



Administrative
Appeals Tribunal

AAT
Bulletin

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The *AAT Bulletin* is a fortnightly publication containing information about recently published decisions and appeals against decisions in the AAT's General, Freedom of Information, National Disability Insurance Scheme, Security, Small Business Taxation, 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 online. 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.

The AAT does not make any representation or warranty about the accuracy, reliability, currency or completeness of any material contained in this Bulletin or on any linked site. While the AAT makes every effort to ensure that the material in the Bulletin is accurate and up-to-date, you should exercise your own independent skill and judgement before you rely on it. Information contained in this Bulletin is not legal advice and is intended as a general guide only. You should rely on your own advice or refer to the full cases and legislation in relation to any proceedings.

Enquiries regarding this publication may be directed to aatweb@aat.gov.au.

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Recent developments

Requirement to provide a statement of reasons for applications for review

On 4 May 2022, the Federal Court published its judgment in the matter of [Miller v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs \[2022\] FCA 489](#). The case concerned a review of decision made under s 501CA of the *Migration Act 1958* in the Tribunal's General Division. The form lodged by the applicant with the Tribunal did not include any reasons for the application and none were provided until after the time limit for applying for review had expired. The time to apply for review could not be extended for that type of decision. The Court held that the Tribunal had no jurisdiction to hear and determine the application.

Applicants and representatives are reminded to ensure that a statement of reasons is provided to the Tribunal within the time limit for applying for review for applications lodged in all divisions (except the Migration & Refugee Division).

Applications for a review of a [character-related visa decision](#) made under s 501 or 501CA of the *Migration Act 1958*, which are reviewed in the General Division, should be made using the following forms and applicants should ensure that the 'Reasons for the application' section is completed:

- Online General Division application - [Apply Online - AAT Online Services](#); or
- [Application for review of decision \(individual\)](#)

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, Small Business Taxation, 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.

Child Support

[JDWM and Child Support Registrar](#) (Child support second review) [2022] AATA 1061 (14 April 2022); K Millar, Senior Member

CHILD SUPPORT – percentage of care – change in percentage of care – whether percentage of care changed – whether child was independent from parent during particular period – child completing considerable periods of work in a location different to that of the parent – criteria to determine to what extent a parent has care of a child – decision under review set aside and substituted

[JPFQ and Child Support Registrar](#) (Child support second review) [2022] AATA 1117 (10 May 2022); R West, Member

CHILD SUPPORT ASSESSMENT – application for review – child care percentage – alleged change of percentage – appeal from decision of the Social Services and Child Support Division of the Administrative Appeals Tribunal - decision affirmed

Citizenship

[Jamil and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Citizenship) [2022] AATA 1064 (9 May 2022); J Sosso, Deputy President

CITIZENSHIP – application for citizenship by conferral refused – criminal charges for unlawful stalking and using a carriage service to menace, harass or cause offence withdrawn – character references in support of Applicant – social media activity indicating support for extremist views and violence – good character requirement not satisfied – decision under review affirmed

[Usmani and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Citizenship) [2022] AATA 1153 (13 May 2022); B J Illingworth, Senior Member

CITIZENSHIP – Whether applicant was of 'good character' for the purposes of s 21(2)(h) – criminal convictions of assault – applicant on good behaviour bond – domestic violence – false declaration in Incoming Passenger Card – Australian Citizenship Act 2007 (Cth) – decision under review affirmed

WQHV and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

(Citizenship) [2022] AATA 1115 (21 March 2022); The Hon J Pascoe AC CVO, Deputy President

CITIZENSHIP – application for conferral of Australian citizenship – identity requirement not satisfied – good character not satisfied – where applications for children under 15 assessed in their own right – child’s identity requirement not satisfied – granting of application for citizenship is prohibited – decisions under review are affirmed

Compensation

Goel and DHL Supply Chain (Australia) Pty Ltd (Compensation) [2022] AATA 1158 (13 May 2022);

Dr S Fenwick, Senior Member

COMPENSATION – claim for muscular strain of right scapula, pectoral and arm muscles, wrist – claim accepted as muscular strain right arm and scapula – later denial of liability for medical expenses and incapacity payments – wrist pain and underlying wrist pathologies – Tribunal jurisdiction over wrist challenged – wrist forms part of claim – Applicant suffered injuries – decision set aside and substituted

YJHZ and Commonwealth Bank of Australia (Compensation) [2022] AATA 1127 (12 May 2022);

Dr S Fenwick, Senior Member

COMPENSATION – chronic ear infection and tinnitus – anxiety and depression – major depressive disorder – denial of liability – major depressive disorder significantly contributed to by employment – employment caused condition a disease – condition a result of reasonable administrative action taken in a reasonable manner – condition not an injury – decision affirmed

Freedom of Information

Chohan and Secretary, Department of Home Affairs (Freedom of information) [2022] AATA 1151

(13 May 2022); The Hon. D Cowdroy AO QC, Deputy President

FREEDOM OF INFORMATION - request for access to case notes and other documents regarding sharing of information concerning the applicant between governments - whether documents conditionally exempt under s 47F Freedom of Information Act 1982 (Cth) (FOI Act) - whether disclosure of the documents are in the public interest - where applicant does not press request for personal information - whether practical refusal reason exists under s 24AA of the FOI Act - whether the work involved in processing the request would substantially and unreasonably divert the resources of the agency from its other operations - where reasonable searches have been undertaken - Tribunal satisfied practical refusal reason exists - Tribunal satisfied disclosure of personal information unreasonable - Tribunal satisfied public interest weighs against disclosure - decision affirmed

Intellectual property

[Advanta Seeds Pty Ltd and Commissioner of Patents](#) [2022] AATA 1157 (6 May 2022); I R Molloy, Deputy President

Intellectual Property – Patents – failure of applicant to pay continuation fee on or before due date – application for extension – evidence of applicant’s ongoing intention to maintain the patent – error or omission - failure of applicant to put in place a proper redirection of email correspondence - reviewable decision set aside - applicant granted an extension of time pursuant to the Act to pay the renewal fee

Migration

[CPDL and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Migration) [2022] AATA 1082 (11 April 2022); Dr N A Manetta, Senior Member

MIGRATION – mandatory cancellation of applicant's visa – applicant has substantial criminal record – whether discretion to revoke mandatory cancellation should be exercised – primary considerations – serious acts of violence – at least moderate risk of recidivism – other factors – realistic prospect of indefinite detention as applicant is owed non-refoulement obligations but may not be given a protection visa as he is presently a danger to the Australian community – decision under review set aside and in substitution decided that visa cancellation be revoked

[EI Masri and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Migration) [2022] AATA 1165 (29 April 2022); T Tavoularis, Senior Member and A Ward, Member

MIGRATION – Non-revocation of a mandatory cancellation of a Class BC Subclass 100 Partner visa – where Applicant does not pass the character test – whether there is another reason to revoke the mandatory cancellation decision – consideration of Ministerial Direction No. 90 – domestic violence, other offences involving acts, or threats of violence – decision under review affirmed

[JFPT and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Migration) [2022] AATA 1080 (28 April 2022); J Rau SC, Senior Member

MIGRATION – mandatory cancellation of Class BB Subclass 155 Five Year Resident Return under section 501CA(4) – where Applicant does not pass the character test – Applicant has substantial criminal record – whether the discretion to refuse to grant the visa should be exercised – consideration of Ministerial Direction No. 90 – family violence – where the Applicant has resided in Australia for a long period of time – decision under review affirmed

Mursal and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

(Migration) [2022] AATA 1164 (19 April 2022); R Bellamy, Senior Member

MIGRATION – Non-revocation of mandatory cancellation of a Class XB Subclass 202 Global Special Humanitarian visa - where Applicant does not pass the character test – whether there is another reason to revoke the mandatory cancellation decision – consideration of Ministerial Direction No. 90 – lengthy criminal history including violent offending – decision under review affirmed

Popovski and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

(Migration) [2022] AATA 1159 (13 May 2022); Dr L Bygrave, Member

MIGRATION – mandatory visa cancellation – failure to pass the character test – whether there is another reason why the visa cancellation should be revoked – Ministerial Direction 90 – protection of the Australian community – whether there was family violence – best interests of minor children – interests of unborn child to be other consideration – expectations of the Australian community – impediments to removal – strength, nature and duration of ties to Australia – decision affirmed

WTWL and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

(Migration) [2022] AATA 1116 (5 May 2022); Emeritus Professor P A Fairall, Senior Member

MIGRATION – refusal of bridging visa – character test – discretion to refuse visa – Direction No. 90 – primary considerations – protection of the Australian community – expectations of the Australian community – violence against women – claim of amnesia - false protection visa claim - other considerations – unborn child - links to the Australian community – decision affirmed

National Disability Insurance Scheme

Charrington and National Disability Insurance Agency [2022] AATA 1160 (13 May 2022); K

Buxton, Senior Member

NATIONAL DISABILITY INSURANCE SCHEME – Specialist disability accommodation requirements – Reasonable and necessary supports – Value for money consideration – Extreme functional impairment consideration – Very high support need consideration – Decision under review affirmed

Practice and Procedure

Aguek and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

(Citizenship) [2022] AATA 1114 (10 May 2022); P Q Wood, Senior Member

EXTENSION OF TIME – application out of time – whether appropriate to exercise discretion in favour of Applicant to extend time – section 29(7) of the Administrative Appeals Tribunal Act 1975 – consideration of extent of delay and explanation for delay – consideration of prejudice to the Respondent or general public arising from the grant of an extension of time – whether the Applicant rested on their review rights – the merits of a substantive application for review – application significantly out of time and without proper explanation – application for extension of time refused

[Carvalho and Comcare](#) (Compensation) [2022] AATA 1081 (20 April 2022); W Frost, Member

PRACTICE AND PROCEDURE – s42B of the Administrative Appeals Tribunal Act 1975 – dismissal of proceedings if there are no reasonable prospects of success – Tribunal not satisfied that the Applicant has evidence of sufficient quality and weight to succeed – Application dismissed

[Hailstone and Secretary, Department of Social Services](#) (Social services second review) [2022] AATA 1079 (10 May 2022); Mr S Webb, Member

PRACTICE AND PROCEDURE – application for extension of time in which to make an application for review – factors relevant to exercise of discretion – length of delay – explanation for delay – prejudice – merit – grounds not sufficient for exercise of discretion – application refused

[Sharpe and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Citizenship) [2022] AATA 1125 (6 May 2022); A Nikolic AM CSC, Senior Member

PRACTICE AND PROCEDURE – decision to refuse citizenship application under s 24(6) of the Australian Citizenship Act 2007 (Cth) – non-compliance by Respondent with Tribunal Direction – withdrawal of pending criminal charge on which citizenship refusal decision was based – reliance on new basis to refuse citizenship – procedural fairness – reviewable decision remitted for reconsideration

[Walker and Repatriation Commission](#) (Veterans' entitlements) [2022] AATA 1156 (13 May 2022); W Frost, Member

PRACTICE AND PROCEDURE – s42A(4) of the Administrative Appeals Tribunal Act 1975 – dismissal of application if the decision is not reviewable by the Tribunal – no jurisdiction – application dismissed before proceeding to review

[Weston and Inspector-General in Bankruptcy](#) [2022] AATA 1135 (12 May 2022); Mrs J C Kelly, Senior Member

PRACTICE AND PROCEDURE – Request to reopen the hearing – Substantive matter in relation to an objection to discharge from bankruptcy – Public interest in finality of review applications – Four classes of cases recognised by the courts – Application to reopen the hearing refused

Social Services

[Barnouti and Secretary, Department of Social Services](#) (Social services second review) [2022] AATA 1063 (9 May 2022); Mr S Evans, Member

SOCIAL SECURITY – age pension debt – real estate held overseas not declared – bank accounts not declared – bank deposits and gifts not declared – rental income not declared – shares not declared - whether the applicant owes a debt to the Commonwealth – whether the debt should be written off or waived – good faith – decision under review affirmed

[Brown and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1076 (10 May 2022); Brigadier A G Warner, AM LVO (Retd), Member

SOCIAL SECURITY – disability support pension – whether the Applicant is entitled to receive the back payment for an increased rate of his disability support pension – notice of decisions – date of effect of favourable decisions resulting from review – Reviewable Decision affirmed

[Elsleiman and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1077 (6 May 2022); L Rieper, Member

SOCIAL SECURITY – qualification for disability support pension - where Applicant has multiple health conditions – whether conditions are fully diagnosed, fully treated and fully stabilised during qualification period - Applicant found to not have an impairment rating of 20 points or more under the Impairments Tables - decision under review affirmed

[Jessiman and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1152 (13 May 2022); Mr S Evans, Member

SOCIAL SECURITY – disability support pension blind – cancellation and recovery of benefits – imposition of compensation preclusion period – where the applicant received compensation via settlement judgment – whether the applicant is subject to a compensation preclusion period – whether special circumstances exist such that the compensation preclusion period can be disregarded in whole or in part — decision under review affirmed

[Lynch and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1162 (13 May 2022); P Ranson, Member

SOCIAL SERVICES – debt – overpayment of carer payment – waiver – write off – notional entitlement – constant care – where applicant updated agency – good faith – special circumstances – unusual and uncommon circumstances – decision set aside and remitted

[Suddhoo and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1155 (13 May 2022); S Barton, Member

SOCIAL SECURITY – disability support pension – whether the Applicant met the eligibility requirements for a disability support pension – fully treated and stabilised – Qualification Period – assigning impairment ratings – Applicant’s mental health conditions fully diagnosed – Applicant’s mental health conditions not fully treated and stabilised – Applicant’s bronchial asthma and bronchitis fully diagnosed – Applicant’s bronchial asthma and bronchitis not fully treated and stabilised – Reviewable Decision affirmed

[Tziavaras and Secretary, Department of Social Services](#) (Social services second review) [2022]
AATA 1154 (13 May 2022); R Cameron, Senior Member

DISABILITY SUPPORT PENSION - section 94(1)(a) - did the applicant have any physical, intellectual or psychiatric impairments – yes – section 94(1)(b) - did the applicant attract 20 points or more under the impairment tables – yes – does the applicant has a continuing inability to work – no – does not satisfy requirements for disability support pension - decision 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, Small Business Taxation, 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

| CASE NAME | AAT REFERENCE |
|---|---------------------------------|
| BKCZ and Child Support Registrar | [2022] AATA 725 |

Appeals finalised

| CASE NAME | AAT REFERENCE | COURT REFERENCE |
|--|----------------------------------|--|
| Ali v Secretary, Department of Social Services | [2021] AATA 4095 | [2022] FCA 499 |
| BFYD v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs | [2021] AATA 2237 | [2022] FCA 503 |
| DMQ20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs | [2020] AATA 1967 | [2022] FCA 514 |
| XXBN v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs | [2020] AATA 4238 | [2022] FCAFC 74 [2021] FCA 1047 |

Statements of Principles

This section of the *Bulletin* provides information on recent developments including the notification or completion of investigations in relation to Statements of Principles made by the Repatriation Medical Authority (RMA) for the purposes of section 120A(2) of the [Veterans' Entitlements Act 1986](#) (VEA) and section 338(2) of the [Military Rehabilitation and Compensation Act 2004](#) (MRCA). These Acts require reference to be had to Statements of Principles made about particular conditions concerning injury, disease or death.

If the RMA gives notice that it intends to carry out an investigation in respect of a particular kind of condition, the Repatriation Commission cannot determine a claim made under the VEA about the incapacity or death of a person relating to that condition, until the RMA has determined a Statement of Principles or declares that it does not propose to determine a Statement of Principles about the condition. Also during this period, claims under the MRCA cannot be determined, reconsidered or reviewed by either the Repatriation Commission, the Veterans' Review Board or the AAT, until the RMA has determined a Statement of Principles about the condition concerned or declared it does not propose to do so.

Certain claims cannot succeed if the RMA has declared it does not propose to make a Statement of Principles in relation to the particular condition.

Existing Statements of Principles are also reviewed, amended or revoked from time to time.

Notification of Investigations relating to existing Statements of Principles

On 11 May 2022, the AAT was advised that the RMA intends to carry out [investigations](#) under subsection 196B(7A) of the VEA in respect of the following:

- **having a sensitising exposure to an allergen** as a factor in **allergic contact dermatitis** - <https://www.legislation.gov.au/Details/C2022G00399>

This investigation will be carried out in the context of the following Statement of Principles Instruments:

Allergic contact dermatitis (Reasonable Hypothesis) - No. 1 of 2021

<https://www.legislation.gov.au/Details/F2021L00032>

Allergic contact dermatitis (Balance of Probabilities) - No. 2 of 2021

<https://www.legislation.gov.au/Details/F2021L00033>

- **having a sensitising exposure to an allergen as a factor in asthma –**
<https://www.legislation.gov.au/Details/C2022G00400>

This investigation will be carried out in the context of the following Statement of Principles Instruments:

Asthma (Reasonable Hypothesis) - No. 31 of 2021

<https://www.legislation.gov.au/Details/F2021L00211>

Asthma (Balance of Probabilities) - No. 32 of 2021

<https://www.legislation.gov.au/Details/F2021L00220>

- **having a sensitising exposure to an allergen as a factor in conjunctivitis -**
<https://www.legislation.gov.au/Details/C2022G00398>

This investigation will be carried out in the context of the following Statement of Principles Instruments:

Conjunctivitis (Reasonable Hypothesis) - No. 76 of 2020

<https://www.legislation.gov.au/Details/F2020L01395>

Conjunctivitis (Balance of Probabilities) - No. 77 of 2020

<https://www.legislation.gov.au/Details/F2020L01397>

On 11 May 2022, the AAT was advised that the RMA intends to carry out [investigations](#) under subsection 196B(7) of the VEA in respect of the multiple conditions listed in the table below. The Notice of Investigation can be accessed via the following link:

<https://www.legislation.gov.au/Details/C2022G00395>

| Condition: | Instrument Nos.: |
|---|---|
| Albinism | <p>Albinism - No. 19 of 2015 https://www.legislation.gov.au/Details/F2014L01823</p> <p>Albinism - No. 20 of 2015 https://www.legislation.gov.au/Details/F2014L01825</p> |
| Alpha-1 antitrypsin deficiency | <p>Alpha-1 antitrypsin deficiency - No. 29 of 2015 https://www.legislation.gov.au/Details/F2014L01837</p> <p>Alpha-1 antitrypsin deficiency - No. 30 of 2015 https://www.legislation.gov.au/Details/F2014L01840</p> |
| Anxiety disorder | <p>Anxiety disorder - No. 102 of 2014 https://www.legislation.gov.au/Details/F2018C00638</p> <p>Anxiety disorder - No. 103 of 2014 https://www.legislation.gov.au/Details/F2018C00639</p> |
| Autosomal dominant polycystic kidney disease | <p>Autosomal dominant polycystic kidney disease - No. 39 of 2015 https://www.legislation.gov.au/Details/F2015L00004</p> <p>Autosomal dominant polycystic kidney disease - No. 40 of 2015 https://www.legislation.gov.au/Details/F2015L00005</p> |

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| Charcot-Marie-Tooth disease | <p>Charcot-Marie-Tooth disease - No. 21 of 2015 https://www.legislation.gov.au/Details/F2014L01827</p> <p>Charcot-Marie-Tooth disease - No. 22 of 2015 https://www.legislation.gov.au/Details/F2014L01829</p> |
| Decompression sickness | <p>Decompression sickness - No. 13 of 2015 https://www.legislation.gov.au/Details/F2014L01830</p> <p>Decompression sickness - No. 14 of 2015 https://www.legislation.gov.au/Details/F2014L01832</p> |
| Epicondylitis | <p>Epicondylitis - No. 7 of 2015 https://www.legislation.gov.au/Details/F2014L01784</p> <p>Epicondylitis - No. 8 of 2015 https://www.legislation.gov.au/Details/F2014L01786</p> |
| Gaucher's disease | <p>Gaucher's disease - No. 27 of 2015 https://www.legislation.gov.au/Details/F2014L01843</p> <p>Gaucher's disease - No. 28 of 2015 https://www.legislation.gov.au/Details/F2014L01846</p> |
| Haemophilia | <p>Haemophilia - No. 23 of 2015 https://www.legislation.gov.au/Details/F2014L01831</p> <p>Haemophilia - No. 24 of 2015 https://www.legislation.gov.au/Details/F2014L01833</p> |
| Herpes zoster | <p>Herpes zoster - No. 47 of 2015 https://www.legislation.gov.au/Details/F2015L00253</p> <p>Herpes zoster - No. 48 of 2015 https://www.legislation.gov.au/Details/F2015L00254</p> |

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| <p>Horseshoe kidney</p> | <p>Horseshoe kidney - No. 31 of 2015 https://www.legislation.gov.au/Details/F2014L01844</p> <p>Horseshoe kidney - No. 32 of 2015 https://www.legislation.gov.au/Details/F2014L01845</p> |
| <p>Huntington's chorea</p> | <p>Huntington's chorea - No. 37 of 2015 https://www.legislation.gov.au/Details/F2014L01851</p> <p>Huntington's chorea - No. 38 of 2015 https://www.legislation.gov.au/Details/F2014L01852</p> |
| <p>Leptospirosis</p> | <p>Leptospirosis - No. 94 of 2014 https://www.legislation.gov.au/Details/F2014L01385</p> <p>Leptospirosis - No. 95 of 2014 https://www.legislation.gov.au/Details/F2014L01386</p> |
| <p>Malignant neoplasm of the breast</p> | <p>Malignant neoplasm of the breast - No. 96 of 2014 https://www.legislation.gov.au/Details/F2018C00670</p> <p>Malignant neoplasm of the breast - No. 97 of 2014 https://www.legislation.gov.au/Details/F2018C00671</p> |
| <p>Malignant neoplasm of the lung</p> | <p>Malignant neoplasm of the lung - No. 92 of 2014 https://www.legislation.gov.au/Details/F2020C00213</p> <p>Malignant neoplasm of the lung - No. 93 of 2014 https://www.legislation.gov.au/Details/F2017C00828</p> |
| <p>Malignant neoplasm of the salivary gland</p> | <p>Malignant neoplasm of the salivary gland - No. 57 of 2015 https://www.legislation.gov.au/Details/F2017C00763</p> <p>Malignant neoplasm of the salivary gland - No. 58 of 2015 https://www.legislation.gov.au/Details/F2017C00761</p> |



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| <p>Malignant neoplasm of the small intestine</p> | <p>Malignant neoplasm of the small intestine - No. 1 of 2015 https://www.legislation.gov.au/Details/F2014L01807</p> <p>Malignant neoplasm of the small intestine - No. 2 of 2015 https://www.legislation.gov.au/Details/F2014L01810</p> |
| <p>Malignant neoplasm of the testis and paratesticular tissues</p> | <p>Malignant neoplasm of the testis and paratesticular tissues - No. 3 of 2015 https://www.legislation.gov.au/Details/F2014L01813</p> <p>Malignant neoplasm of the testis and paratesticular tissues - No. 4 of 2015 https://www.legislation.gov.au/Details/F2014L01815</p> |
| <p>Marfan syndrome</p> | <p>Marfan syndrome - No. 25 of 2015 https://www.legislation.gov.au/Details/F2014L01835</p> <p>Marfan syndrome - No. 26 of 2015 https://www.legislation.gov.au/Details/F2014L01838</p> |
| <p>Multiple osteochondromatosis</p> | <p>Multiple osteochondromatosis - No. 43 of 2015 https://www.legislation.gov.au/Details/F2015L00008</p> <p>Multiple osteochondromatosis - No. 44 of 2015 https://www.legislation.gov.au/Details/F2015L00009</p> |
| <p>Neoplasm of the pituitary gland</p> | <p>Neoplasm of the pituitary gland - No. 53 of 2015 https://www.legislation.gov.au/Details/F2017C00795</p> <p>Neoplasm of the pituitary gland - No. 54 of 2015 https://www.legislation.gov.au/Details/F2015L00260</p> |

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| <p>Osteogenesis imperfecta</p> | <p>Osteogenesis imperfecta - No. 36 of 2015 https://www.legislation.gov.au/Details/F2014L01850</p> <p>Osteogenesis imperfecta - No. 35 of 2015 https://www.legislation.gov.au/Details/F2014L01848</p> |
| <p>Osteomyelitis</p> | <p>Osteomyelitis - No. 90 of 2014 https://www.legislation.gov.au/Details/F2017C00856</p> <p>Osteomyelitis - No. 91 of 2014 https://www.legislation.gov.au/Details/F2017C00855</p> |
| <p>Osteoporosis</p> | <p>Osteoporosis - No. 98 of 2014 https://www.legislation.gov.au/Details/F2014L01388</p> <p>Osteoporosis - No. 99 of 2014 https://www.legislation.gov.au/Details/F2014L01391</p> |
| <p>Paget's disease of bone</p> | <p>Paget's disease of bone - No. 49 of 2015 https://www.legislation.gov.au/Details/F2015L00255</p> <p>Paget's disease of bone - No. 50 of 2015 https://www.legislation.gov.au/Details/F2015L00256</p> |
| <p>Plantar fasciitis</p> | <p>Plantar fasciitis - No. 51 of 2015 https://www.legislation.gov.au/Details/F2015L00257</p> <p>Plantar fasciitis - No. 52 of 2015 https://www.legislation.gov.au/Details/F2015L00258</p> |
| <p>Pulmonary barotrauma</p> | <p>Pulmonary barotrauma - No. 15 of 2015 https://www.legislation.gov.au/Details/F2014L01836</p> <p>Pulmonary barotrauma - No. 16 of 2015 https://www.legislation.gov.au/Details/F2014L01839</p> |



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| <p>Rotator cuff syndrome</p> | <p>Rotator cuff syndrome - No. 100 of 2014 https://www.legislation.gov.au/Details/F2021C00080</p> <p>Rotator cuff syndrome - No. 101 of 2014 https://www.legislation.gov.au/Details/F2021C00081</p> |
| <p>Seborrhoeic keratosis</p> | <p>Seborrhoeic keratosis - No. 55 of 2015 https://www.legislation.gov.au/Details/F2015L00250</p> <p>Seborrhoeic keratosis - No. 56 of 2015 https://www.legislation.gov.au/Details/F2015L00251</p> |
| <p>Shin splints</p> | <p>Shin splints - No. 9 of 2015 https://www.legislation.gov.au/Details/F2014L01805</p> <p>Shin splints - No. 10 of 2015 https://www.legislation.gov.au/Details/F2014L01812</p> |
| <p>Soft tissue sarcoma</p> | <p>Soft tissue sarcoma - No. 5 of 2015 https://www.legislation.gov.au/Details/F2017C00819</p> <p>Soft tissue sarcoma - No. 6 of 2015 https://www.legislation.gov.au/Details/F2017C00822</p> |
| <p>Tinea</p> | <p>Tinea - No. 11 of 2015 https://www.legislation.gov.au/Details/F2014L01814</p> <p>Tinea - No. 12 of 2015 https://www.legislation.gov.au/Details/F2014L01816</p> |
| <p>Trochanteric bursitis and gluteal tendinopathy</p> | <p>Trochanteric bursitis and gluteal tendinopathy - No. 45 of 2015 https://www.legislation.gov.au/Details/F2020C00856</p> <p>Trochanteric bursitis and gluteal tendinopathy - No. 46 of 2015 https://www.legislation.gov.au/Details/F2020C00857</p> |

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|--------------------------|---|
| von Willebrand's disease | <p>von Willebrand's disease - No. 41 of 2015 https://www.legislation.gov.au/Details/F2015L00006</p> <p>von Willebrand's disease - No. 42 of 2015 https://www.legislation.gov.au/Details/F2015L00007</p> |
| Wilson's disease | <p>Wilson's disease - No. 33 of 2015 https://www.legislation.gov.au/Details/F2014L01847</p> <p>Wilson's disease - No. 34 of 2015 https://www.legislation.gov.au/Details/F2014L01849</p> |

Notification of Investigations (where there is no existing Statement of Principles)

On 11 May 2022, the AAT was advised that the RMA intends to carry out investigations under subsection 196B(4) of the VEA to determine whether a Statement of Principles may be determined in respect of the following conditions (where there is no existing Statement of Principles):

Diaphragmatic hernia - <https://www.legislation.gov.au/Details/C2022G00397>

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