

Endmatter

Contents	
Glossary	156
Contacting the Tribunal	159

GLOSSARY

AASB	Australian Accounting Standards Board
AAT	Administrative Appeals Tribunal
ACSI 33	Australian Communications Security Instructions 33 which form part of the Australian Government Protective Security Manual.
ADR	Alternative dispute resolution
Affirm	The AAT may affirm a decision under review. This means that the original decision still stands.
Applicant	This is the person, organisation, department or agency that has lodged an application with the AAT.
Application for extension of time	An application for review of a decision must be lodged with the AAT within a certain time limit. However, an application may be made to the AAT to extend the time for lodging an application.
Case appraisal	Case appraisal is an ADR process conducted by an AAT member or other person, chosen on the basis of their knowledge of the subject matter, who assists the parties to resolve the dispute by providing a non-binding opinion on the facts in dispute and likely outcomes.
COAT	Council of Australasian Tribunals
Conciliation	Conciliation is an ADR process in which an AAT member or Conference Registrar assists the parties to identify the issues in dispute and endeavour to reach an agreement. The conciliator has no determinative role but may advise on or determine the conciliation process, make suggestions on terms of settlement and actively encourage the parties to reach an agreement.
Conference	A conference is a meeting conducted by an AAT member or Conference Registrar with the parties and/or their representatives. Conferences provide an opportunity to discuss and define the issues in dispute, identify further evidence that may be gathered, explore whether the matter can be settled and discuss the future conduct of the matter.
Confidentiality order	The AAT may make an order directing that a hearing or part of a hearing be held in private. The AAT may also give directions prohibiting or restricting the publication of the names of a party or witnesses, evidence given before the AAT or matters contained in documents lodged with the AAT.
CSS	Commonwealth Superannuation Scheme
Directions hearings	Directions hearings are conducted by AAT members and may be held to deal with procedural matters such as the exchange of statements or documents or to clarify issues relating to the conduct of a hearing. They may also be held to progress a matter in which there has been delay by a party.

Dismissal of application	In certain circumstances, the AAT may dismiss an application without proceeding to review the decision. An application may be dismissed, for example, at the request of the parties, if the applicant fails to appear at an ADR process, directions hearing or hearing, or if the AAT is satisfied that the application is frivolous or vexatious.
FMO	Finance Minister's Order
GST	Goods and Services Tax
Hearing	A hearing is conducted by one, two or three AAT members. It is the opportunity for the parties to present to the AAT evidence and submissions in relation to the decision under review. Parties may call witnesses to give evidence.
HSR	Health and Safety Representative
IASAJ	International Association of Supreme Administrative Jurisdictions
Interlocutory application	This is any application made by a party that relates to an application for review of a decision, including an application for an extension of time to lodge an application, an application to stay the operation of the decision under review or an application for a confidentiality order.
Mediation	Mediation is an ADR process in which an AAT member or Conference Registrar assists the parties to identify the issues in dispute, develop options, consider alternatives and endeavour to reach an agreement. The mediator has no advisory or determinative role in relation to the content of the dispute but may advise on or determine the mediation process.
MRT	Migration Review Tribunal
NAATI	National Accreditation Authority for Translators and Interpreters
Neutral evaluation	Neutral evaluation is an ADR process in which an AAT member or other person, chosen on the basis of their knowledge of the subject matter, assists the parties to resolve the dispute by evaluating the facts and law at issue in the dispute and providing a non-binding opinion on the likely outcomes.
OPA	Official Public Account
Outreach	This is an AAT program that provides self-represented parties with information about AAT practices and procedures and other assistance in relation to the review process.
Party	Parties are the participants in the proceedings before the AAT. Parties include the person who makes the application to the AAT, the decision-maker or other respondent to the application and any other person joined to the proceedings.

Party joined	Where a person, department or agency has applied to the AAT for review of a decision, any other person, department or agency whose interests are affected by the decision may apply to be made a party to the proceeding, and the AAT may grant that application. This person, department, or agency is a party joined.
Portfolio Budget Statements	Statements prepared to explain the Budget appropriations for agencies within a portfolio in terms of outcomes and outputs.
PSS	Public Sector Superannuation Scheme
PSSap	Public Sector Superannuation accumulation plan
RRT	Refugee Review Tribunal
Remit	The AAT may set aside a decision and send it back (remit it) to the original decision-maker to be reconsidered in accordance with any directions or recommendations of the AAT.
Respondent	This is the party who responds to or answers an application. This is usually the department, agency or organisation that made the original decision.
Section 37 Documents	These are the statement and documents that a decision-maker must prepare and provide to the AAT and the other party under section 37 of <i>Administrative Appeals Tribunal Act 1975</i> : known generally as the 'T Documents'. They include the reasons for the decision under review and all other relevant documents.
Set aside	The AAT may set aside a decision under review. The effect is that the AAT disagrees with the original decision and may make a new decision or remit the matter to the original decision-maker.
SSAT	Social Security Appeals Tribunal
Stay order	This is an order of the AAT to suspend the operation or implementation of the decision under review until the matter is determined or resolved.
Summons	This is a notice issued by the AAT calling a person to appear before it or to produce documents to it.
T Documents	See 'Section 37 Documents'.
TRACS	The AAT's electronic case management system.
Vary	The AAT may vary a decision under review. This means that the AAT changes or alters the original decision.
VRB	Veterans' Review Board

CONTACTING THE TRIBUNAL

The Tribunal can be contacted in person, by telephone or in writing (by letter or fax). Office hours are 8.30 am to 5.00 pm, Monday to Friday.

If you are writing to the Tribunal, the letter should be addressed to:

The District Registrar
AAT
GPO Box 9955
Your capital city

REGISTRY LOCATIONS AND CONTACT NUMBERS

New South Wales

Level 7
City Centre Tower
55 Market Street
SYDNEY NSW 2000
Telephone: (02) 9391 2400
Facsimile: (02) 9283 4881

Victoria

Level 16
Southgate, HWT Tower
40 City Road
SOUTHBANK VIC 3006
Telephone: (03) 9282 8444
Facsimile: (03) 9282 8480

Queensland

Level 4
Harry Gibbs Commonwealth
Law Courts Building
Cnr North Quay and Tank Street
BRISBANE QLD 4000
Telephone: (07) 3361 3000
Facsimile: (07) 3361 3001

South Australia

11th Floor
Chesser House
91 Grenfell Street
ADELAIDE SA 5000
Telephone: (08) 8201 0600
Facsimile: (08) 8201 0610

Western Australia

Level 5
111 St Georges Terrace
PERTH WA 6000
Telephone: (08) 9327 7200
Facsimile: (08) 9327 7299

Tasmania

Ground Floor
Edward Braddon Commonwealth
Law Courts Building
39–41 Davey Street
HOBART TAS 7000
Telephone: (03) 6232 1712
Facsimile: (03) 6232 1701

Australian Capital Territory

4th Floor
Canberra House
40 Marcus Clarke Street
CANBERRA ACT 2601
Telephone: (02) 6243 4611
Facsimile: (02) 6243 4600

Northern Territory

Northern Territory residents should direct any enquiries to the Queensland Registry.

NATIONAL TELEPHONE NUMBER

The Tribunal provides a national telephone number — 1300 366 700. You can use it to call the Tribunal's office, in the capital city of the state in which you live, for the cost of a local call. Those calling from the Northern Territory and the Northern Rivers area of New South Wales will be connected with Brisbane.

SERVICES FOR PERSONS WITH A HEARING OR SPEECH IMPAIRMENT

If you have a hearing or speech impairment, the AAT has services you can use. TTY users can phone 133 677 then ask for 1300 366 700. Speak and Listen (speech-to-speech relay) users can phone 1300 555 727 then ask for 1300 366 700. Internet relay users can connect to the National Relay Service (see www.relayservice.com.au for details) and then ask for 1300 366 700.

TRIBUNAL WEBSITE

Further information about the Tribunal, including details about contacting the Tribunal, is available from the Tribunal's website: www.aat.gov.au.

Indexes

Contents	
Compliance Index	162
Alphabetical Index	165

COMPLIANCE INDEX

Description	Page
Letter of transmittal	iii
Table of contents	iv
Alphabetical index	165
Glossary	156
Contact officer	vi
Internet home page address and internet address for report	vi
Review by the President	2
Review by the Registrar	4
Overview of agency	
Overview description of Tribunal	10–18
Role and functions	10
Organisational structure	10–14
Outcome and output structure	23
Where outcome and output structures differ from Portfolio Budget Statements, details of variation and reasons for change	Not applicable
Report on performance	
Review of performance during the year in relation to outputs and contribution to outcome	20–28
Actual performance in relation to performance targets set out in Portfolio Budget Statements/Portfolio Additional Estimates Statements	25–26
Performance of purchaser/provider arrangements	Not applicable
Where performance targets differ from the Portfolio Budget Statements/Portfolio Additional Estimates Statements, details of both former and new targets, and reasons for the change	Not applicable
Narrative discussion and analysis of performance	20–28
Factors, events or trends influencing performance	20–28
Performance against service charter customer service standards, complaints data, and response to complaints	29–30
Discussion and analysis of the agency's financial performance	24–25, 49
Summary resource table by outcome	24
Developments since the end of the financial year that have affected or may significantly affect operations or financial results in the future	Not applicable

Description	Page
Management Accountability	
<i>Corporate governance</i>	
Statement of the main corporate governance practices in place	10–13, 49–51
Names of the senior executives and their responsibilities	10–13
Senior management committees and their roles	13
Corporate and operational planning and associated performance reporting and review	5–8, 34–40, 42–53
Approach adopted to identifying areas of significant financial or operational risk and arrangements in place to manage risk	50–51
Certification of compliance with the Commonwealth Fraud Control Guidelines	50
Policy and practices on the establishment and maintenance of appropriate ethical standards	48
How nature and amount of remuneration for senior executive service officers is determined	47–48
<i>External scrutiny</i>	
Significant developments in external scrutiny	Not applicable
Judicial decisions and decisions of administrative tribunals	28
Reports by the Auditor-General, a Parliamentary Committee or the Commonwealth Ombudsman	29
<i>Management of human resources</i>	
Assessment of effectiveness in managing and developing human resources to achieve agency objectives	42–48
Workforce planning, staff turnover and retention	47
Training and development undertaken and its impact	42–44
Occupational health and safety performance	44–45
Productivity gains	45
Statistics on staffing	12, 117–118
Certified agreements and Australian Workplace Agreements	47, 118
Performance pay	47
<i>Assets management</i>	
Assessment of effectiveness of assets management	Not applicable
<i>Purchasing</i>	
Assessment of purchasing against core policies and principles	49

Description	Page
Consultants	
Summary statement detailing the number of, and total actual expenditure on, new consultancy contracts let during the year (inclusive of GST) and the number of, and total actual expenditure during the reporting year on, ongoing consultancy contracts (inclusive of GST)	49
Statement that information on contracts and consultancies is available through the AusTender website.	50
Australian National Audit Office Access clauses	
Absence of provisions in contracts allowing access by the Auditor-General	50
Exempt contracts	
Contracts exempt from publication on AusTender	50
Commonwealth Disability Strategy	
Report on performance in implementing the Commonwealth Disability Strategy	47, 152
Financial statements	55
Other information	
Occupational health and safety	44–45
Freedom of information	148–149
Advertising and market research	154
Ecologically sustainable development and environmental performance	154
Other	
Discretionary grants	154
Correction of material errors in previous annual report	Not applicable

ALPHABETICAL INDEX

A

- Accessibility of Tribunal, 16–17, 29
 - information on Tribunal, 16
 - interpreter services, 17, 29
 - Outreach Program, 16-17, 30
 - persons with disabilities, 17, 47, 152, 160
 - Service Charter, 17, 29–30, 152
- Administrative Appeals Tribunal
 - divisions, 10, 11, 95
 - establishment, 10
 - functions and powers, 10
 - jurisdiction, 10
 - members, *see* Members
 - organisational structure, 10–14
 - Organisational Plan, 5-8, 34, 37, 42–48
 - partners, 37
 - registries, *see* Registries
 - staff, *see* Staff
 - users, *see* Users
- Administrative Appeals Tribunal Act 1975*, 10, 11, 148
 - section 28, 132
 - section 29A, 132
 - section 33, 10
 - section 35, 149
 - section 37, 15, 25, 158
 - section 44, 28, 129, 130
 - section 44AA, 130
- Administrative Appeals Tribunal Regulations 1976*, 10, 37
 - regulation 19, 74, 132, 133
 - regulation 19AA, 132, 133
 - regulation 20, 133
 - Schedule 3, 132
- Administrative Decisions (Judicial Review) Act 1977*
 - applications under, 28, 129
- Administrative Review Council, 37–38
- Advertising, 154
- Agency Agreement, 48, 118
- Alternative dispute resolution (ADR), 2, 5, 12, 13, 15–16, 29, 35, 128

Alternative Dispute Resolution Committee, 13, 35

- Appeals against decisions of Tribunal, 28
 - jurisdiction, by, 129
 - outcomes of, 130–131
- Applications
 - current, 20, 23, 128
 - finalised, 20, 22, 26-27 120–127
 - lodged, 20-22, 120-124
 - outcomes of applications finalised, 126–127
 - timeliness, 25–28
- Assistant Registrar, 3, 4, 12
- Audit, 50
 - Audit Committee, 50
- Auditor-General, reports by, 29
- Australian Workplace Agreements (AWAs), 47, 118

B

- Benevolent Trust, 46

C

- Case appraisal, 15, 35, 156
 - number of, 128
- Case management, *see also* Practice and procedure
 - case management process, 15-16
 - electronic case management system, 4, 7, 39, 45, 47, 51, 52, 148
 - management of taxation scheme applications, 35-36
- Committees, 11, 13
 - Alternative Dispute Resolution Committee, 13, 35
 - Audit Committee, 50
 - Library Committee, 13, 52
 - Practice and Procedure Committee, 13, 34
 - Professional Development Committee, 13, 42
 - State and Territory Coordinators Committee, 13
- Commonwealth Disability Strategy, 47, 152
- Commonwealth Ombudsman, 28, 29

Complaints

- Commonwealth Ombudsman, to, 29
- Human Rights and Equal Opportunity Commission, to, 29
- Tribunal, to, 30

Conciliation, 15, 156

- number of, 128

Concurrent evidence procedure, 35

Conference Registrars, 12, 13, 14, 15, 34, 43, 44

Conferencing, 12, 15, 156

- number of, 128
- timeliness of first conference, 24, 25, 26, 30

Constitution of Australia

- applications under section 75, 28, 129

Consultancies, 49-50, 153

Controlled operations

- review of certificates, 18, 30-31

Council of Australasian Tribunals, 3, 38, 42, 44

Crimes Act 1914, 18*Criminal Code*, 18**D**

Decisions

- decisions of interest, 138–147
- timeliness of delivery, 25-26, 30

Deputy Presidents, 10-11

- additional functions, 18

Disability Action Plan, 17, 47

Discretionary grants, 154

District Registrars, 11, 12-13, 14

E

Environmental performance, 154

Equal employment opportunity statistics, 117

External scrutiny of Tribunal, 28–29

F

Family Court of Australia, 11

Federal Court of Australia, 11, 38

- appeals to, 28, 129

Federal Magistrates Court, 28, 130

Fees

- information about, 132–133
- refunds of, 133

Financial management, 49

Fraud control, 50

Freedom of information,

- applications relating to, 124
- Freedom of Information Practice Direction, 15
- requests to the Tribunal, 29
- Section 8 statement, 29, 148

G

General Practice Direction, 15, 34, 35

H

Hearings 15, 128, 157

- constitution of tribunals for, 129
- timeliness of, 25, 26, 27, 28

Human resource management, 47, 48

I

Indigenous employment program, 46

Induction

- members, 42
- staff, 44, 48

Information technology, 45, 49, 51

- TRACS (Tribunal Record and Case System), 4, 7, 39, 45, 47, 51, 52, 148

Inspector of Transport Security Act 2006, 18

International relationships

- delegation, 39
- International Association of Supreme Administrative Jurisdictions (IASAJ), 8, 39, 157
- project with Administrative Courts of Thailand, 4, 39

Interpreter services, 17

J

Judicial review of decisions, 28, 129

Judiciary Act 1903

- applications under section 39B, 28, 129

Jurisdiction

- Administrative Appeals Tribunal, of, 10
- changes to, 134–137

L

- Legal advice schemes, 17
- Library and information services, 52
 - Library Committee, 13, 52

M

- Market research, 154
- Mediation, 15, 157
 - number of, 128
- Members, 11, 13, 92–95
 - additional functions, 18, 31
 - appointment of, 3, 11
 - changes to membership, 3, 95
 - new, 3, 95
 - profiles, 96–116
- Members' Professional Development Program, 42
 - appraisal, 42
 - induction, 42
 - mentoring, 42
 - Professional Development Committee, 13, 42
 - training and development, 42
- Migration Act 1958
 - applications under Part 8, 28, 129
- Mooting competition, 8, 40, 52

N

- Neutral evaluation, 15, 35
 - number of, 128

O

- Occupational health and safety, 44–45
- Organisational Plan, 5–8, 34, 37, 42, 48
 - statement of achievements, 5–8
- Outcome and outputs
 - structure, 23
 - total resourcing for, 24
- Outreach Program, 16–17, 30

P

- Parliamentary Committees, reports by, 29
- Performance
 - performance measures, 24
 - performance results, 25–28

- Policy and Research Section, 52–53
- Practice and procedure
 - concurrent evidence procedure, guidelines on, 35
 - Guide to the Social Security Jurisdiction, 2, 5, 15, 34–35
 - Guide to the Workers' Compensation Jurisdiction, 15
 - opinion evidence, guidelines on, 35
 - Practice and Procedure Committee, 13, 34
- Practice Directions, 15, 36, 148, 149
 - Freedom of Information Practice Direction, 15
 - General Practice Direction, 15, 34, 35
 - Listing and Adjournment Practice Direction, 15
 - Practice Direction relating to Section 37 of the *Administrative Appeals Tribunal Act 1975*, 15
 - Small Taxation Claims Tribunal Practice Direction, 15
- President, 10, 11, 12, 13, 37, 39
 - additional functions, 18
 - overview by, 2–3
- Presidential members, 10, 11
 - additional functions, 18
- Principal Registry, 11, 12
- Proceeds of Crime Act 2002*, 18, 31, 148
- Productivity gains, 45
- Professional development, *see* Members' Professional Development Program, Staff and Training and Development
- Property, 4, 49, 72–73
- Purchasing, 49–50

R

- Reconciliation Action Plan, 46
- Registrar, 3, 11, 12, 13, 38, 47, 50
 - report by, 4
- Registries, 12–13
 - applications current by Registry, 128
 - applications finalised by Registry, 125
 - applications lodged by Registry, 124
 - contact details, 159
 - location, 159
 - refurbishment, 4, 49
 - user group meetings, 36–37
- Risk management, 50–51

S

- Security, 45, 50–51
- Self-represented parties, 16, 17, 30
- Senior Members, 10, 11
 - additional functions, 18
- Service Charter, 17, 29–30, 148, 149, 152
- Small Taxation Claims Tribunal
 - appeals against decisions of Tribunal, 129, 131
 - applications current, 23
 - applications finalised, 22, 121
 - applications lodged, 21, 121
 - fees, 132, 133
 - outcomes of applications finalised, 126
 - Small Taxation Claims Tribunal Practice Direction, 15
 - timeliness, 27
- Social security
 - appeals against decisions of Tribunal, 129, 130
 - applications current, 23
 - applications finalised, 22, 120
 - applications lodged, 21, 120
 - Guide to the Social Security Jurisdiction, 2, 15
 - outcomes of applications finalised, 126
 - review of practice and procedure, 34
 - timeliness, 27
- Speeches and papers, 150–151
- Staff, 10, 12, 13, 117–118
 - administrative structure, 14
 - ethical standards, 48
 - induction program, 44
 - non-salary benefits, 48
 - performance management, 48
 - retention and turnover, 47
 - salary and remuneration, 47, 48, 117, 118
 - training and development, 42–45
- Study assistance, 48
- Surveillance Devices Act 2004*, 18, 30

T

- Taxation Appeals Division
 - appeals against decisions of Tribunal, 129, 131
 - applications current, 23

- applications finalised, 22, 121
- applications lodged, 21, 121
- outcomes of applications finalised, 126
- timeliness, 27

Taxation of costs, 35

Taxation schemes

- management of applications, 28, 35–36

Telecommunications (Interception and Access) Act 1979, 18, 30

Time standards, 25–27

- finalising applications, 26–27
- intermediate time standards, 25–26

Training and development, 42–45

- Tribunal conferences, 2, 42–43
- Tribunal participation in, 40, 150–151

U

Users of Tribunal

- communication with, 36
- meetings with, 36–37
- user survey, 2–3, 4, 5, 37

V

Veterans' affairs

- appeals against decisions of Tribunal, 129, 130
- applications current, 23
- applications finalised, 22, 121
- applications lodged, 21, 121
- outcomes of applications finalised, 126
- timeliness, 27

W

Warrants, 18, 31

Work experience placements, 40

Workers' compensation

- appeals against decisions of Tribunal, 129, 130
- applications current, 23
- applications finalised, 22, 120
- applications lodged, 21, 120
- Guide to the Workers' Compensation Jurisdiction, 15
- outcomes of applications finalised, 126
- timeliness, 27

- Workload, *see also* Applications
 - proceeds of crime examinations, 31
 - warrants, controlled operations and other functions, 30–31
- Workplace diversity, 46–47
 - Workplace Diversity Committee, 46
 - Workplace Diversity Plan, 46
 - Workplace harassment, 46–47

