Act 2014

Section 86 (81 of 2014)

<p>Sections 81(3) 85(1)</p>	<p>The following decisions of the Commissioner of Taxation and the Secretary of the Department of Education that have been internally reviewed;</p> <ul style="list-style-type: none"> - to affirm, vary, or set aside and substitute a new decision under s 81(3); - to affirm, vary, or set aside and substitute a new decision under s 85(1).
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[Notes:

1. Section 85 refers to a review of a decision under s 83, which in turn refers to review of a reviewable Secretary decision. A reviewable Secretary decision is a decision made under ss 50, 51, 202F of *Income Tax Assessment Act 1936*, s 88: ss 77(1) and 77(2).
2. Subsection 77(1) states that a decision under section 50 or 51 is a reviewable Commissioner decision.
3. Subsection 77(1) states that a decision under the Act that is not a reviewable Commissioner decision, referred to in s 202F of the *Income Tax Assessment Act 1936*; or a decision under s 88 is a reviewable Secretary decision)

Tradex Scheme Act 1999

Section 40 (18 of 2008)

<p>Section 39(5)</p>	<p>The following decisions of the Secretary of the Department of Industry, Innovation and Science that have been reconsidered:</p> <ul style="list-style-type: none"> - to refuse wholly or partly under s 11 an application for a tradex order; - to refuse wholly or partly under s 13 an application for the variation of a tradex order; to suspend a tradex order under s 17; - to revoke a tradex order under s 19 or 19A.
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[Notes:

1. The list of decisions that are subject to reconsideration under the Act is set out in ss 39(1) and (2) of the Act.
2. If the Secretary fails to make a decision on the reconsideration within 28 days after the day on which the application for reconsideration was lodged, the Secretary is taken to have made a decision to affirm the original decision: s 39(7).]

Trans-Tasman Mutual Recognition Act 1997

Section 33 (190 of 1997)

<p>Sections 19(2) 19(5) 21 22 25(5) 26(4) 26(5)</p>	<p>The following decisions of a local registration authority of an Australian jurisdiction:</p> <ul style="list-style-type: none"> - to grant registration to a person under s 19(2); - to renew the registration of a person under s 19(2); - to grant registration subject to conditions under s 19(5); - to postpone the grant of registration under s 21; - to refuse the grant of registration under s 22; - to cancel a person's deemed registration under s 25(5); - to waive, or refuse to waive any conditions or undertakings applying to a person's registration in New Zealand under s 26(4);to impose conditions during a period of deemed registration under s 26(5). - to impose a condition on substantive or deemed registration to the effect that a person may not carry out activities under registration unless a fee or other payment has been paid under s 40(3);
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[Notes:

1. A "local registration authority" of an Australian jurisdiction is defined as the person or authority in the jurisdiction having the function conferred by legislation of registering persons in connection with their carrying on that occupation in the jurisdiction.]

Trust Recoupment Tax Assessment Act 1985

Section 4(1) and Part IVC of the *Taxation Administration Act 1953* (9 of 1985) (216 of 1991)

<p>Various sections</p>	<p>Decisions of the Commissioner of Taxation relating to the assessment and collection of trust recoupment tax and penalty tax.</p>
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[Notes:

1. Section 4(1) of this Act provides that ss 6 (other than the definition of "spouse" in subs (1)) and 7A, Part II, s 21, Part IV, Div 1 of Part VI, and Parts VII and VIII of the *Income Tax Assessment Act 1936* and regulations made under that Act apply for the purposes of

the assessment and collection of trust recoupment tax and penalty tax in like manner as those provisions apply for the purposes of the assessment and collection of income tax under the *Income Tax Assessment Act 1936*. Section 4(2) provides that a reference in this Act to a provision of the *Income Tax Assessment Act 1936* is to be read as a reference to that provision in its application for the purposes of this Act in accordance with s 4(1).

2. A person who is dissatisfied with a decision noted in this entry must object against that decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*. The Tribunal may only review a decision to allow, wholly or in part, or to disallow a taxation objection.
3. An application for review of an objection decision must be lodged with the Tribunal within 60 days after the person making the application is served with notice of the decision: s 14ZZC of the *Taxation Administration Act 1953*.
4. If the Commissioner fails to make a decision on a taxation objection within 60 days after being given a written notice requiring the making of the objection decision, the Commissioner is deemed to have made a decision under s 14ZY(1) to disallow the objection: s 14ZYA(3) of the *Taxation Administration Act 1953*.]

U

Underwater Cultural Heritage Act 2018

Section 49 (C2018A00085)

<p>Section 49 (a) – (i)</p>	<p><i>The following decisions made by the Minister:</i></p> <ul style="list-style-type: none">- <i>a decision under s 17(1) to declare an article to be protected underwater cultural heritage;</i>- <i>a decision under s 18(1) to declare an article to be protected underwater cultural heritage;</i>- <i>a decision under s 19(1) to provisionally declare an article to be protected underwater cultural heritage;</i>- <i>a decision under s 20 to declare an area to be a protected zone;</i>- <i>a decision under s 21(1) to vary or revoke a declaration;</i>- <i>a decision under s 23 to grant, or to refuse to grant, a permit;</i>- <i>a decision under s 23 to grant a permit in terms that are different from those applied for;</i>- <i>a decision under s 25 to vary, or to refuse to vary, a permit;</i>- <i>a decision under s 26 to suspend or revoke a permit.</i>
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[Notes:

1. *The Act commences on 1 July 2019]*

V

Venture Capital Act 2002

Section 29-15(1) (54 of 2016)

Section 29-10(4)	<p>The following decisions of the Innovation and Science Australia that have been confirmed or varied upon reconsideration under s 29-10(4):</p> <ul style="list-style-type: none">- to refuse to allow under s 9-4 a partner's committed capital in a partnership to exceed 30% of the partnership's committed capital;- to allow, or refuse to allow, under s 9-10(3) a longer period for the purposes of s 9-10(1)(b) for repayment of a permitted loan;- to refuse under s 13-1 to register a limited partnership as a venture capital limited partnership (VCLP), an early stage venture capital limited partnership (ESVCLP) or an Australian venture capital fund of funds (AFOF) under Part 2;- to refuse under s 13-5 to register conditionally a limited partnership as a VCLP, an ESVCLP or an AFOF;- to revoke under s 17-1, 17-5 or 17-10 a registration under Part 2;- to determine under s 17-1(2) a period within which an investment registration requirement must be met;- to refuse under s 21-5 to register an entity as an eligible venture capital investor under Part 3;- to revoke under s 21-25 an entity's registration under Part 3;- to determine, or refuse to determine, under s 25-5 a shorter period during which a company or unit trust must meet the requirements of s 118-425(2)(b) of the Income Tax Assessment Act 1997;- to refuse to make a determination under s 25-10 or 25-15;- to specify a period under s 25-15(1A);- to make, or refuse to make a private ruling under s 362-25 in Schedule 1 of the Taxation Administration Act 1953; and
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	- to withdraw a private ruling under s 362-60 in Schedule 1 of the Taxation Administration Act 1953.
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[Notes:

1. The list of decisions that are subject to reconsideration under s 29-10 of the Act is set out in s 29-1. The following Acts introduced or have amended the list of decisions subject to reconsideration: 137 of 2002; 105 of 2004; 78 of 2007 and 54 of 2016. Innovation and Science Australia has 60 days to review the decision after receiving the request for reconsideration. If it fails to confirm, revoke or vary the decision then it will be taken to have confirmed the decision pursuant to ss 29-10(4) and (5) of the Act.
2. The *Tax Laws Amendment (Tax Incentives for Innovation) Act 2016* (54 of 2016) amended the list of reviewable decisions with effect from 1 July 2016.]

Veterans' Entitlements Act 1986

Sections 115R, 155A(1), 175(1), 175(1A), 175(2), 175(2A), 175(2B) 175(2C), 175(2D), 175(4) and 175(5)

<p>Reviewable decisions made under various sections.</p>	<ul style="list-style-type: none"> - The following decisions listed under s 57 (pursuant to right of review under s 175(2) which have been affirmed or set aside by the Repatriation Commission on reconsideration: a decision in relation to a claim for a qualifying service determination under s 35B; <ul style="list-style-type: none"> - a decision in relation to a claim for service pension or income support supplement; - a decision in relation to a request under s 52Y; - a decision cancelling or suspending a service pension or income support supplement; - a decision terminating the suspension of a service pension or income support supplement; - a decision reducing or increasing the rate of a service pension or income support supplement; - a decision refusing an application for an increase in the rate of a service pension or income support supplement; - a request under s 52Y for financial hardship; - a decision under Part IIIAB in relation to pension bonus except for decisions under ss 45TE, 45TG, 45TO or 45UK(1)(b);
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Section 64C	<p>The following decision (pursuant to right of review under s 175(2A) that has been affirmed or set aside and substituted upon reconsideration by the Commission:</p> <ul style="list-style-type: none"> - A decision in relation to a clean energy payment, except quarterly energy supplement under s 64A;
Sections 93ZB 118ZU 79U	<p>The following decisions (pursuant to right of review under ss 175(2B); 175(2C); 175(2D) that has been affirmed or set aside and substituted upon reconsideration by the Commission:</p> <ul style="list-style-type: none"> - to affirm or set aside under s 79U a decision in relation to an advance payment of service pension under s 79T - a decision exercised under s 93ZB in relation to a claim for pharmaceutical benefits card pursuant to s 93Z; - a decision exercised under s 118ZU in relation to a claim for a seniors health card pursuant to s 118ZS.
Section 175(4)	<ul style="list-style-type: none"> - to affirm or set aside under s 115(3) a decision in respect of an application for <ul style="list-style-type: none"> o clothing allowance, o bereavement payment under s 98AA, o funeral benefits, decoration allowance, o Victoria Cross allowance, o recreation transport allowance, or o loss of earnings allowance;
Section 175(5)	<ul style="list-style-type: none"> - to affirm or set aside under s 116D(2) a decision that a person fails to fall within a class of persons, a member of which is an “eligible child of a veteran” under s 116C(1);
Section 13AG	<p>A decision of the Repatriation Commission made under s 13AG that a person is not a reinstated pensioner.</p>
Section 115(R)	<p>A decision by the Commission that a prisoner of war recognition supplement is not payable under s 115R(1)</p>

<p>Sections 135 139</p>	<p>The following decisions of the Veterans' Review Board: to affirm, vary, or set aside a decision of the Commission to an application for review made under s 135:</p> <ul style="list-style-type: none"> - a claim for a pension in accordance with s 14; - an application for pension or for an increased pension in accordance with s 15; - an application for attendant allowance under s 98; - a decision in relation to a pension or attendant allowance under s 31; - to cancel or suspect or decrease the rate of a pension or attendant allowance under s 31(6); - to increase the rate of a pension or attendant allowance (s 31(8)) - to fix the date of re-commencement of a pension or attendant allowance that has been suspended under s 31(9);
<p>Sections 155(4) 155(7) 155(8)</p>	<p>The following decisions of the Principal Member of the Veterans' Review Board:</p> <ul style="list-style-type: none"> - to dismiss an application if the applicant fails to appear in person, or by a representative at a directions hearing or alternative dispute resolution process under s 155(4); - to dismiss a non-reviewable decision under s 155(7); - to dismiss an application if the applicant fails to proceed with the application or comply with a direction related to the application within a reasonable time under s 155(8).

[Notes:

1. The following provisions set out the decisions in relation to which a person may request reconsideration under the Act: ss 57, 79T(1), 115(1), 116D(1) and 118ZS. The following Acts introduced or have amended these provisions: 78 of 1994, 157 of 1997, 67 of 1998, 157 of 2000, 48 of 2008 and 95 of 2011.
2. Section 176(4) of the Act modifies the time limit for lodging an application for review with the Tribunal. A person must lodge an application for review of a decision under ss 13AG, 57B, 79U, 115(3), 116D(2), 118ZU or 139 within 3 months after the day on which the person received the reviewable decision.
3. The Tribunal cannot extend the time for lodging an application for review to a date more than 12 months after the person received the reviewable decision: s 176(4) of the Act.

4. The review provisions of *Social Security Act 1991* apply in relation to decisions to recover recoverable amount under s 205(2) and to give a notice under s 205A. See section 205B.
5. The review provisions in the Act also apply to decisions relating to a claim for a bonus payment under the *A New Tax System (Bonuses for Older Australians) Act 1999*.]

[Veterans' Entitlements \(Clarke Review\) Act 2004](#)

Section 8(2) (100 of 2004)

Section 7	A decision of the Commission under s 7 relating to a claim that an applicant is dissatisfied with.
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[Notes:

1. Section 8 of the Act provides the AAT with jurisdiction to review a decision of the Commissioner made under s 7 relating to a claim. An application for review is made directly to the AAT rather than via the Veterans' Review Board.]

[Veterans' Entitlements Regulations 1986](#)

Regulation 9AL (SR 372 of 1997)

Regulations 9AG 9AI	<p>The following decisions of the Commission that have been affirmed or set aside on reconsideration:</p> <ul style="list-style-type: none">- to request the repayment of an amount equal to an amount of travelling expenses which has been calculated under regs 9, 9AD or 9AE and paid as a result of the person giving information to the Commission which was false or misleading in a relevant detail;- to pay a particular amount of travelling expenses calculated in accordance with regs 9 or 9AE;- to refuse to authorise the payment of travelling expenses or request the person to repay the amount of an advance where the person has not given the Commission written evidence of the expenses within 3 months after a request from the Commission to do so under reg 9AF.
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[Notes:

1. Pursuant to reg 9AL, reconsideration of decisions can be initiated by the Commissioner or the entitled persons.

2. An application for review must be lodged within 3 months after the day on which the person was notified of the Commission's decision: reg 9AL(2).
3. Regulation 18 of the *Military Rehabilitation and Compensation Regulations 2004* (SR 156 of 2004) provides that a reference to "the Commission" in Veterans' Entitlements Regulations 9AG, 9AI and 9AL is also a reference to the *Military Rehabilitation and Compensation Commission*.]

[Veterans' Entitlements \(Rehabilitation Allowance\) Regulations](#)

Regulation 10(1) (SR 341 of 1994)

<p>Regulations 5(a)(ii) 7 8</p>	<p>The following decisions of the Repatriation Commission:</p> <ul style="list-style-type: none"> - to approve, or refuse to approve, a vocational rehabilitation program under reg. 5(a)(ii); - to assess under reg. 7 the circumstances of a person referred to in regulation 5 as a result of undertaking the program of rehabilitation; - to decide the amount of rehabilitation allowance to be paid to a person under reg 8.
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[Notes:

1. Regulation 10(2) modifies the time limit for lodging an application for review of a decision under regs 7 and 8.
2. If a person has not applied to the Veterans' Review Board for review of a decision to reduce the person's income, an application for review under regs 7 or 8 must be lodged within 28 days after the last day on which a person could apply to the Veterans' Review Board for review of that decision.
3. If a person has applied to the Veterans' Review Board for review of a decision to reduce the person's income, an application for review of a decision under regs 7 or 8 must be lodged within 28 days after the day on which the Veterans' Review Board decides or otherwise disposes of that application for review.]

[Veterans' Entitlements \(Special Assistance — Motorcycle Purchase\) Regulations 2001](#)

Regulation 19(1) (SR 209 of 2001)

Regulation 17(1)	A decision of the Repatriation Commission under reg 17 which affirms or set asides on reconsideration, a decision in relation to an application for a motorcycle benefit under reg 10.
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[Notes:

1. Pursuant to reg 19(2). the application must be made within 3 months after the day when the person seeking review was given a record of the decision under reg 18(1)(b).]

[Veterans' Entitlements \(Special Assistance\) Regulations 1999](#)

Regulation 26(1) (SR 319 of 1999)

Regulation 24	The following decisions of the Repatriation Commission that have been affirmed or set aside on reconsideration: to accept or reject a claim for a crisis payment under Part 4.
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[Notes:

1. Pursuant to reg 26(2) the application must be made within 3 months after the day when the person seeking review was given a record of the decision in accordance with reg 25(1)(b).]

[Veterans' Vocational Rehabilitation Scheme](#)

Section 5.3.1

Section 5.2.6	Any decision of the Repatriation Commission under the Scheme that has been affirmed or set aside on reconsideration.
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[Notes:

1. This scheme was made under s 115B(1) of the *Veterans' Entitlements Act 1986*.
2. Section 5.3.3 modifies the time limit for lodging an application for review with the Tribunal. A person must lodge an application for review within 3 months after the day on which the person received the reviewable decision. The Tribunal cannot extend the time for lodging an application for review to a date more than 12 months after the person received the reviewable decision.]

VET Student Loans Act 2016

Section 80(1) (98 of 2016)

<p>Section 76(4) or 77(4)</p>	<p>The following decisions of the Secretary of the Department of Education, delegate of the Secretary or the course provider whom the application was made that have been reconsidered under s 76 or 77:</p> <ul style="list-style-type: none"> - to approve or not to approve a VET student loan under s 18 - to revoke the approval of an approved course provider under s 36 - not to re-credit a student's FEE-HELP balances under s 68 (special circumstances) - to re-credit or not to a student's FEE-HELP balance under s 71 (unacceptable conduct)
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[Notes:

1. This Act commenced on 1 January 2017
2. Under section 78, a delegate of the Secretary must not reconsider a reviewable decision made by the delegate only if the other delegate was not involved in making the decisions, and occupies a position at a level not lower than that of the delegate who made the decision
3. Under s 89, the Secretary may delegate his/her powers and functions].

VET Student Loan Rules 2016

Section 83(7) (F2016L02030)

<p>Sections 83(2) and (3)</p>	<p>A decision of the Secretary of the Department of Education under s 83(3) on review of an original decision not to approve a tool for assessing a student's competence in reading and numeracy.</p>
	<p>A decision made by the Secretary of the Department of Education personally under s 82(2) not to approve a tool for assessing a student's competence in reading and numeracy</p>

W

[Water Act 2007](#)

Sections 77(7), 83(8) (137 of 2007)

<p>Sections 77(3)(a)(ii) 77(3)(b) 83(8)</p>	<p>The following determinations of the Minister for the Environment:</p> <ul style="list-style-type: none"> - to determine under s 77(3)(a)(ii) the amount of the payment to be made under s 77 to an entitlement holder in relation to a diversion limit reduction; - to determine under s 77(3)(b) that a payment is not to be made under s 77 to an entitlement holder in relation to a diversion limit reduction; - to determine under s 83(5)(a)(ii) the amount of the payment to be made under s 83 to an entitlement holder in relation to a change to the Basin Plan; - to determine under s 83(5)(b) that a payment is not to be made under s 83 to an entitlement holder in relation to a change to the Basin Plan.
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[Water Efficiency Labelling and Standards Act 2005 \(Cth\)](#)

Sections 17(1), 72(1) (108 of 2012)

<p>Sections 17(2) 26 71(4)</p>	<p>Under s 17(2), a decision made by the Regulator in the performance of a function or power conferred by a State-Territory law, if the law provides for review by the AAT and the decisions is declared under the regulations to be a reviewable State-Territory decision.</p> <p>The following decisions that have been made by the Regulator personally or on internal review:</p> <ul style="list-style-type: none"> - to refuse to register, or to cancel or suspend the registration of, a WELS product under s 26(1) - to refuse a request to waive or refund a fee imposed by the Water Efficiency Labelling and Standards (Registration Fees) Act 2013
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[Notes:

1. The Tribunal's jurisdiction under section 72 was amended by 108 of 2012. These changes commenced on 22 January 2013.

2. The list of decisions made under this Act that are subject to internal review is set out in s 69(1). The following Acts introduced or have amended this list of decisions: 4 of 2005, 108 of 2012 and 64 of 2013.
3. An application for review may only be made by the 'affected person' concerned: s 72(2). 'Affected person' is defined in ss 69 (2), (3) and (4).
4. Under section 17, regulation 4 of the *Water Efficiency Labelling and Standards Regulations 2005* provides that any decision made by the Secretary in the performance of a function or the exercise of a power conferred by a corresponding State-Territory law is a reviewable State-Territory decision if the law under which the decision is made provides for review by the Tribunal.
5. The following laws have been declared to be corresponding State-Territory laws by the [Water Efficiency Labelling and Standards Declaration 2016](#) and provide the AAT to review decisions made by the Regulator:
 - [Water Efficiency Labelling and Standards \(New South Wales\) Act 2005 \(NSW\)](#)
 - [Water Efficiency Labelling and Standards Act 2005 \(Vic\)](#);
 - [Water Efficiency Labelling and Standards \(Queensland\) Act 2005 \(Qld\)](#)
 - [Water Efficiency Labelling and Standards Act 2006 \(WA\)](#)
 - [Water Efficiency Labelling and Standards \(South Australia\) Act 2013 \(SA\)](#)
 - [Water Efficiency Labelling and Standards Act 2013 \(Tas\)](#)
 - [Water Efficiency Labelling and Standards Act 2015 \(ACT\)](#)
 - [Water Efficiency Labelling and Standards \(National Uniform Legislation\) Act 2014 \(NT\)](#)

Please refer to the corresponding State-Territory law for reviewable decisions made by the Regulator.

[Water Efficiency Labelling and Standards Determination 2013](#)

Section 72(1) of the *Water Efficiency Labelling and Standards Act 2005*

Section 16(1) of the *Water Efficiency Labelling and Standards Determination 2013*

Sections 11(1), 12(2) or 15, of the Determination	The following decisions that have been made by the Regulator personally or on internal review: <ul style="list-style-type: none">- to refuse to waive or refund an application fee under s 11(1);- to refuse to register a WELS product under s 12(2);- to cancel or suspend the registration of a WELS product under s 15.
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[Notes:

1. This Determination was made under ss 18, 19 and 26 of the *Water Efficiency Labelling and Standards Act 2005*. It commenced 22 January 2013.
2. Section 69 of the *Water Efficiency Labelling and Standards Act 2005* (Cth) provides that decisions to refuse to register a WELS product or to suspend or cancel the registration of a WELS product made under the scheme are reviewable decisions for the purposes of the Act
3. Section 16(1) provides that a decision to waive or refund the application fee under subsection 10(4) is a reviewable decision for the purposes of Part 11 of the *Water Efficiency Labelling and Standards Act 2005*.]

Wine Australia Act 2013

Sections 8(2E), 40Y(1) and 40ZAH (120 of 2004)

<p>Sections 8(2)(aa) 8(2)(ac) 8(2)(ad)</p>	<p>The following decisions of the Authority:</p> <ul style="list-style-type: none"> - to determine any conditions of use that are to be applicable to any registered geographical indications and any registered translations of such indications under s 8(2)(aa); - to determine in relation to a foreign country: <ul style="list-style-type: none"> o any traditional expressions that are to be registered in relation to wines originating in that country and any conditions of use applicable under s 8(2)(ac)(i); o to determine in relation to a foreign country any conditions of use that are to be applicable to traditional expressions under s 8(2)(ac)(ii); - to determine in relation to Australia any terms that are to be registered as additional terms in relation to wines originating in Australia under s 8(2)(ad)(i); - to determine in relation to a foreign country any terms that are to be registered as additional terms in relation to wines originating in that country s 8(2)(ad)(ii); - to determine in relation to a particular wine (regardless of origin) any terms that are to be registered as additional terms in relation to that wine under s 8(2)(ad)(iii); - to determine any conditions of use that are to be applicable to terms referred to in subparagraphs (i) to (iii) under s 8(2)(ad)(iv);
<p>Sections 40Y(1) 40W</p>	<p>The following decisions of the Geographical Indications Committee:</p>

<p>40ZAH(1)(a) 40ZAF</p>	<ul style="list-style-type: none"> - a final determination pursuant to s 40W; - a determination under s 40ZAF whether to omit the Australian GI on the grounds that the GI is not in use.
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[Notes:

3. This Act had undergone several name change:
 - a. *Australian Wine and Brandy Corporation Act 1980*
 - b. *Wine Australia Corporation Act 1980*;
 - c. *Australian Grape and Wine Authority Act 2013*
4. This title of the Act was recently amended by the *Australian Grape and Wine Authority Amendment (Wine Australia) Act 2017* (122 of 2017).
5. An application for review of a determination made under paras (8)(2)(aa), (ac) or (ad) must be made within 28 days after notice of the determination is published in accordance with s 8(2B): s 8(2F).
6. An application for review of a final determination under Part VIB of the Act s 40W must be lodged within 28 days after notice of the final determination has been published in accordance with s 40X of the Act: s 40Y(2)
7. An application for review of a determination under s 40ZAF must be lodged within 28 days after notice of a final determination has been published in accordance with s 40ZAG: s 40ZAH(2).]

Wine Australia Corporation Regulations 1981

See entry for *Australian Grape and Wine Authority Regulations 1981*

[Wine Australia Regulations 2018](#)

Regulation 23 (F2018LL00286)

<p>Reviewable decisions under various regulations</p>	<p>The following decisions of the Authority:</p> <ul style="list-style-type: none"> - a decision under s 9 to refuse to grant a licence; - a decision under s 13 to suspend or cancel a licence; - a decision under s 14 to refuse to approve a grape product for export; - a decision under s 14 to impose conditions on the approval of a grape product for export (including through variation of the conditions on an existing approval); - a decision under s 14 to approve a grape product that does not comply with the Australia New Zealand Food Standards Code;
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	<ul style="list-style-type: none">- a decision under s 17 to revoke the approval of a grape product for export;- a decision under s 20 to refuse to issue an export certificate;- a decision under s 20 to specify conditions on the validity of an export certificate;- a decision under s 21 to revoke an export certificate;- a decision to give a direction under s 22.
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[Note:

1. 'Authority' is defined as Wine Australia under *Wine Australia Act 2013*]

[Work Health and Safety Regulations 2011](#)

Regulation 683(1) (SLI 262 of 2011)

Regulation 680(2)	<p>The following decisions of Comcare which have been internally reviewed by Comcare:</p> <ul style="list-style-type: none">- to refuse to grant a high risk work licence under reg 89 or 91;- to impose a condition when granting or renewing a licence under reg 91A;- to refuse to issue a replacement high risk work licence document under reg 98;- to refuse to renew a high risk work licence under reg 104;- to suspend, cancel or vary conditions of a high risk work licence under reg 106(1);- to disqualify a licence holder from applying for another licence under reg 106(2);- to refuse to grant accreditation of assessors under regs 118 and 120;- to impose a condition when granting or renewing accreditation under reg 121;- to refuse to issue replacement accreditation document under reg 127;- to refuse to renew, suspend or cancel accreditation under reg 132 and 133;
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	<ul style="list-style-type: none">- to disqualify assessor from applying for a further accreditation reg 133;to refuse to register a plant design under reg 256 or 257;- to impose a condition on the registration of a plant design under reg 258;- to refuse to register an item of plant under reg 269 or 270;- to impose a condition when granting or renewing the registration of an item of plant under reg 271;- to refuse to renew the registration of an item of plant under reg 279;- to amend a registration on the initiative of Comcare under reg 283(1);- to refuse to amend a registration on application, or to make a different amendment, under reg 284;- to refuse to issue a replacement registration document under reg 288;- to cancel registration under reg 288B;- to refuse to issue a general construction induction training card, or a replacement general construction induction training card, under reg 322;- to cancel a general construction induction training card under reg 323;- to refuse to grant authorisation to use, handle or store a prohibited or restricted carcinogen under reg 384;- to cancel an authorisation to use, handle or store a prohibited or restricted carcinogen under reg 386;- to determine that a process is a lead process under reg 393;- to determine a different frequency for biological monitoring of workers at a workplace, or class of workers, carrying out lead risk work under reg 407;- to refuse to grant an asbestos removal license under regs 497 and 501;- to impose a condition on the grant or renewal of an asbestos removal license under reg 502;- to amend or refuse to amend an asbestos removal license under regs 508 and 509;- to refuse to issue a replacement license document under
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	<p>reg 513;</p> <ul style="list-style-type: none"> - to refuse to renew an asbestos removal license under reg 517; - to suspend or cancel an asbestos removal license under reg 520; - to disqualify a license holder from applying for a further license under reg 520
<p>Reviewable decisions under various regulations.</p>	<p>The following decisions of Comcare:</p> <ul style="list-style-type: none"> - to determine, or not to determine, on making an inquiry, a facility to be a major hazard facility under reg 541; - to determine a facility is a major hazard facility under reg 542; - to determine the suitability of the operator of a major hazard facility under reg 543; to impose a condition on a determination that a facility is a major hazard facility under reg 544; - to refuse to grant a major hazard facility licence under reg 580; - to impose conditions on the grant, or renewal, of a major hazard facility licence under reg 584; - to amend, on its own initiative, a major hazard facility licence reg 589; - to refuse to amend a major hazard facility licence on application, or make a different amendment, under reg 590; - to refuse to issue a replacement major hazard facility licence under reg 594; - to refuse to renew a major hazard facility licence under reg 598; - to refuse, on application, to transfer a major hazard facility licence under reg 600; - to refuse, on application, to cancel a major hazard facility licence under reg 601; - to suspend or cancel major hazard facility licence under reg 602(1); - to disqualify a licence holder from applying for another major hazard licence under reg 602(2); - to refuse to exempt a person or a class of persons from

	<p>compliance with any of these Regulations under reg 684;</p> <ul style="list-style-type: none">- to refuse to exempt a person from a requirement to hold a high risk work licence under reg 686;- to refuse to exempt, on application, the operator of a major hazard facility from compliance with any of these Regulations under reg 688;- to impose conditions on the grant of an exemption under reg 691;- to refuse to grant an exemption under reg 696;- to amend, or cancel, an exemption granted on application under reg 697.
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[Notes:

1. Regulation 683 states a person may apply to the AAT for external review of a reviewable decision made by the regulator under Chapter 9 or Part 11.2 or a decision made on internal review.
2. A list of reviewable decisions and persons who may make an application for review is set out in reg 676. It had been amended by Act No. 97 of 2015 and included in the list regs 91A, 106 and 288B.
3. For reconsideration decisions, where Comcare has not varied or set aside a decision within 14 days after receiving the application for review, the decision is taken to have been affirmed: reg 680(2).
4. The time limit for applications for internal review is within 28 days after the day on which the decision first came to the eligible person's notice or any longer time allowed by Comcare: reg 678(1). The exception to this is for decisions made under regs 89(5), 118(5), 256(5), 269(5) or 497(5) which provide that an application may be made within 28 days after the 120 day period referred to in these provisions or any longer time allowed by Comcare: reg 678(2).
5. The time limit for applications made to the AAT is 28 days after the day on which the decision first came to the person's notice or any longer time the AAT allows: reg 683(2).]