



Administrative
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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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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.

Child Support

[Longley and Amesbury](#) (Child support) [2018] AATA 1227 (27 March 2018); Member W Kennedy

Child support – Court ordered percentages of care – Change to likely pattern of care – Decision under review affirmed

[Brechin and Brechin](#) (Child support) [2018] AATA 1224 (28 March 2018); Member S Letch

Child support – Percentages of care – No change to the likely pattern of care – Decision under review affirmed

[Maidwell and Routledge](#) (Child support) [2018] AATA 1235 (3 April 2018); Member J Thomson

Child support – Departure from assessment – Costs of education – Manner of education expected by both parents – Decision under review set aside and substituted

[Ranford and Moreton](#) (Child support) [2018] AATA 1234 (4 April 2018); Member J Cuthbert

Child support – Application for an administrative assessment – Whether application should be accepted – Whether the liable parent was a resident of Australia – Decision under review affirmed

[Turrell and Turrell](#) (Child support) [2018] AATA 1219 (29 March 2018); Member A Byers

Child support – Estimate of adjusted taxable income correctly made – Decision under review set aside and substituted

Citizenship

[Sami and Minister for Immigration and Border Protection](#) (Citizenship) [2018] AATA 1455 (28 May 2018); Dr L Bygrave, Member

CITIZENSHIP – resident return subclass BB-155 permanent visa – citizenship by conferral – good character – previous convictions – domestic violence – traffic offences – failure to disclose offences – character references – decision affirmed

[Yalda and Minister for Immigration and Border Protection](#) (Citizenship) [2018] AATA 1460 (31 May 2018); Senior Member M Griffin QC

CITIZENSHIP – application for citizenship by conferral – refusal of citizenship – general eligibility criteria – failed citizenship examination – knowledge of English language – ability to re-sit examination – additional material not available to the original decision-maker – decision affirmed

Compensation

[Fairbrother and Reserve Bank of Australia](#) (Compensation) [2018] AATA 1339 (25 May 2018); Deputy President JW Constance

COMPENSATION – psychological injury – bipolar depressive condition – whether Applicant suffered an ailment or aggravation of an ailment – whether the ailment or aggravation was contributed to, to a significant degree, by Applicant’s employment – whether the ailment or aggravation was suffered as a result of administrative action taken in respect of Applicant’s employment – whether administrative action reasonable – performance improvement process – whether administrative action taken in a reasonable manner – decision affirmed

[Tucker and Comcare](#) (Compensation) [2018] AATA 1251 (10 May 2018); Senior Member E Fice

COMPENSATION – claim for permanent impairment and non-economic loss – claim for household and attendant care services – 10% whole person impairment – 28% non-economic loss – decision on permanent impairment and non-economic loss set aside and remitted with directions in accordance with Tribunal reasons – Applicant able to provide for her personal care and does not reasonably require assistance with household or attendant care services – decision on household and attendant care services affirmed

PRACTICE AND PROCEDURE – evidence – no evidence from any witness who has observed the Applicant’s degree of incapacity arising from psychological injury – medical practitioners who have treated Applicant relied exclusively on her self-reporting of what she can and cannot do – Tribunal asked to form a view on credibility of applicant’s evidence – demeanour in the witness box not necessarily indicative of the truthfulness of a witness – objective evidence against which an applicant’s evidence can be compared is preferable

[Warner and Comcare](#) (Compensation) [2018] AATA 1403 (29 May 2018); Deputy President K Bean

WORKERS’ COMPENSATION – Where applicant suffered two falls that both resulted in compensable back injuries – Where delegate’s determination was only with respect to the later injury – Where description of the later injury was erroneous – Where the applicant is now of an advanced age – Whether the Tribunal should amend the description of the later injury – Whether the effects of the later injury are continuing – Decision under review set aside and substituted

Corporations

[Wang and Australian Securities and Investments Commission](#) [2018] AATA 1405 (21 May 2018); Deputy President I Hanger AM QC

CORPORATIONS ACT – banning order – permanent ban – where applicant involved in multiple business enterprises – applicant held position as director of multiple companies – Australian Financial Services Licence – whether applicant breached a financial services law – whether applicant was dishonest – whether applicant is of good fame and character – decision under review affirmed

Education and Research

[Sunrising Family Day Care Pty Ltd and Secretary, Department of Education and Training](#)

[2018] AATA 1463 (28 May 2018); Senior Member C Puplick AM

CHILDCARE – education and care services national law – family assistance law – child care benefit – continued approval of a service – breach of conditions of provider approval – failure of governance arrangements – repeated non-compliance – recklessness – fraud – suitable person to operate a child care service – appropriate penalty – decision affirmed

Freedom of Information

[Denhollander and Secretary, Department of Defence](#) (Freedom of information) [2018] AATA 1345

(25 May 2018); Senior Member Britten-Jones

FREEDOM OF INFORMATION – On current application to what extent could Tribunal inform itself about relevant findings of fact in previous 2002 decision – Applicant seeking to rely upon further information – Applicant seeking to reopen proceedings before AAT for rehearing of his application – Application to amend the same AF Med 1 form, the subject of previous applications – Open to Tribunal to regard previous decision as determinative of an issue and decide that an issue should not be reopened – Tribunal has discretion in those circumstances to take such a course – Requirements of procedural fairness – Opportunity to re-agitate findings of fact – Decision affirmed

Migration

[Hawkins and Minister for Home Affairs](#) (Migration) [2018] AATA 1462 (1 June 2018); Senior

Member T Tavoularis

MIGRATION – non-revocation of visa cancellation – where Applicant fails character test – where Applicant has committed over 180 offences – whether there is another reason to revoke the cancellation of Applicant's visa – primary considerations – other considerations – decision under review affirmed

[Liyana and Minister for Home Affairs](#) (Migration) [2018] AATA 1375 (28 May 2018); Dr M

Evans, Senior Member

Migration – decision not to revoke mandatory cancellation of visa – two-day rule - character test substantial criminal record – criminal history spanning over 17 years – Ministerial Direction no. 65 – primary and other considerations - protection of the Australian community – best interests of minor children – expectations of the Australian community – nature and seriousness of criminal offending – risk of engaging in future criminal conduct – strength, nature and duration of ties to Australia – extent of impediments if returned to Sri Lanka – decision under review affirmed

[Nguyen and Minister for Immigration and Border Protection](#) (Migration) [2018] AATA 1340 (24

May 2018); Ms A Burke, Member

MIGRATION – Visa refusal – applicant is a citizen of Vietnam – applicant applied for a partner visa – applicant does not pass character test in s 501(6)(a) and 7(c) – applicant not of good character on account of substantial criminal record – whether discretion to refuse visa should be exercised – applicant does not present unacceptable risk of reoffending – minor child in Australia – decision affirmed

[Pomare and Minister for Home Affairs](#) (Migration) [2018] AATA 1401 (29 May 2018); Senior Member M Griffin QC

MIGRATION – non-revocation of decision to cancel visa – failure to pass character test – Ministerial Direction 65 applied – protection of the Australian community – nature and seriousness of conduct – risk to the Australian community – best interests of child – expectations of Australian community – other considerations – decision affirmed

[YLHG and Minister for Immigration and Border Protection](#) (Migration) [2018] AATA 1454 (25 May 2018); Ms K Millar, Member

MIGRATION – mandatory visa cancellation – criminal record – application for protection visa refused s 36(1C) of the Migration Act – Direction 75 – conviction of serious crime – decision under review affirmed

[Singh](#) (Migration) [2018] AATA 1392 (11 April 2018); Member S Witts

Migration – Student (Temporary) (Class TU) – Subclass 500 (Student) – Subclass 573 (Higher Education Level) visa cancelled – Significant changes in career orientation – No link between current course and career plan – Incentives to remain in Australia – Improved remuneration – Sister in Australia – Attempt to maintain ongoing residential status – Decision under review affirmed

[AIR VYD PTY LTD](#) (Migration) [2018] AATA 1253 (16 April 2018); Member P Emmerton

Migration – Nomination approval – Direct Entry Nomination stream – Regional Sponsored Migration Scheme position – No certification from a regional body – Practice and Procedure – Tribunal request for further information – Applicant did not respond to Tribunal's letter – No entitlement to a hearing – Decision under review affirmed

[Alfasi](#) (Migration) [2018] AATA 1415 (23 April 2018); Member J Marquard

Migration – Visitor (Class FA) visa – Subclass 600 (Visitor) – Entered Australia on a Subclass 462 Working Holiday visa – Wished to travel further in Australia – No response to hearing invitation – Tribunal made its decision on review – Exceptional circumstances – Unable to discuss the applicant's circumstances – Applicant out of Australia at the time of the application – Decision under review affirmed

[HABIB](#) (Migration) [2018] AATA 1416 (26 April 2018); Member L Holub

Migration – Visitor (Class FA) visa – Subclass 600 (Visitor) – Sponsored Family stream – Whether the applicant is a genuine temporary entrant – Visa applicant – Plans to visit extended family – Never travelled to Australia – Family members have visited Australia and complied with visa conditions – Visa applicant is a non-English speaker – Review applicant will fund the trip to Australia – Needs to return to Lebanon to finish schooling – Decision under review remitted

National Disability Insurance Scheme

[QZHH and National Disability Insurance Agency](#) [2018] AATA 1465 (31 May 2018); Ms K Parker, Member

NATIONAL DISABILITY INSURANCE SCHEME – NDIS participant is a young child who has complex and high care needs – review of an interim review decision of the National Disability Insurance Agency relating to a decision to approve a statement of participant supports in the participant’s NDIS plan – participant’s plan ceased to have effect as it was replaced by subsequent NDIS plans – characterisation of the Tribunal’s decision – whether the Tribunal’s decision enlivened the participant’s previous plan to allow for the participant to access the approved supports at the current time – supports in dispute included the level of personal care support, client-specific training of carers, backup nursing support at times when there were no carers available to provide personal care to the participant, and music therapy – whether the requested additional or increased supports were reasonable and necessary supports – level of personal care support that is reasonable to expect each of the participant’s parents to provide, in light of their respective mental health conditions and simultaneous need also to care for the participant’s sibling – consideration of the Carer Recognition Act 2010 – intersection with supports provided under the general health system – intersection with supports provided under the general education system – reviewable decision set aside and decision of Tribunal substituted

Practice and Procedure

[Fortunatow and Commissioner of Taxation](#) (Taxation) [2018] AATA 1453 (4 May 2018); Senior Member RW Dunne

PRACTICE AND PROCEEDURE – objection to summons to produce documents – grounds on which Summons may be set aside – adjectival relevance – parameters of abuse of process – whether oppressive – summons set aside

[Mpfu and Minister for Home Affairs](#) (Citizenship) [2018] AATA 1344 (25 May 2018); Dr L Bygrave, Member

PRACTICE AND PROCEDURE – extension of time application – whether it is reasonable in all the circumstances to grant the extension – explanation for delay – prejudice – whether substantive matter has merit – citizenship by conferral – general and special residence requirements – defence service requirement – extension of time application refused

[Oliver and Comcare](#) (Compensation) [2018] AATA 1351 (17 May 2018); Member M Hyman

PRACTICE AND PROCEDURE – summons – objection to inspection of summoned documents – relevance – other considerations – inspection granted

[Simpson and National Disability Insurance Agency](#) [2018] AATA 1326 (22 May 2018); Deputy President G Humphries

PRACTICE AND PROCEDURE – jurisdiction – whether there has been an internal review decision – application to review by telephone – whether the National Disability Insurance Agency met its requirement to review the access decision as soon as reasonably practicable – whether telephone call constitutes a decision or evidence of a decision – operation of s 25(5) of the Administrative Appeals Tribunal Act 1975 – Tribunal has jurisdiction

[Trades College Australia Pty Ltd and Australian Skills Quality Authority](#) [2018] AATA 1360 (24 May 2018); Mr A Maryniak QC, Member

PRACTICE AND PROCEDURE – stay application – Applicant’s registration cancelled under National Vocational Education and Training Regulator Act 2011 and renewal of registration as an RTO refused– consideration of factors as to whether stay should be granted – public interest – financial circumstances of Applicant – whether application rendered nugatory if stay not granted – stay applications refused

[Uvea and Minister for Home Affairs](#) (Migration) [2018] AATA 1356 (23 May 2018); Senior Member C Puplick AM

PRACTICE AND PROCEDURE – Jurisdiction – whether Tribunal has jurisdiction to review matter – mandatory cancellation of visa – application for revocation of cancellation out of time – no reviewable decision – delivery of mail to inmates in custodial institutions – no jurisdiction found

[ZFCC and Comcare](#) (Compensation) [2018] AATA 1358 (22 May 2018); Deputy President G Humphries

PRACTICE AND PROCEDURE – objection by the Applicant to the Respondent’s inspection of material produced under summons – relevance of the material produced under summons to the issues raised by the reviewable decision – objection disallowed

[RBPK and Innovation and Science Australia](#) [2018] AATA 1404 (10 May 2018); The Hon. Justice DG Thomas and Deputy President BJ McCabe

Application for a split hearing – where submitted that economies will be derived from two-stage hearing process – application opposed – where submitted that first stage of hearing will inform process approach to second stage of hearing – where application for split hearing made before all evidence filed – where decided application for a split hearing is premature

[Taylor and Comcare](#) (Compensation) [2018] AATA 1354 (23 May 2018); Senior Member C Puplick AM

PRACTICE AND PROCEDURE – extension of time decision – reasons for delay – prejudice to the Respondent – mere absence of prejudice not enough to justify granting extension – merits of the substantive application – considerations of fairness – decision set aside and remitted

Public Service

[MCLT and Director-General of Security](#) [2018] AATA 1359 (25 May 2018); Deputy President SA Forgie, Senior Member E Fice and Senior Member A Nikolic AM CSC

NATIONAL SECURITY – adverse security assessment – refusal to grant a Negative Vetting 1 security clearance – relevance of particular prescribed administrative action - decision affirmed

Refugee

[1516895](#) (Refugee) [2018] AATA 1323 (23 April 2018); Senior Member S Roushan

Refugee – Protection visa – Lebanon – Tripoli – Threats of harm by former fiancé – Fear of harm by former fiancé and armed Sunni extremist group – Fear of forceful recruitment by ISIS – Credibility issues – No real chance or real risk of serious or significant harm – Practice and Procedure – Invalid s438 certificates – Reasons not sufficient basis for public interest immunity – Decision under review affirmed

[1507404](#) (Refugee) [2018] AATA 1428 (27 April 2018); Member A Paxton

Refugee – Protection Visa – India – Federal Circuit Court remittal – Particular social group – Elderly widowed women in Punjab – Faces a real chance of gender-based discrimination – State protection not available – Relocation not reasonable – Decision under review remitted

[1600746](#) (Refugee) [2018] AATA 1318 (30 April 2018); Member N Lamont

Refugee – Protection visa – Samoa – Whether there is a well-founded fear of persecution – Ongoing village land dispute – Assaulted – Consistent evidence regarding ongoing dispute – Exaggerated claimed fear of harm – Stayed as an unlawful citizen – Delay in applying for protection – Australian partner and children – Wants to apply for a partner visa – Decision under review affirmed

[1710327](#) (Refugee) [2018] AATA 1321 (1 May 2018); Senior Member L Nicholls

Refugee – Protection visa – Iran – Social group – Breached Iranian social mores – Affair with a married woman – Political opinion – Expressed anti regime political opinions – Minor Green Movement supporter – Confrontations with the police – Social media posts – Religion – Interested in Christianity – Considered an apostate – Failed asylum seeker – Returnee from the West – Second named applicant – Decision under review affirmed

[1615725](#) (Refugee) [2018] AATA 1255 (2 May 2018); Member R Gagliardi

Refugee – Protection visa – Malaysia – Social group – Homosexual men in Malaysia – Victim of taunts and humiliation – Victim of isolation and alienation – Fear of systematic discrimination – Credible witness – Decision under review remitted

[1614621](#) (Refugee) [2018] AATA 1320 (7 May 2018); Member N Burns

Refugee – Protection visa – Sri Lanka – Federal Circuit Court remittal – Fear of persecution – Tamil National Alliance (TNA) supporter – Abduction by the Karuna group – Failed Asylum seeker – Claimed mental health issues – Not of ongoing interest with Sri Lankan authorities – Decision under review affirmed

Social Security

[Athurugiriya and Secretary, Department of Social Services](#) (Social services second review)

[2018] AATA 1458 (31 May 2018); Ms DK Grigg, Member

SOCIAL SECURITY – disability support pension – whether impairments permanent – decision under review affirmed

[Bamford and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1402 (28 May 2018); Mrs JC Kelly, Senior Member

SOCIAL SECURITY – Disability Support Pension – compensation for loss of income as a result of injury – “lump sum” – preclusion period – s 1184K, “special circumstances” discretion – meaning of “special circumstances” – purchase of home generally not taken to be “special circumstances” – undue influence of carer – lack of capacity due to alcohol abuse and depression not found – decision affirmed

[Dickinson and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1343 (25 May 2018); Ms AF Cunningham, Senior Member

SOCIAL SECURITY – age pension – member of a couple – applicant and wife reside in Thailand – exercise of discretion to treat applicant as not being a member of a couple – no special reason to justify exercise of discretion – decision under review affirmed

[Edwards and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1461 (31 May 2018); Senior Member PJ Clauson

SOCIAL SECURITY – disability support pension – requirement that the person’s impairment is of 20 points or more under the Impairment Tables not met – decision under review affirmed

[Hahnheuser and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1342 (23 May 2018); Senior Member PE Nolan

SOCIAL SECURITY – DISABILITY SUPPORT PENSION – whether Applicant had conditions that were fully diagnosed, treated and stabilised during the relevant period – whether Applicant had 20 impairment points – lower limb conditions – multiple conditions causing common impairment – below knee amputation – diabetic ulcer – Applicant has 10 impairment points – decision under review is affirmed

[Hanna and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1347 (22 May 2018); Senior Member C Puplick AM

SOCIAL SECURITY – entitlement to carer payment – whether applicant can claim back payment – determining rate of payment - interpretation of “loan” or “gift” and “assessable asset” – Financial Management Order – decision under review affirmed

[Khan and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1349 (24 May 2018); Professor R McCallum AO, Member

SOCIAL SECURITY – disability support pension – application refused – impairment tables – whether disability is fully diagnosed, treated and fully stabilised – whether impairments attract 20 points or more under the Impairment Tables – upper limb impairments – lower back pain – skin allergies – depression and anxiety – decision under review affirmed

[Ladley and Secretary, Department of Social Services](#) (Social services second review) [2018]
AATA 1346 (23 May 2018); Senior Member PE Nolan

SOCIAL SECURITY – DISABILITY SUPPORT PENSION – whether Applicant had conditions that were fully diagnosed, treated and stabilised during the relevant period – whether Applicant had 20 impairment points – anxiety condition – terminal dysthyroidism – chronic obstructive airways disease – hypertension – hypercholesterolemia – Applicant has 10 impairment points – decision under review is affirmed

[Looney and Secretary, Department of Social Services](#) (Social services second review) [2018]
AATA 1341 (23 May 2018); Senior Member PE Nolan

SOCIAL SECURITY – DISABILITY SUPPORT PENSION – whether Applicant had conditions that were fully diagnosed, treated and stabilised during the relevant period – whether Applicant had 20 impairment points – spinal condition – mental health condition – drug and alcohol dependence – lower limb condition – Applicant cannot be assigned impairment points – decision under review is affirmed

[Mangini and Secretary, Department of Social Services](#) (Social services second review) [2018]
AATA 1459 (31 May 2018); Member Brigadier AG Warner

SOCIAL SECURITY – Newstart Allowance – whether Applicant paid in excess of correct entitlement – whether debt is recoverable – whether debt should be waived administrative error – special circumstances – whether debt should be written off – special circumstances discretion enlivened – decision under review set aside and substituted – Newstart Allowance debt waived

[Noakes and Secretary, Department of Social Services](#) (Social security) [2018] AATA 1457 (23 May 2018; Senior Member T Tavoularis

Disability Support Pension – portability – overseas travel by Applicant exceeded “allowable absence” – no determination in place for unlimited portability – no formal request for unlimited portability – power of Tribunal to dismiss proceedings – whether proceedings have any reasonable prospects of success – application dismissed pursuant to s 42B of the Administrative Appeals Tribunal Act 1975 (Cth)

[O'Hara and Secretary, Department of Social Services](#) (Social services second review) [2018]
AATA 1350 (24 May 2018); Ms DK Grigg, Member

SOCIAL SECURITY – Newstart Allowance – overpayment – where applicant spent time overseas – where no administrative error – whether special circumstances – decision under review affirmed

[Raschilla and Secretary, Department of Social Services](#) (Social services second review) [2018]
AATA 1352 (23 May 2018); Senior Member W Stefaniak AM RFD

SOCIAL SECURITY – Age Pension – overpayment of age pension due to miscalculation of combined income with partner – when is mail considered to be received – no special circumstances – no basis to write off or waive debt – decision under review affirmed

[Sehra and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1353 (23 May 2018); Deputy President K Bean

SOCIAL SECURITY – Age pension and disability support pension – Where applicants have separated but not divorced – Where applicant relocates to a different state but subsequently moves back into the family home – Whether applicants are members of a couple – Decisions under review set aside and substituted

[Spark and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1456 (31 May 2018); Ms DK Grigg, Member

SOCIAL SECURITY – compensation preclusion payment – calculation of preclusion period – where no special circumstances – decision under review varied

[Traill and Secretary, Department of Health](#) (Social services) [2018] AATA 1355 (18 May 2018); Deputy President J Sosso

HEALTH – aged care – assessment of value of Applicant's assets – carer – carer close friend and god daughter – whether premises occupied by carer for two years prior to the Applicant entering permanent aged care – decision under review set aside

[Williams and Secretary, Department of Social Services](#) (Social services second review) [2018] AATA 1357 (10 May 2018); Member C Edwardes

Social Security – disability support pension – impairment tables – did applicant have 20 impairment points – continuing inability to work rating – participation in program of support - decision under review affirmed

Taxation

[Jonshagen and Commissioner of Taxation](#) (Taxation) [2018] AATA 1338 (23 May 2018); Deputy President S Boyle

INCOME TAX – application for an extension of time to lodge an objection to an amended notice of assessment – general anti-avoidance provisions (Part IVA) – reason for failure to object in time – circumstances attendant upon the delay – Applicant had entered into a settlement deed – the decision under review is affirmed

[TZSX and Commissioner of Taxation](#) (Taxation) [2018] AATA 1348 (24 May 2018); Deputy President S Boyle (pseudonym applied pursuant to order dated 9 July 2018)

INCOME TAX – departure prohibition order – departure authorisation certificate – whether security given is satisfactory for the person's return to Australia – decision under review is affirmed

Trade and Commerce

[WKNH and Australian Securities and Investments Commission](#) [2018] AATA 1325 (22 May 2018); Senior Member E Fice

BUSINESS NAME REGISTRATION – availability of business name for registration – proposed business name of 'Fruit Freaks Eastland' – whether business name unavailable due to being of a kind that is undesirable – whether a real, not remote, chance that business name would be offensive to members of the public or members of a section of the public – decision affirmed

Veterans' Affairs

[MacKenzie and Repatriation Commission](#) (Veterans' entitlements) [2018] AATA 1374 (25 May 2018); Senior Member M J McGrowdie

Veteran deceased – claim for pension by widow - whether disease caused by operational service – clinical onset of disease – malignant neoplasm of the prostate – relevant Statement of Principles – alcohol consumption connecting to death from malignant neoplasm of the prostate – reasonable hypothesis – decision set aside and substituted – applicant entitled to widow's pension

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

CASE NAME	AAT REFERENCE
Haughey and Military Rehabilitation and Compensation Commission	[2018] AATA 969
Oluwafemi and Minister for Home Affairs	[2018] AATA 690
Trades College Australia Pty Ltd and Australian Skills Quality Authority	[2018] AATA 1360
Turanga and Minister for Home Affairs	[2018] AATA 871
YKZZ and Minister for Immigration and Border Protection	[2018] AATA 970

Appeals finalised

CASE NAME	AAT REFERENCE	COURT REFERENCE
None finalised		



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