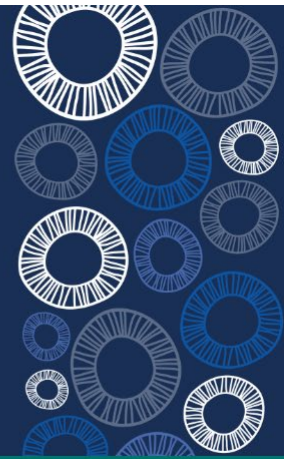




Administrative
Appeals Tribunal

AAT Bulletin



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.

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Contents

AAT Recent Decisions	3
Child Support.....	3
Citizenship	3
Compensation.....	4
Corporations	4
Health	5
Migration	5
National Disability Insurance Scheme.....	8
Practice and Procedure	8
Professions and Trades.....	9
Refugee.....	9
Social Security.....	10
Taxation	11
Veterans' Affairs	12
Appeals.....	13
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, 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

[Quill and Jordan](#) (Child support) [2023] AATA 2167 (29 May 2023); S De Bono, Senior Member

CHILD SUPPORT – departure determination – income, property and financial resources of the liable parent – a ground for departure established – decision to depart – decision under review affirmed

[Randel and Randel](#) (Child support) [2023] AATA 2139 (1 June 2023); S De Bono, Senior Member

CHILD SUPPORT – percentage of care – whether there was a change to the likely pattern of care – existing percentage of care determinations revoked and new determinations made – court orders not complied with – reasonable action taken – interim period applied – decision under review set aside and substituted

[Siviter and Siviter](#) (Child support) [2023] AATA 2133 (24 May 2023); S Letch, Member

CHILD SUPPORT – particulars of the administrative assessment – estimate of income – whether the estimate should have been refused – estimate of income accepted – decision under review set aside and substituted

[Tallents and Engleman](#) (Child support) [2023] AATA 1648 (30 May 2023); P Jensen, Member

CHILD SUPPORT – child support agreement – whether the agreement meets the requirements of a limited child support agreement – decision under review set aside and substituted

[Wolfe and Wolfe](#) (Child support) [2023] AATA 2145 (2 June 2023); R Ellis, Senior Member

CHILD SUPPORT – percentage of care – whether there was a change to the likely pattern of care – no change to the likely pattern – refusal to revoke the existing percentage of care determinations – decision under review affirmed

Citizenship

[Ali and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Citizenship) [2023] AATA 2168 (21 July 2023); J Rau SC, Senior Member

CITIZENSHIP – application for Australian citizenship – application for citizenship refused – whether Tribunal is satisfied Applicant is of 'good character' for the purposes of s 21(2)(h) – false identity information discovered in the context of a citizenship application – decision under review is affirmed

[Basir and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Citizenship) [2023] AATA 2198 (25 July 2023); The Hon. John Pascoe AC CVO, Deputy President

CITIZENSHIP – Whether the identity requirement under paragraph 24(3) of the Australian Citizenship Act 2007 (Cth) is satisfied – relevant law and policy considered – where the Applicant must rely on their life story – Applicant’s evidence and available history considered – witness evidence considered – decision under review affirmed

[Chen and Minister for Immigration, Citizenship, and Multicultural Affairs](#) (Citizenship) [2023] 2156 AATA (20 July 2023); A Nikolic AM CSC, Senior Member

CITIZENSHIP – Permanent Business Innovation and Investment Visa (subclass 888) – Application for Citizenship by conferral – Refusal to grant Australian Citizenship – Where Applicant undertaking overseas university study at time of application – Whether the Applicant is likely to reside in Australia or maintain a close and continuing association with Australia – Decision under review set aside and remitted

[HALIM and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) (Citizenship) [2023] AATA 2197 (25 July 2023); The Hon. John Pascoe AC CVO, Deputy President

CITIZENSHIP – Whether the identity requirement under paragraph 24(3) of the Australian Citizenship Act 2007 (Cth) is satisfied – relevant law and policy considered – where the Applicant must rely on their life story – Applicant’s evidence and available history considered – witness evidence considered – decision under review affirmed

Compensation

[McLean and Comcare](#) (Compensation) [2023] AATA 2096 (12 July 2023); C J Furnell, Senior Member

COMPENSATION – claim for compensation for psychological injury under the Safety, Rehabilitation and Compensation Act 1988 (Cth) – depression and anxiety state – whether Applicant an employee of the Commonwealth, a Commonwealth authority or a corporation licensed under the Act as a self-insurer – where the Applicant was a registered National Disability Insurance Scheme provider – whether a contract of employment existed – objective circumstances surrounding formation of contractual relationship – held that Applicant was not an employee of the Commonwealth, a Commonwealth authority or a corporation licensed under the Act as a self-insurer – reviewable decision affirmed

Corporations

[Centurion Custodian Funds Management Ltd and Australian Securities and Investments Commission](#) [2023] AATA 2223 (19 July 2023); G Lazanas, Senior Member

Corporations Act – where applicant holds Australian Financial Services Licence (AFSL) – where AFSL not used by the applicant – where ASIC cancels AFSL on basis applicant did not provide a financial service covered by licence within requisite period – where applicant has no imminent plans to use AFSL – exercise of discretionary power to cancel AFSL – whether applicant afforded procedural fairness by ASIC – decision under review affirmed

Health

[AussieCare Foundation Pty Ltd and Aged Care Quality and Safety Commissioner](#) [2023] AATA 2202 (24 July 2023); Deputy President J Sosso

HEALTH AND AGED CARE – refusal of application for application as an approved provider of aged care – whether the Applicant has experience in providing aged or other relevant forms of care – whether the Applicant has demonstrated understanding of the responsibilities of a provider of the type of aged care for which approval is sought – whether the Applicant has systems or proposed systems, to meet the responsibilities as a provider of aged care – Applicant’s record of financial management – conduct as a provider of other forms of care – where the Applicant has experience providing care under NDIS scheme – where the Applicant has engaged an industry expert to assist with compliance with the responsibilities of providing aged care – decision under review set aside and substituted and remitted to Aged Care Quality and Safety Commissioner

Migration

[Manuel and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023] AATA 2094 (12 July 2023); C J Furnell, Senior Member

MIGRATION – mandatory cancellation of Class TY Subclass 444 Special Category (Temporary) visa – Migration Act 1958 (Cth) s 501(3A) – New Zealand – Applicant does not pass character test – substantial criminal record – whether there is another reason why mandatory cancellation should be revoked – Direction 99 – primary and other considerations – decision under review set aside and substituted

[MPZB and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023] AATA 2192 (24 July 2023); The Hon. John Pascoe AC CVO, Deputy President

MIGRATION – visa cancellation – mandatory cancellation under s 501(3A) of the Migration Act 1958 – where Applicant does not pass the character test – whether there is ‘another reason’ to revoke the cancellation – consideration of Direction No. 99 – Protection of the Australian community – whether the Applicant committed family violence – links to the Australian community – the best interests of minor children in Australia – expectations of the Australian community – legal consequences of the decision – reviewable decision set aside

[Palmer and Minister for Immigration, Citizenship, and Multicultural Affairs](#) (Migration) [2023] AATA 2159 (21 July 2023); D Cosgrave, Member

MIGRATION – Mandatory visa cancellation – New Zealand citizen – Class TY – Sub Class 444 – Class XB Subclass 200 refugee visa – failure to pass good character test – criminal record – whether another reason why the mandatory visa cancellation should be revoked – Ministerial Direction No. 99 applied – delegate’s decision affirmed

[PKCJ and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023] AATA 2193 (25 July 2023); Deputy President B W Rayment OAM KC

MIGRATION – mandatory visa cancellation – Refugee and Humanitarian (Class XB) (Subclass 202) visa – citizen of Iraq – detain person with intention to obtain advantage and sexual touch conviction – PTSD, trauma and use of alcohol as important factors – applicant as full-time carer for mother – decision under review set aside and substituted

[QSJQ and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023]

AATA 2095 (19 July 2023); Dr S Fenwick, Senior Member

MIGRATION – mandatory cancellation of visa – national of Somalia – Class BB Subclass 155 Five Year Resident Return visa – failure to pass character test – single instance of sexual offences – lengthy record of other offending – whether another reason cancellation should be revoked – mental health and cognitive impairment issues – decision set aside and substituted

[Ross and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023]

AATA 2103 (19 July 2023); T Tavoularis, Senior Member

MIGRATION – Non-revocation of mandatory cancellation of a Class TY Subclass 444 Special Category (Temporary) 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. 99 – decision under review affirmed

[Shahab and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023]

AATA 2200 (7 July 2023); Emeritus Professor P A Fairall, Senior Member

MIGRATION – Migration Act section 501CA(4) – primary considerations – other considerations – whether there is another reason to revoke mandatory cancellation of Applicant’s visa – Ministerial Direction No. 99 – substantial criminal record – nature and seriousness of the offending – strength, nature and duration of ties to Australia – international non-refoulement obligations – where no protection finding – extent of impediments removed – decision set aside and substituted

[Tran and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#)

(Migration) [2023] AATA 2199 (25 July 2023); Member R West

MIGRATION – refusal of a bridging visa – applicant has substantial criminal record and does not pass the character test – whether there is another reason to refuse the visa – primary considerations – protection of the Australian community from criminal or other serious conduct – strength, nature and duration of ties to Australia – best interests of minor children – expectations of the Australian community – other considerations – legal consequences of the decision – extent of impediments if removed – decision set aside

[VVCF and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023]

AATA 2217 (26 July 2023); Deputy President A Younes

MIGRATION – mandatory visa cancellation – failure to pass the character test – whether there is another reason why the visa cancellation should be revoked – Ministerial Direction No. 99 – nature and seriousness of offending conduct – protection of the Australian community – family violence committed by the non-citizen – best interest of children - expectations of the Australian community – impediments to removal – decision affirmed

[YFLK and Minister for Immigration, Citizenship and Multicultural Affairs](#) (Migration) [2023]

AATA 2218 (26 July 2023); Senior Member T Tavoularis

MIGRATION – refusal of a Safe Haven Enterprise (Class XE) Subclass 790 visa pursuant s 501(1) of the Migration Act 1958(Cth)- where the Applicant does not pass the character test- whether discretion to refuse the visa under s 501(1) of the Migration Act 1958 (Cth) should be exercised – where Applicant has a significant criminal history in Australia – indefinite detention as a legal consequence of the Tribunal’s decision considered – consideration of Ministerial Direction No. 99 – decision under review set aside and substituted

[YQLH and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#)

(Migration) [2023] AATA 2216 (26 July 2023); Senior Member K Raif

MIGRATION – mandatory cancellation of visa – failure to pass character test – whether there is another reason why visa cancellation should be revoked – Ministerial Direction 99 – protection of Australian Community – nature and seriousness of applicant’s conduct – risk to Australian community – whether conduct engaged in by applicant constituted family violence – strength, nature and ties to Australia – best interests of minor children in Australia – expectations of Australian Community – legal consequences – impediments to removal – decision under review affirmed

[2200441](#) (Migration) [2023] AATA 1866 (19 May 2023); P Noonan, Member

MIGRATION – cancellation – Return (Residence) (Class BB) visa – Subclass 155 (Five Year Resident Return) – incorrect information in the visa application – nationality – stateless – Iranian and Iraqi citizenship – identity details – family composition – best interests of Australian citizen children – decision under review set aside

[Antonites](#) (Migration) [2023] AATA 1611 (23 May 2023); N Dougall, Member

MIGRATION – Skilled (Provisional) (Class VC) visa – Subclass 485 (Temporary Graduate) – English language requirement – PTE English language test taken after the visa application – referral for Ministerial Intervention – research on digital mental health options for marginalised communities – decision under review affirmed

[Lim](#) (Migration) [2023] AATA 1678 (9 June 2023); K Millar, Senior Member

MIGRATION – Child (Migrant) (Class AH) visa – Subclass 117 (Orphan Relative) – orphan relative of an Australian relative – whereabouts of the applicants’ mother – providing false or misleading information – home country permits the removal of the applicant – father’s right of access to the children – father sentenced to life imprisonment – social media contact with mother – formal adoption reasonably practicable – decision under review affirmed

[Martin Brothers Contracting Pty Ltd](#) (Migration) [2023] AATA 1677 (7 June 2023); B Cullen, Senior Member

MIGRATION – sponsorship cancellation or bar – ensuring equivalent terms and conditions of employment – provided false or misleading pay records – nominees working unreasonably excess hours – full time salaried employees with reasonable overtime – employees correctly advised of conditions – power disparity for sponsored visa holders – adverse information about a sponsor – decision under review varied

[Nanayakkara Vasan Godakandage](#) (Migration) [2023] AATA 1690 (1 June 2023); A Mercer, Member

MIGRATION – Training Visa (Class GF) visa – Subclass 407 (Training) – no approved nomination by an approved organisation – new employer nomination approved – impact on family and employer – economic conditions in Sri Lanka – referral for Ministerial Intervention – no jurisdiction

National Disability Insurance Scheme

[MPGT and National Disability Insurance Agency](#) [2023] AATA 1885 (29 June 2023); W Frost, Member

NATIONAL DISABILITY INSURANCE SCHEME – reasonable and necessary supports – where the Applicant is an accepted participant of the National Disability Insurance Scheme – complex needs participant – where the Applicant requested 107 additional supports – mobility and movement supports – food and eating related supports – psychology and sensory related supports – self-management and related supports – support coordination – where the Applicant requested a plan review that was declined – section 34 considerations – to assist the participant achieve their goals and aspirations – value for money – whether beneficial to the participant – Tribunal not satisfied on the evidence available – first decision under review affirmed – second decision under review dismissed

[Pidgeon and National Disability Insurance Agency](#) [2023] AATA 2207 (25 July 2023); Ms K Buxton, Senior Member

Application for release from implied undertaking – the Harmen Undertaking – when a release is required - use of documents produced under compulsion for collateral purposes – *Hearne v Street* statutory obligation – AAT General Practice Direction

Practice and Procedure

[BQKD and Commissioner of Taxation](#) (Taxation) [2023] AATA 2169 (19 June 2023); B J McCabe, Deputy President

Private hearings – confidentiality orders – public hearings – privacy – public interest – open hearings principle – request refused

[Isbister and National Disability Insurance Agency](#) [2023] AATA 2071 (18 July 2023); K Parker, Senior Member

NATIONAL DISABILITY INSURANCE SCHEME – application for extension of time (EOT) to make an application for review of decision – National Disability Insurance Agency (NDIA) opposes EOT application – Applicant claims that she has physical, neurological impairments and impairment(s) attributable to a psychosocial disability – Applicant seeks access to the National Disability Insurance Scheme – application for review of decision made approximately six and half weeks after the expiry of 28-day statutory time limit – consideration of explanation for the delay – whether NDIA has suffered any prejudice by the delay – whether against the public interest to grant the EOT application – NDIA contends Applicant has alternative rights of review – beneficial legislation – Tribunal satisfied it is reasonable in all the circumstances to extend the time for making the application for review of decision

[KJMW and National Disability Insurance Agency](#) [2023] AATA 2155 (18 July 2023); P Hunter, Member

PRACTICE AND PROCEDURE – objection to inspection of summonsed material – where documents of a private medical nature – whether documents are of apparent relevance – some documents released for inspection

[Zablotsky and Swire Pacific Ship Management \(Australia\) Pty Ltd](#) (Compensation) [2023] AATA 2195 (21 June 2023); Senior Member O'Donovan

EXTENSION OF TIME - Seafarers Act - whether Tribunal has jurisdiction to review decision - whether an extension of time to seek an internal review should be granted – whether costs should be awarded – extension of time granted

Professions and Trades

[Clifford and Tax Practitioners Board](#) [2023] AATA 2068 (14 July 2023); I Molloy, Deputy President

TAX AGENT REGISTRATION — Tax Practitioners Board — Tax agent registration — Code of Professional Conduct — Fit and Proper Person — Decision affirmed

Refugee

[1722329](#) (Refugee) [2023] AATA 1727 (15 February 2023); L Hardy, Member

REFUGEE – protection visa – Colombia – particular social group – persons born abroad or persons who speak English or persons who do not speak Spanish – threats of harm by Revolutionary Armed Forces of Colombia (FARC), FARC dissident groups, and/or criminal Venezuelan migrant and asylum seekers – effects of anxiety disorder – access to healthcare – fear of kidnapping and ransom – risk of Covid-19 – decision under review affirmed

[1732005](#) (Refugee) [2023] AATA 1604 (24 March 2023); G Hamilton, Member

REFUGEE – protection visa – Sri Lanka – religion – Catholic – attacks on churches – extortion – forced conversion – complementary protection – accused people smuggler – fear of drug dealers – illegal departure – fear of killing – decision under review remitted

[1816229](#) (Refugee) [2023] AATA 1566 (29 March 2023); M Sripathy, Member

REFUGEE – Protection Visa – Sierra Leone – fears harm from her husband – applicant experienced domestic violence from her husband – past attempts to escape abuse and leave – membership of particular social groups – women subjected to early or forced marriage in Sierra Leone – applicant has a well-founded fear of persecution – State protection is not available to the applicant – decision under review remitted

[1835072](#) (Refugee) [2023] AATA 1606 (17 March 2023); W Pennell, Senior Member

REFUGEE – protection visa – Bangladesh – religion – Hinduism – particular social group – non-Muslim men who have engaged in an interfaith, pre-marital relationship with a Muslim woman – physical abuse and threats from her family – credibility assessment – omissions or the absence of information in an entry interview – decision under review remitted

[1908035](#) (Refugee) [2023] AATA 1724 (5 April 2023); S Norman, Member

REFUGEE – protection visa – Jordan – religion – Christian applicant’s property dispute with Muslim neighbour and court order against him – neighbour’s harassment and threats escalated and turned religious, including accusation of insulting Islam – neighbour’s standing and contacts in community – country information – certain individuals have disproportionate power – real chance of serious harm – risk does not extend to all areas of country and possibility of relocation – complementary protection – age and physical and mental health make relocation unreasonable – decision under review remitted

[1913717](#) (Refugee) [2023] AATA 1518 (27 March 2023); D James, Senior Member

REFUGEE – Protection visa – Papua New Guinea – long-standing family feud – fears harm from her father’s jealous relatives – an unreliable and untruthful witness – vague descriptions of alleged past violent incidents and attacks – delay in applying for protection in Australia – Australian citizenship daughter – unique or exceptional circumstances – Ministerial intervention – decision under review affirmed

[1920349](#) (Refugee) [2023] AATA 1607 (22 March 2023); P Noonan, Member

REFUGEE – protection visa – stateless/Myanmar – citizenship – stateless Rohingya or Muslim Myanmar citizen – initially assessed as stateless and refugee before visa refused on other grounds – tribunal and judicial reviews – inconsistent evidence – passage of time, prolonged periods of immigration detention and mental stress – documentation from third country and UNHCR unavailable, discarded or lost – statements from relatives suggest citizenship – plausible to misunderstand ‘from Burma’ and ‘Myanmar citizen’ – supporting statement from Rohingya organisation – country information – high risk of harassment, arbitrary detention and violence – third country not a country of former habitual residence – arbitrary and forced deportation – decision under review remitted

[2210202](#) (Refugee) [2023] AATA 1703 (9 February 2023); R Da Costa, Member

REFUGEE – protection visa – Vietnam – original protection claim based on father’s refugee status – new complementary protection claim based on terminal illness – lack of access to appropriate health care and medication – extensive criminal record – former drug addict – Ministerial intervention requested – decision under review affirmed

Social Security

[Austin and Secretary, Department of Social Services](#) (Social services second review) [2023] AATA 2097 (18 July 2023); W Frost, Member

SOCIAL SECURITY – pensions, benefits and allowances – disability support pension – eligibility for disability support pension – whether the applicant’s impairments are fully diagnosed, fully treated and fully stabilised – whether 20 points or more under the impairment tables during the relevant period – decision under review affirmed

[Barrett and Secretary, Department of Social Services](#) (Social services second review) [2023]
AATA 2194 (25 July 2023); Mrs J C Kelly, Senior Member

SOCIAL SECURITY – Commonwealth Seniors Health Card – whether the applicant’s CSHC should be cancelled – public health order related to COVID-19 prevented return to Australia before end of period of 19 weeks – whether the applicant is qualified for energy supplement and economic support payments – reviewable decision affirmed

[Cousins and Secretary, Department of Social Services](#) (Social services second review) [2023]
AATA 2069 (18 July 2023); Dr L Bygrave, Member

SOCIAL SECURITY – disability support pension – whether the Applicant has a physical, intellectual or psychiatric impairment – whether any of the Applicant’s impairments attracts 20 points or more under the impairment tables – whether the Applicant has a continuing inability to work – decision under review affirmed

[Crozier and Secretary, Department of Social Services](#) (Social services second review) [2020]
AATA 6222 (16 June 2020); P Britten-Jones, Deputy President

SOCIAL SECURITY – pensions, benefits and allowances – claim for disability support pension – where the applicant was diagnosed with chronic fatigue syndrome – whether condition is fully treated or stabilised in claim period – the decision under review is affirmed

[Nguyen; Secretary, Department of Social Services and](#) (Social services second review) [2023]
AATA 2070 (7 July 2023); Dr L Bygrave, Member

SOCIAL SECURITY – carer payment – cancellation – whether carer payment should have been cancelled – whether Respondent provided constant care to the care receiver – decision under review set aside and substituted

[Norman and Secretary, Department of Social Services](#) (Social services second review) [2023]
AATA 2196 (25 July 2023); 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

Taxation

[Equality Australia Ltd and Commissioner of the Australian Charities and Not-for-profits Commissioner](#) [2023] AATA 2161 (30 June 2023); B J McCabe, Deputy President and A O’Connell, Senior Member and L Bygrave, Member

PUBLIC BENEVOLENT INSTITUTION – where the Applicant is registered as a charity under the subtype ‘advancing public debate (promoting or opposing a change to any matter established by law, policy of practice in the Commonwealth, a state, territory or another country)’ – whether the Applicant is entitled to be registered with the subtype ‘public benevolent institution’ – whether the Applicant is organised or conducted for or promotes the relief of distress – whether members of the LGBTIQ+ community are persons in need of benevolence – whether the Applicant provides relief – decision under review affirmed

[Hanson and Commissioner of Taxation](#) (Taxation) [2023] AATA 2067 (17 July 2023); D Mitchell, Member

TAXATION – administrative penalty – shortfall penalty – tax shortfall – taxpayer’s burden to prove shortfall penalty assessment excessive or incorrect – whether discretion should be exercised to remit penalty – decision under review affirmed

Veterans’ Affairs

[Lynch and Military Rehabilitation and Compensation Commission](#) (Veterans’ entitlements) [2023] AATA 2229 (27 July 2023); Deputy President Sosso

VETERANS’ COMPENSATION – compensation for injury – injury or disease – notice of injury – whether the relevant authority would be prejudiced – liability for injury – decision under review affirmed

[Gelberg and Repatriation Commission](#) (Veterans’ entitlements) [2023] AATA 2231 (27 July 2023); Senior Member B J Illingworth and Member D Cox

VETERANS’ AND MILITARY COMPENSATION–Veterans’ Entitlement Act–Veterans’ Review Board decisions–VRB–disability pension–attendant allowance

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
BYMD v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs	[2023] AATA 1774
Korat and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs	[2023] AATA 1725
Tran v Minister for Immigration, Citizenship and Multicultural Affairs	[2023] AATA 2159
Zablotsky and Swire Pacific Ship Management (Australia) Pty Ltd	[2023] AATA 2195

Appeals finalised

CASE NAME	AAT REFERENCE	COURT REFERENCE
Manebona v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs	[2021] AATA 4680	[2023] FCAFC 116 [2022] FCA 730



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