



Administrative  
Appeals Tribunal

AAT  
Bulletin

# AAT Bulletin

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The *AAT Bulletin* is a weekly publication containing information about recently published decisions and appeals against decisions in the AAT's General, Freedom of Information, National Disability Insurance Scheme, Security, Taxation & Commercial and Veterans' Appeals Divisions. The Bulletin also regularly includes a sample of decisions recently published in the AAT's Migration & Refugee Division and Social Services & Child Support Division. It occasionally includes information on legislative changes that affect the AAT.

It is recommended that the Bulletin be read on-line. This has the advantage of allowing the reader to use hyperlinks to access the full text of cases and other internet sites mentioned in the Bulletin.

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# Contents

<b>AAT Recent Decisions .....</b>	<b>3</b>
Citizenship .....	3
Compensation .....	3
Education and Research .....	5
Industrial Law .....	5
Migration .....	5
National Disability Insurance Scheme .....	9
Practice and Procedure .....	9
Professions and Trades .....	10
Social Security .....	11
Taxation .....	12
<b>Appeals .....</b>	<b>13</b>
Appeals lodged .....	13
Appeals finalised .....	13

# AAT Recent Decisions

This section of the Bulletin provides information about all decisions recently published in the AAT's General, Freedom of Information, National Disability Insurance Scheme, Security, Taxation & Commercial and Veterans' Appeals. This list also includes selected child support decisions published by the Social Services & Child Support Division and examples of recent decisions published by the Migration & Refugee Division. Only AAT decisions that have been published on [AustLII](#) have been included. Full copies of the decisions can be accessed through the hyperlinks provided below.

## Citizenship

[Boonruang and Minister for Home Affairs](#) (Citizenship) [2019] AATA 147 (15 February 2019); Senior Member A Younes

CITIZENSHIP – refusal of application for Australian citizenship by conferral – general residence requirement – application of Ministerial discretion – whether close and continuing association with Australia – whether migrated to and established home in Australia – Australian citizen children – extended family in Australia – long term relationship with Australian citizen spouse – decision affirmed

[Ghumaan and Minister for Home Affairs](#) (Citizenship) [2019] AATA 200 (15 February 2019); Senior Member C Puplick AM

CITIZENSHIP – Applicant granted Australian citizenship – Applicant later found to have entered Australia with a forged passport – Applicant's Australian citizenship revoked by the Minister – Applicant found guilty of migration offences for false and misleading statements on visa and citizenship application – whether revocation of citizenship is in the public interest – consideration of the “public interest” – whether discretion to revoke citizenship should be exercised – decision under review affirmed

[Mabagos and Minister for Home Affairs](#) (Citizenship) [2019] AATA 216 (15 February 2019); Senior Member C Puplick AM

CITIZENSHIP – refusal – whether applicant of good character – significant period of unlawfulness in Australia – consideration of applicant's character – decision affirmed

## Compensation

[Andrews and Military Rehabilitation and Compensation Commission](#) (Compensation) [2019] AATA 209 (20 February 2019); Senior Member NA Manetta

VETERANS' APPEAL DIVISION – entitlement to compensation – lumbar spondylosis – whether defence caused – whether defence injury had temporarily aggravated a pre-existing abnormality or condition – insufficient evidence to find that defence injury had any permanent effects – decision under review affirmed

[Colley and Comcare](#) (Compensation) [2019] AATA 166 (18 February 2019); Senior Member T Tavoularis

COMPENSATION – medical treatment – definition of injury – whether Applicant suffers from an aggravation of a physical or mental injury (other than a disease) – section 5A(1)(c) of the Safety Rehabilitation and Compensation Act 1988 (Cth) – whether Applicant suffers from sprain in other specified sites of hip and thigh – whether Applicant continues to suffer from such condition – whether Applicant’s condition arose out of, or in the course of, his employment with the Commonwealth – whether Applicant is entitled to compensation for his hip surgery – sections 16 and 19 of the Safety Rehabilitation and Compensation Act 1988 (Cth) – decision under review affirmed

[Davies and John Holland Pty Ltd](#) (Compensation) [2019] AATA 148 (15 February 2019); Deputy President BW Rayment OAM QC

COMPENSATION – worker’s compensation – Major Depressive Disorder with psychotic features – occupational health and safety issues – incident involving a friction drive road rail vehicle – whether applicant’s psychological condition was contributed to, to a significant degree, by his employment – expert medical evidence considered – decision under review set aside and remitted to respondent for reconsideration with a direction that the applicant is entitled to compensation under s 14 of the Safety, Rehabilitation and Compensation Act 1988 (Cth)

[Dillon and Comcare](#) (Compensation) [2019] AATA 214 (22 January 2019); Mr AG Melick AO SC, Deputy President

COMPENSATION – generalised anxiety disorder – impairment permanent – degree of permanent impairment – liability for compensation – aggravation of depressive disorder – decision affirmed

[Djambazi and Comcare](#) (Compensation) [2019] AATA 218 (22 February 2019); Mrs JC Kelly, Senior Member

WORKERS’ COMPENSATION – Respondent previously accepted liability for Adjustment Reaction with Mixed Emotional Features – whether the Respondent is presently liable to pay medical expenses and incapacity payments in respect of previously accepted liability – whether Applicant continued to suffer from a diagnosable psychiatric disorder – decision affirmed

[Napper and Comcare](#) (Compensation) [2019] AATA 150 (12 February 2019); Deputy President I Hanger AM QC

COMPENSATION – whether the Applicant suffers from an ailment – whether the ailment was contributed to, to a significant degree, by the Applicant’s employment – legislative history concerning the words, “significant degree” and “material degree” – employee’s negative perceptions of employment arising from an earlier condition – perception held by the employee will meet a “reality” test for the purpose of the definition of “disease” if it is a perception about an incident or state of affairs that actually happened – whether the ailment was suffered as a result of reasonable administrative action taken in a reasonable manner – reviewable decision set aside.

[Ritson and Comcare](#) (Compensation) [2019] AATA 154 (15 February 2019); Dr P McDermott RFD, Deputy President

COMPENSATION – claim for mental injury arising out of the applicant's employment – whether the applicant suffered an ailment or aggravation of an existing ailment that was contributed to, to a significant degree, by the employee's employment – application under s 14 of the Safety, Rehabilitation and Compensation Act 1988 (Cth)

[Steele and Comcare](#) (Compensation) [2019] AATA 181 (19 February 2019); Deputy President Boyle

COMPENSATION – practice and procedure – jurisdiction – Safety, Rehabilitation and Compensation Act 1988 – s 64 – reviewable decision – Lock and Comcare – the Tribunal has jurisdiction

## Education and Research

[Georgiou and Secretary, Department of Education and Training](#) [2019] AATA 170 (18 February 2019); Senior Member A Poljak

HIGHER EDUCATION SUPPORT – FEE-HELP debt – application for re-credit – whether application made before end of application period – whether period should be waived – special circumstances – mental health condition – whether applicant's circumstances were beyond her control – whether applicant's circumstances made their full impact on or after the census date – Tribunal does not find special circumstances – decision under review affirmed

## Industrial Law

[Milardovic and Secretary, Department of Employment](#) [2019] AATA 213 (7 February 2019); Ms K Parker, Member

FAIR ENTITLEMENTS GUARANTEE – whether applicant was eligible to receive an advance under the Fair Entitlements Guarantee Act 2012 – applicant's employment terminated more than six months before appointment of insolvency practitioners – assessment of when applicant's employment ended – whether employer was insolvent at the time of termination of the applicant's employment – meaning of insolvency – indicia of insolvency – whether end of applicant's employment due to insolvency of employer – decision affirmed

## Migration

[CWGF and Minister for Home Affairs](#) (Migration) [2019] AATA 179 (18 February 2019); Senior Member BJ Illingworth

MIGRATION – mandatory cancellation of applicant's visa – applicant has substantial criminal record and does not pass the character test – whether discretion to revoke mandatory cancellation should be exercised – primary considerations – other considerations – non-refoulement obligations – decision under review affirmed

[Doan and Minister for Home Affairs](#) (Migration) [2019] AATA 169 (18 February 2019); Mr T Eteuati, Member

MIGRATION – mandatory cancellation of applicant's visa under s 501(3A) – Applicant failed to pass the character test – whether there is another reason why cancellation decision should be revoked – application of Direction No. 65 – how expectations of the Australian community are determined – decision affirmed

[George and Minister for Home Affairs](#) (Migration) [2019] AATA 180 (19 February 2019); Senior Member T Tavoularis

MIGRATION – non-revocation of mandatory cancellation of visa – expedited matter – Class TY Subclass 444 Special Category (Temporary) visa – where visa was cancelled under s 501(3A) because the Applicant did not pass the character test and had served a full-time term of imprisonment – whether discretion in s 501CA to revoke mandatory visa cancellation should be exercised – considerations in Direction No 65 – decision under review affirmed

[Karabay and Minister for Home Affairs](#) (Migration) [2019] AATA 167 (18 February 2019); Senior Member DJ Morris

MIGRATION – mandatory cancellation of a visa – consideration of discretion exercisable under s 501 of Migration Act – Ministerial Direction No. 65 – primary considerations – serious offending – attempted murder – previous pattern of aggression and violence – other considerations – whether complementary protection may be owed – decision under review affirmed

[Kayo Rerekura and Minister for Home Affairs](#) (Migration) [2019] AATA 153 (15 February 2019); Deputy President Boyle

MIGRATION – Migration Act 1958 (Cth) – bridging visa – is the Tribunal satisfied that the Applicant passes the character test – whether a person would engage in the conduct identified in ss 501(6)(d)(i) and 501(6)(d)(ii) – Direction no. 65 – Annex A – application of the character test – criminal charges in Australia not yet finalised – withdrawn charges – decision under review set aside and remitted with direction

[Kheir and Minister for Home Affairs](#) (Migration) [2019] AATA 146 (13 February 2019); Senior Member B Stefaniak AM RFD

MIGRATION – Class BC Subclass 100 Spouse visa – mandatory cancellation – failure to pass character test – Ministerial Direction No 65 – extensive criminal record – real risk of reoffending – substance abuse – mental health – best interests of minor children – extent of impediments if removed – strength, nature and duration of ties – decision affirmed

[KJVC and Minister for Home Affairs](#) (Migration) [2019] AATA 161 (15 February 2019); Ms K Parker, Member

MIGRATION – application for revocation of mandatory cancellation of visa – applicant a citizen of South Sudan – applicant does not pass character test – whether another reason to revoke decision to cancel visa – extended history of criminal offending – applicant served four separate prison terms – repeated domestic violence and serious driving-related offences – repeated contravention of apprehended violence orders, bail conditions and corrective orders made by the courts – court-ordered rehabilitation programs – whether Australian community would expect non-revocation – risk of the applicant reoffending – consideration of mitigating circumstances – applicant was a child soldier for the Sudan People’s Liberation Army in the late 1980’s – applicant arrived in Australia when he was 25 years old with wife and two eldest children – applicant developed alcohol habit or addiction – criminal offending occurred while under the influence of alcohol – applicant has lived in Australia for the last 15 years – applicant was gainfully employed for some of this time – best interests of applicant’s six children living in Australia – impact on wife – international non-refoulement obligations – extent to which applicant will face impediments settling in South Sudan – decision affirmed

[Larkins and Minister for Home Affairs](#) (Migration) [2019] AATA 210 (20 February 2019); Senior Member A Nikolic AM CSC

MIGRATION – Mandatory cancellation of Class TY Subclass 444 Special Category (Temporary) Visa – request for revocation of visa cancellation – substantial criminal record – numerous violent offences – alcohol and illicit substance abuse – failure to pass character test – Ministerial Direction No. 65 applied to specific circumstances of case – decision under review affirmed

[Maki and Minister for Home Affairs](#) (Migration) [2019] AATA 217 (21 February 2019); Senior Member R Pintos-Lopez

MIGRATION – Mandatory cancellation of visa on character grounds - Whether to revoke cancellation – Where applicant has a substantial criminal record – Applicant does not pass character test – Whether there is another reason to revoke cancellation – Consideration of Ministerial Direction no. 65 – Decision affirmed

[Meyrick and Minister for Home Affairs](#) (Migration) [2019] AATA 168 (15 February 2019); Ms LM Gallagher, Member

MIGRATION – Class BF transitional (permanent) visa – non-revocation of mandatory cancellation of visa – applicant did not pass character test and had served term of imprisonment – visa mandatorily cancelled under subsection 501(3A) Migration Act 1958 (Cth) – whether discretion in subsection 501CA(4) to revoke mandatory visa cancellation should be exercised – Direction No. 65 – primary and other relevant considerations – protection of the Australian community from criminal or other serious conduct – nature and seriousness of the conduct – risk to the Australian community should further offences be committed – best interests of minor children – expectations of the Australian community – other relevant considerations – strength, nature and duration of ties to Australia – extent of impediments if removed from Australia – impact on victims – discretion should not be exercised to revoke visa cancellation – decision under review affirmed

[Pele and Minister for Home Affairs](#) (Migration) [2019] AATA 207 (21 February 2019); Senior Member T Tavoularis

MIGRATION – non-revocation of mandatory cancellation of visa – expedited matter – Class TY Subclass 444 Special Category (Temporary) visa – where visa was cancelled under s 501(3A) because the Applicant did not pass the character test and had served a full-time term of imprisonment – whether discretion in s 501CA to revoke mandatory visa cancellation should be exercised – considerations in Direction No 65 – decision under review affirmed

[QJTT and Minister for Home Affairs](#) (Migration) [2019] AATA 152 (13 February 2019); Dr M Evans, Senior Member

MIGRATION – decision of delegate of Minister not to revoke mandatory cancellation of visa – character test – substantial criminal record - Direction no. 65 – primary and other considerations – protection of the Australian community – best interests of minor children – expectations of the Australian community – international non-refoulement obligations – strength, nature and duration of ties to Australia – extent of impediments if returned to Afghanistan – meaning of “trend of increasing seriousness” – reviewable decision affirmed

[Robertson and Minister for Home Affairs](#) (Migration) [2019] AATA 164 (18 February 2019); Senior Member M Griffin QC

MIGRATION – Revocation of visa cancellation – failure to pass the character test – whether there is another reason why cancellation of the Applicant’s Class BB (Subclass 155) Resident Return visa should be revoked – Ministerial Direction No. 65 applied – primary considerations – protection of Australian community from criminal or other serious conduct – best interests of minor children in Australia – expectations of the Australian community – other considerations – strength, nature and duration of ties – extent of impediments if removed – decision under review affirmed

[Tran and Minister for Home Affairs](#) (Migration) [2019] AATA 199 (15 February 2019); Deputy President SA Forgie

MIGRATION – application for revocation of mandatory cancellation of visa – where applicant fails the character test – where substantial criminal record under Migration Act 1958 – risk of reoffending – best interests of minor children – other reason why cancellation decision should be revoked – decision set aside and substituted for decision revoking mandatory cancellation of visa

[Wiki and Minister for Home Affairs](#) (Migration) [2019] AATA 197 (20 February 2019); Senior Member M Griffin QC

MIGRATION – Class TY Subclass 444 Special Category (Temporary) visa – mandatory cancellation – failure to pass character test – Ministerial Direction No 65 – frequency of reoffending – traffic offences – domestic violence – disregard for Australian law – unacceptable risk of re-offending – strength, nature and duration of ties to Australia – extent of impediment if removed – best interest of minor children – decision affirmed

[WSZB and Minister for Immigration and Border Protection](#) (Migration) [2019] AATA 163 (18 February 2019); Deputy President BW Rayment OAM QC

MIGRATION – whether serious reasons for considering applicant committed serious non-political crime – consideration of “non-political crime” – decision under review affirmed

[XFCS and Minister for Home Affairs](#) (Migration) [2019] AATA 201 (20 February 2019); Senior Member R Cameron

MIGRATION – mandatory cancellation of visa – failure to pass the character test – serious and violent offending – Ministerial Direction No. 65 – where primary considerations outweigh other considerations – decision under review affirmed

[ZJLB and Minister for Home Affairs](#) (Migration) [2019] AATA 178 (19 February 2019); Senior Member BJ Illingworth

MIGRATION – mandatory cancellation of applicant’s visa – applicant has substantial criminal record and does not pass the character test – whether discretion to revoke mandatory cancellation should be exercised – primary considerations – other considerations – non-refoulement obligations – decision under review set aside

## **National Disability Insurance Scheme**

[Blattman and National Disability Insurance Agency](#) [2019] AATA 184 (18 February 2019); Dr L Bygrave, Member

NATIONAL DISABILITY INSURANCE SCHEME – “reasonable and necessary supports” – spinal cord injury termed as C6/C7 tetraplegic – whether the Applicant is entitled to receive transport funding under the “no disadvantage principle” – Applicant was in receipt of a mobility allowance prior to becoming a NDIS participant – whether the Tribunal has jurisdiction to review the decision under review – the decision under review is affirmed

## **Practice and Procedure**

[Abdillahi and Minister for Home Affairs](#) (Citizenship) [2019] AATA 205 (15 January 2019); Senior Member DJ Morris

PRACTICE AND PROCEDURE – application for Australian citizenship - jurisdiction of the Tribunal – jurisdiction not inherent – applicant is holder of temporary visa – citizenship applicants must be permanent residents – enactment specifically precludes application for review – Tribunal dismisses application for want of jurisdiction – oral decision given – written reasons requested

[FSQQ and National Disability Insurance Agency](#) [2019] AATA 186 (18 February 2019); Deputy President JW Constance

PRACTICE AND PROCEDURE – JURISDICTION – access request did not specify psychiatric conditions – supporting information regarding psychiatric conditions subsequently provided to decision-maker – whether decision-maker need consider only those conditions specified in access request – broad, generous and practical interpretation to be given to access request and supporting information – Tribunal has jurisdiction to consider psychiatric conditions in determining application for review

[KRBG and National Disability Insurance Agency](#) [2019] AATA 144 (11 February 2019); Deputy President SA Forgie

PRACTICE AND PROCEDURE – JURISDICTION – application for review of a decision to approve a Statement of Participant Supports – where request made for internal review of decision – where no decision made within reasonable time – decision deemed to be made not substantive decision – no jurisdiction to review decisions of which review sought – application dismissed

[O’Sullivan and P & O Maritime Services Pty Ltd](#) (Compensation) [2019] AATA 126 (8 February 2019); Mr S Webb, Member

PRACTICE AND PROCEDURE – dismissal application – Seafarers’ compensation – compensation claim in respect of a back injury – delays in Tribunal proceedings – self-representation – ill health – effects of medications – alleged inability to continue with self-representation – application for provision of assistance by the Attorney-General not yet determined – failure to comply with Tribunal direction within a reasonable time – discretion to dismiss – relevant factors – consideration of circumstances – consideration of procedural options and proper remedy – dismissal application refused

[Simpson and Commissioner of Taxation](#) (Taxation) [2019] AATA 196 (19 February 2019); Deputy President SA Forgie

PRACTICE AND PROCEDURE – EXTENSION OF TIME – application for an extension of time – taxation on sale of property – whether property owned by SMSF – no discretion to deem existence of SMSF – no prospects of success – application refused

[XLTK and Secretary, Department of Home Affairs](#) (Migration) [2019] AATA 194 (20 February 2019); Deputy President SA Forgie

PRACTICE AND PROCEDURE – JURISDICTION – application for review of decision relating to request for access to documents – where no IC review application made and therefore no IC decision made – no jurisdiction to review decision of which review sought – application dismissed

PRACTICE AND PROCEDURE – JURISDICTION – application for review of decision relating to cancellation of Partner visa – where no provision in Migration Act 1958 for review of decision by Tribunal – no jurisdiction to review decision of which review sought – application dismissed

## **Professions and Trades**

[Dimitrijevič and Construction Occupations Registrar \(ACT\)](#) [2019] AATA 183 (29 January 2019); Ms K Millar, Member

MUTUAL RECOGNITION OF OCCUPATIONS – Building and Construction – Equivalence of occupations – Whether Tribunal has power to consider equivalence of occupations or impose conditions on a licence where there is a declaration by Ministers – Costs – Whether respondent has acted unreasonably – Decision under review set aside

[Dimitrijevic and Commissioner for Fair Trading \(NSW\)](#) [2019] AATA 182 (29 January 2019); Ms K Millar, Member

MUTUAL RECOGNITION OF OCCUPATIONS – Building and Construction – Equivalence of occupations – Whether Tribunal has power to consider equivalence of occupations or impose conditions on a licence where there is a declaration by Ministers – Costs – Whether respondent has acted unreasonably – Decision under review set aside

[Dimitrijevic and Commissioner for Fair Trading \(SA\)](#) [2019] AATA 185 (29 January 2019); Ms K Millar, Member

MUTUAL RECOGNITION OF OCCUPATIONS – Ministerial declarations – Equivalence of occupations – Imposition of conditions on a licence – Building and Construction – determination of the equivalence of occupations when a Ministerial declaration has been made – Costs – Whether respondent has acted unreasonably – Decision under review set aside

[McLeod and Queensland Building and Construction Commission](#) [2019] AATA 143 (14 February 2019); Dr Davies, Senior Member

MUTUAL RECOGNITION – equivalent occupations – builders licence – whether New South Wales and New Zealand licences are equivalent to Queensland licence – whether the activities authorised to be carried out under a New Zealand Licence are substantially the same – decision under review is varied

## **Social Security**

[Ali-Ahmad and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 172 (18 February 2019); Professor R McCallum AO, Member

SOCIAL SECURITY – entitlement to carer payments – whether Applicant was qualified under s 198 of the Social Security Act to receive carer payments – care not provided at home of care – receiver – decision affirmed

[Crompton and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 195 (20 February 2019); Mr M Hyman, Member

SOCIAL SECURITY – disability support pension – spinal injury – elbow injury – whether conditions fully diagnosed, treated and stabilised – rating of spinal condition for severity – application of Table 4 – decision under review affirmed

[Dixon and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 208 (21 February 2019); Ms D Mitchell, Member

SOCIAL SECURITY – disability support pension – DSP – whether medical conditions fully diagnosed, fully treated and fully stabilised – whether 20 points or more under the impairment tables during the relevant period – decision under review affirmed

[Jackson and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 165 (18 February 2019); Ms D Mitchell, Member

SOCIAL SECURITY – carer payment – carer allowance – whether care person was personally providing constant to the care recipient – decisions under review affirmed

[Ljuca and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 145 (14 February 2019); Mr R West, Member

SOCIAL SECURITY – refusal of disability support pension – lower back pain – left knee injury – depression – whether conditions fully diagnosed, fully treated and fully stabilised – decision affirmed

[Macduff and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 149 (14 February 2019); Deputy President BW Rayment OAM QC

SOCIAL SECURITY – age pension – whether date of favourable determination resulting from review ought to be altered – Scheme for Compensation for Detriment caused by Defective Administration – decision under review affirmed

[MDXJ and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 177 (19 February 2019); Mr M Kennedy, Member

SOCIAL SECURITY – Family Tax Benefit – percentage of care – care arrangement – request to issue summons – whether section 35C of A New Tax System (Family Assistance) Act 1999 applies – interrelationship of legislative provisions – whether the family court order was in force at the relevant time – request to issue summons refused

[Stephens and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 206 (21 February 2019); Mr IF Thompson, Member

SOCIAL SECURITY – pensions, benefits and allowances – claim for disability support pension rejected – physical, intellectual or psychiatric impairment – whether medical conditions fully diagnosed, fully treated and fully stabilised during the assessment period – whether an impairment rating of 20 points or more existed under the Impairment Tables – decision under review affirmed

## **Taxation**

[Eichmann and Commissioner of Taxation](#) (Taxation) [2019] AATA 162 (15 February 2019); Deputy President RI Hanger QC

TAXATION – Capital Gains Tax – Small Business CGT concessions – whether land is an active asset – whether storing tools on land is using the land in the course of carrying on a business – meaning of ‘used’ in the Income Tax Assessment Act – legislative intention to be ascertained by the text of the legislation itself – decision under review set aside and substituted

[KKQY and Commissioner of Taxation](#) (Taxation) [2019] AATA 204 (19 February 2019); Deputy President Britten-Jones

Taxation – income tax – Division 7A of Part 3 of the Income Tax Assessment Act 1936 - loan by company to a shareholder – loan not repaid – deemed dividend for repayment shortfall – consideration of whether earlier loan was varied or terminated – deductibility of legal fees – whether legal fees of a capital nature or on account of revenue – liability to penalty under s 284-74 of the Taxation Administration Act 1953 – recklessness – whether to remit penalty under s 298-20 of the Taxation Administration Act 1953 – decision under review affirmed

# Appeals

This section of the Bulletin provides information about appeals that have been lodged or finalised against decisions in the AAT's General, Freedom of Information, National Disability Insurance Scheme, Security, Taxation & Commercial and Veterans' Appeals Divisions. Information is only included about appeals relating to AAT decisions that have been published on [AustLII](#). Full copies of the decisions can be accessed through the hyperlinks provided below.

## Appeals lodged

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CASE NAME	AAT REFERENCE
<b>Downing and Minister for Home Affairs</b>	<a href="#">[2018] AATA 4592</a>

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## Appeals finalised

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CASE NAME	AAT REFERENCE	COURT REFERENCE
<b>Barton v Minister for Home Affairs</b>	<a href="#">[2018] AATA 3261</a>	<a href="#">[2019] FCA 120</a>

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