



Annual Report 2012–13

CONTACTING THE TRIBUNAL

Adelaide Registry

11th Floor Chesser House 91 Grenfell St ADELAIDE SA 5000

Tel: 08 8201 0600 Fax: 08 8201 0610 Email: adelaide.registry@aat.gov.au

Brisbane Registry

Level 4 Harry Gibbs Building Commonwealth Law Courts 119 North Quay BRISBANE QLD 4000

Tel: 07 3361 3000 Fax: 07 3361 3001 Email: brisbane.registry@aat.gov.au

Canberra Registry

4th Floor Canberra House 40 Marcus Clarke St CANBERRA CITY ACT 2600

Tel: 02 6243 4611 Fax: 02 6243 4600 Email: canberra.registry@aat.gov.au

Hobart Registry

Edward Braddon Building Commonwealth Law Courts 39-41 Davey St HOBART TAS 7000

Tel: 03 6232 1622 Fax: 03 6232 1601 Email: hobart.registry@aat.gov.au

Melbourne Registry

Level 16 HWT Tower 40 City Rd

SOUTHBANK VIC 3006

Tel: 03 9282 8444 Fax: 03 9282 8480 Email: melbourne.registry@aat.gov.au

Norfolk Island Registry

c/- Supreme Court of Norfolk Island KINGSTON Norfolk Island 2899 Tel: 6723 23691 Fax: 6723 23403 Email: sydney.registry@aat.gov.au

Perth Registry

Level 5 111 St Georges Tce PERTH WA 6000

Tel: 08 9327 7200 Fax: 08 9327 7299 Email: perth.registry@aat.gov.au

Sydney Registry

Level 7 55 Market St SYDNEY NSW 2000

Tel: 02 9391 2400 Fax: 02 9283 4881 Email: sydney.registry@aat.gov.au

NATIONAL 1300 NUMBER

You can call the AAT on 1300 366 700 from anywhere in Australia. You will be connected to the AAT office in your capital city. Residents of northern NSW (postcodes 2460–2490) and the Northern Territory will be connected to the Brisbane Registry. Callers from fixed phone lines will be charged at local call rates; calls from mobiles may cost more.

NON-ENGLISH SPEAKERS

Call the Translating and Interpreting Service on 131 450 and ask them to call the AAT.

IF YOU ARE DEAF OR HAVE A HEARING OR SPEECH IMPAIRMENT

Users who are deaf or have a hearing or speech impairment can call through the National Relay Service.

- TTY users: call 133 677, then ask for 1300 366 700.
- Internet relay users: connect to the National Relay Service (www.relayservice.gov.au), then ask for 1300 366 700.
- Speak and Listen (speech-to-speech relay) users: call 1300 555 727, then ask for 1300 366 700.

Portable hearing loop systems are available, on request, for use at our office counters and in conference and hearing rooms.

POST

AAT GPO Box 9955 Your capital city

or

AAT

c/- Supreme Court of Norfolk Island Registry Kingston, Norfolk Island 2899

WEBSITE

www.aat.gov.au



Annual Report 2012-13

This report

An electronic version of this annual report is on the Tribunal's website, www.aat.gov.au/CorporatePublications/AnnualReport.htm.

More information about the Tribunal is on the Tribunal's website, www.aat.gov.au.

Photos on front cover: Graynoise

© Commonwealth of Australia 2013



With the exception of the Commonwealth Coat of Arms and any third party material, this work is licensed under a Creative Commons Attribution 3.0 Australia licence (creativecommons.org/licenses/by/3.0/au/deed.en).

To the extent that copyright subsists in third party material, it remains with the original owner and permission may be required to reuse the material.

The terms under which the Coat of Arms can be used are detailed on the following website: www.itsanhonour.gov.au/coat-arms/.

Content from this publication should be attributed as: Administrative Appeals Tribunal, Annual Report 2012–13.

Enquiries regarding the licence, any use of this work, or any other queries about this report are welcome at:

Registrar Principal Registry Administrative Appeals Tribunal GPO Box 9955 SYDNEY NSW 2001

Tel: 02 9391 2491 Fax: 02 9391 2578

Email: principal.registry@aat.gov.au

ISSN 1035-3161

Designed by L&L Design Printed by Paragon Printers Australasia



19 September 2013

Senator the Hon George Brandis QC Attorney-General Parliament House CANBERRA ACT 2600

Dear Attorney-General

In accordance with section 24R of the Administrative Appeals Tribunal Act 1975, I am pleased to present to you the annual report of the Administrative Appeals Tribunal covering the Tribunal's operations for the year ended 30 June 2013.

Yours sincerely

DUNCAN KERR

Oround Floor, Edward Braddon Building Commonwealth Law Courts 39-41 Devely Elevant, HODART TAS 7000 GPO Box 9955 5*DMEY NSW 2001 Australia DX 10200 Sydney Stock Exchange

ABN 90 680 570 608

Tell + 61 3 6232 1684 Fax + 61 3 6232 1649

www.ast.gov.au

CONTENTS

Chapter 1 – The year in review	1
President's Overview	2
Registrar's Report	5
2012–13 Highlights and Achievements	8
Chapter 2 – Overview of the Tribunal	11
Chapter 3 – Our performance	25
Chapter 4 - Our users and our relationships	43
Chapter 5 – Our organisation and our people	59
Financial Statements	78
Appendixes	127
Appendix 1: Members of the Tribunal	128
Appendix 2: Staff of the Tribunal	167
Appendix 3: Tribunal Jurisdiction	170
Appendix 4: Applications, Outcomes, Listings and Appeals Statistics	183
Appendix 5: Resourcing Tables	200
Appendix 6: Application Fees	202
Appendix 7: Decisions of Interest	205
Appendix 8: Speeches, Publications and Other Activities	219
Appendix 9: Other Reporting Requirements	226
End Matter	229
Glossary	230
List of Requirements	233
Index	237

TABLE OF FIGURES

Table 2.1	Tribunal membership, 30 June 2013	15
Table 2.2	Executive Deputy Presidents/Senior Member, 30 June 2013	17
Figure 2.3	Administrative structure of the Tribunal, 30 June 2013	19
Figure 2.4	Case management process	21
Chart 3.1	Applications lodged, finalised and current – Total	26
Chart 3.2	Applications lodged, finalised and current in 2012–13 – By jurisdiction	27
Chart 3.3	Applications lodged, finalised and current – Social security	28
Chart 3.4	Applications lodged, finalised and current - Veterans' affairs	29
Chart 3.5	Applications lodged, finalised and current - Workers' compensation	29
Chart 3.6	Applications lodged, finalised and current – Taxation Appeals Division	30
Chart 3.7	Applications lodged, finalised and current – Small Taxation Claims Tribunal	31
Table 3.8	Performance standards and results, 2012–13	32
Chart 3.9	Performance against time standards	33
Table 3.10	Percentage of applications finalised within time standards	34
Table 3.11	Freedom of Information requests	36
Table 3.12	Service standards	38
Chart 3.13	Complaints to the Tribunal	40
Table 3.14	Issues raised in complaints to the Tribunal	40
Table 3.15	Applications relating to warrants, controlled operations and other functions considered by Tribunal members	41
Table 3.16	Examinations held under the Proceeds of Crime Act 2002	42
Table 5.1	Total actual expenditure on consultancy contracts	63
Table 5.2	Trends in total staffing numbers	67
Table 5.3	Trends in compensation claims	72
Table A2.1	Employment by registry, 30 June 2013	167
Table A2.2	Equal employment opportunity data, 30 June 2013	168

Employment status, 30 June 2013	169
Applications lodged and applications finalised, 2012-13	184
Applications lodged – By state and territory	191
Applications finalised – By state and territory	192
Percentage of applications finalised without a hearing	192
Outcomes of applications for review of a decision finalised, 2012–13	193
Applications current at 30 June 2013 – By state and territory	195
Alternative dispute resolution processes, interlocutory hearings and hearings conducted by the Tribunal	195
Constitution of tribunals for hearings	196
Appeals against decisions of the Tribunal – By jurisdiction	197
Outcomes of appeals from Tribunal decisions $-\ $ By jurisdiction	198
Tribunal resource statement – 2012–13	200
Expenses for Outcome 1	201
Fee revenue summary: total, refunded and forgone	204
Reduced fees paid	204
Applications where no fee payable for additional applications lodged by the same applicant	204
Speeches and presentations	219
Professional development and other activities	224
Publications	225
Environmental performance reporting	227
	Applications lodged and applications finalised, 2012–13 Applications lodged – By state and territory Applications finalised – By state and territory Percentage of applications finalised without a hearing Outcomes of applications for review of a decision finalised, 2012–13 Applications current at 30 June 2013 – By state and territory Alternative dispute resolution processes, interlocutory hearings and hearings conducted by the Tribunal Constitution of tribunals for hearings Appeals against decisions of the Tribunal – By jurisdiction Outcomes of appeals from Tribunal decisions — By jurisdiction Tribunal resource statement – 2012–13 Expenses for Outcome 1 Fee revenue summary: total, refunded and forgone Reduced fees paid Applications where no fee payable for additional applications lodged by the same applicant Speeches and presentations Professional development and other activities Publications