



# Applying to the AAT from overseas

## Information for overseas applicants

You can apply to the Administrative Appeals Tribunal (AAT) for review of a decision even if you are living overseas. The AAT has developed flexible processes to help ensure that your application is given proper consideration even though you are overseas. Details of these processes follow.

### **How will I know if the AAT can review a decision?**

The decision you have been given should say whether the AAT can review it.

The AAT can review many decisions made by Australian Government ministers, departments and some tribunals, but only if a law states that an application can be made to the AAT. We can give you information about the kinds of decisions the AAT can review.

### **An AAT review**

A review at the AAT usually has a number of steps. The AAT will help the parties try to reach an agreed outcome but, if this is not possible, the AAT will decide the case.

### **Applying for review**

Detailed instructions on how to apply are on the AAT website and in the brochure, *The Administrative Appeals Tribunal: What it is, when it can help, and how to apply for review*.

If the AAT accepts your application, we will tell the department that you want to have the decision reviewed. The department will send you a set of documents – the T (for Tribunal) documents. They usually arrive about a month after the AAT accepts your application.

### **Conferences**

The next step in a review is usually a conference. It is an informal private meeting with you and a representative of the department. An AAT Member or Conference Registrar will talk about the decision, whether more information is needed, whether the parties can come to an agreement and what will happen next. You might have more than one conference.

Conferences with applicants who are overseas are usually held by telephone.

More information about what happens at conferences is in the brochure, *Conferences*, and on the AAT website. The AAT does not make a final decision at a conference.

### **Deciding your case**

If the parties cannot reach an agreed outcome, the AAT will usually hold a hearing. The parties have a chance to present information and arguments about the decision. The AAT then decides whether the decision should stay the same or be changed.

Hearings with applicants who are overseas are also usually held by telephone. If you want to attend the hearing in person you must pay the cost of your travel to Australia.

You will find more information about what happens at a hearing on the AAT website, and in the brochure, *Hearings*.

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If you and the department agree, the AAT may be able to decide your case without holding a hearing. The AAT will look at all the documents and make a decision. This option can be discussed at the conference.

## General information

### Can I have a representative in Australia?

If you want to, you can have someone in Australia handle your case for you. You can choose a representative such as a lawyer, a friend or a relative.

If you have a representative, we will usually write to your representative about your case instead of writing to you. Your representative will usually attend any conference. You will need to ask your representative to tell you about any contact with us.

### Sending information to the AAT

You should send information that supports your application to the AAT as soon as you can. The information you send should be in English.

The AAT does not pay for information to be translated, but we can have information translated for you if you pay the cost.

### How we contact you during the review

We can send letters and other documents to you by post, fax or email. You can tell us which method you prefer.

Conferences and hearings conducted by telephone are usually held during business hours (Australian time), but we try to hold them at the best time for your time zone.

We will call you and pay for the call if you give us a landline telephone number. If you do not have a landline, the AAT might ask you to call us and pay for the call.

### Interpreters

If you need an interpreter for a conference or hearing, we will arrange an interpreter free of charge.

## Contact us for more information or if you have a question

| Registry  | Tel             | Email                         |
|-----------|-----------------|-------------------------------|
| Adelaide  | +61 8 8201 0600 | adelaide.registry@aat.gov.au  |
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