

ADMINISTRATIVE APPEALS TRIBUNAL ANNUAL REPORT 2008-09

AASB Australian Accounting Standards Board

AAT Administrative Appeals Tribunal

ACSI 33 Australian Communications Security Instructions 33 which forms part

of the Protective Security Manual.

ADR Alternative dispute resolution

Affirm The AAT may affirm a decision under review. This means that the

original decision stands.

Applicant The person, 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.

IASAJ International Association of Supreme Administrative Jurisdictions

Interlocutory application

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 evaluationNeutral 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 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 The party who responds to or answers an application. This is usually

the department, agency or other 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 *Administrative Appeals Tribunal Act 1975*: 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