



Administrative
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AAT
Bulletin

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

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.

The Review

The **AAT Review** is AAT's monthly e-newsletter which will allow you to keep up to date with recent news and help you get to know more about the Tribunal. It also includes short, plain English summaries of a range of the Tribunal's recent decisions.

Subscribe to be sent The Review every month.

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Recent developments

Web-based videoconferencing for Small Business Taxation Division users

At the Administrative Appeals Tribunal (AAT), we strive to make our services accessible. We are pleased to offer our Small Business Taxation Division (SBTD) users the opportunity to participate in a web-based videoconferencing trial until 30 June 2020. SBTD users are currently offered the choice to undertake conciliation in-person or by telephone when they cannot attend in person. The trial will involve selected SBTD users being offered another alternative involving a web-based conciliation.

Skype for Business will be used as the web-conferencing facility and the sessions will be hosted on secure AAT servers to ensure confidentiality. Information will not be stored or recorded by third-party providers. Feedback will be sought from participants, and if suitable, web-based videoconferencing may be considered for use across other areas of our work.

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

[Carney and Waller](#) (Child support) [2019] AATA 4347 (3 September 2019); Y Webb, Member

CHILD SUPPORT – percentage of care – whether there was a change to the likely pattern of care – whether a child support terminating event had occurred – decision under review affirmed

[Mckay and Mooney](#) (Child support) [2019] AATA 4354 (26 August 2019); F Hewson, Member

CHILD SUPPORT – percentage of care – multiple changes to pattern of care – multiple care decisions - existing percentage of care determinations revoked and new determinations made – date of effect – two decisions decision under review affirmed, third decision set aside and substituted

[Richelieu and North](#) (Child support) [2019] AATA 4348 (7 August 2019); S Cullimore, Member

CHILD SUPPORT – percentage of care – no change to the likely pattern of care – decision under review set aside and substituted

[Tennyson and Shea](#) (Child support) [2019] AATA 4352 (19 August 2019); H Schuster, 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 – whether court orders were complied with – whether reasonable action taken – no interim period applied - decision under review set aside and substituted

[Whitley and Cooke](#) (Child support) [2019] AATA 4346 (2 September 2019); P Sperlring, Member

CHILD SUPPORT – percentage of care – whether there was a change to the likely pattern of care – whether a child support terminating event had occurred – neither parent had a pattern of care – decision under review set aside and substituted

Citizenship

[Khanum and Minister for Home Affairs](#) (Citizenship) [2019] AATA 4389 (30 October 2019); Mr S Evans, Member

CITIZENSHIP – eligibility – where application for Australian citizenship by conferral refused – driving offences – negligent driving occasioning grievous bodily harm – whether applicant is of good character – whether applicant has accepted full responsibility for conduct – applicant found not to be of good character at the time of the Minister's decision on the application for citizenship – decision under review affirmed

[Mohammad Bavi and Minister for Home Affairs](#) (Citizenship) [2019] AATA 4390 (30 October 2019); Mr S Evans, Member

CITIZENSHIP – application for Australian citizenship by conferral – citizenship test – whether applicant has permanent or enduring physical or mental incapacity – mental health conditions – capacity to understand English – decision under review affirmed

Compensation

[Fairhall and Comcare](#) (Compensation) [2019] AATA 4364 (28 October 2019); Dr I Alexander, Senior Member

COMPENSATION – workers compensation – household services applicant reasonably requires – number of hours of assistance reasonably required – window cleaning – frequency disputed – amount of compensation payable – decision set aside and substituted

[Harding and Comcare](#) (Compensation) [2019] AATA 4391 (29 October 2019); Dr M Evans, Senior Member

COMPENSATION – Workers' Compensation – Commonwealth employee – whether Comcare liable to pay compensation – s 14 of Safety, Rehabilitation and Compensation Act 1988 (Cth) – right shoulder condition – conflicting expert medical evidence regarding correct diagnosis – preferred medical evidence – whether an “ailment” – whether a “disease” or an “injury (other than a disease)” – injury simpliciter – relationship between Applicant's employment and injury – whether injury sustained moving a desk attachment at work – whether injury arising out of, or in the course of the Applicant's employment – decision set aside and substituted – costs awarded

[O'Callaghan and Comcare](#) (Compensation) [2019] AATA 4378 (29 October 2019); Mr S Webb, Member

WORKERS' COMPENSATION – compensation claim in respect of adjustment disorder ailment – employment contribution to a significant degree – ‘disease’ – exclusionary provision – reasonable administrative action taken in a reasonable manner in respect of the employee's employment – performance counselling – reasonable administrative action taken in respect of the employment – action not taken in a reasonable manner – ‘injury’ for which Comcare is liable – decision set aside and remitted

Migration

[1807401](#) (Migration) [2019] AATA 4144 (7 August 2019); M O'Loughlin, Member

MIGRATION – cancellation – Student (Temporary) (Class TU) visa – Subclass 573 (Higher Education Sector) – ground for cancellation – enrolment – not enrolled in a registered course – consideration of discretion – circumstances giving rise to non-compliance – victim of domestic violence – mother's illness – beyond applicant's control – mental health condition – impact of cancellation on Partner visa application – decision under review set aside

[1920687](#) (Migration) [2019] AATA 4120 (7 August 2019); W Banfield, Member

MIGRATION – refusal – Bridging E (Class WE) visa – Subclass 050 (Bridging (General)) – unlawful Non-Citizen – came to Australia on a bogus passport – extensive non-compliance with Australia’s migration laws – not satisfied that applicant would abide by conditions imposed on a bridging visa if granted to him – decision under review affirmed

[BXTW and Minister for Home Affairs](#) (Migration) [2019] AATA 4446 (1 November 2019); Senior Member Emeritus Professor P A Fairall

MIGRATION – mandatory cancellation of the Applicant’s Class TY Subclass 444 Special Category visa – s 501(3A) – Applicant failed to pass the character test – sentenced to a term of imprisonment for 12 months or more – whether there is another reason why the cancellation should be revoked – application of Direction No. 79 – weighing of primary and other considerations – decision under review set aside – decision substituted to revoke the original cancellation decision

[Cho and Minister for Home Affairs](#) (Migration) [2019] AATA 4422 (30 October 2019); D J Morris, Senior Member

MIGRATION – visa cancelled by operation of law under s 501(3A) of Migration Act 1958 – mandatory visa cancellation of Class BB 155 Resident Return visa – failure to pass character test – whether there is another reason why the mandatory visa cancellation should be revoked – consideration of ministerial Direction No. 79 – primary considerations – protection of Australian community – best interests of minor children – expectations of Australian community – significant drug offence – children exposed to danger – risk to community – other considerations – decision under review is affirmed

[DHKW and Minister for Home Affairs](#) (Migration) [2019] AATA 4393 (25 October 2019); Deputy President S A Forgie

MIGRATION – application for review of a decision refusing protection visa – whether Refugees Convention applies to applicants – whether Article 1F applies – where serious reasons for considering applicants committed serious non-political crime – decision affirmed

MIGRATION – application for review of a decision refusing protection visa – whether Refugees Convention applies to applicants – whether Article 1F applies – whether serious reasons for considering applicants committed serious non-political crime – whether applicant aided or abetted commission of an offence – decision set aside and remitted

[He](#) (Migration) [2019] AATA 4121 (10 June 2019); Dr C Huntly, Member

MIGRATION – cancellation – Student (Temporary) (Class TU) visa – Subclass 500 (Student) – ground for cancellation – incorrect information in previous visa application – Working Holiday (Extension) visa application – defect in s 107 notice – no email matching description in the s 107 notice – decision under review set aside

[HSKC and Minister for Home Affairs](#) (Migration) [2019] AATA 4392 (28 October 2019); Deputy President Boyle

MIGRATION – Migration Act 1958 (Cth) – s36(1C)(b) – particularly serious crime – not a balancing exercise – Direction 75 – danger to the Australian community –

non-refoulement obligations – decision affirmed

[Malla and Minister for Home Affairs](#) (Migration) [2019] AATA 4369 (25 October 2019); T Eteuati, Member

MIGRATION – mandatory cancellation of Applicant's Bridging visa under s 501(3A) – Applicant failed to pass the character test - whether there is another reason why cancellation decision should be revoked - application of Direction No. 79 – decision under review set aside and a decision substituted revoking the original cancellation decision

[Mukiza and Minister for Home Affairs](#) (Migration) [2019] AATA 4445 (1 November 2019); Senior Member M Griffin QC

MIGRATION – mandatory cancellation of the Applicant's Class BS Subclass 801 Spouse visa – s 501(3A) – s 501CA – Applicant failed to pass the character test – sentenced to a term of imprisonment for 12 months or more – whether there is another reasons why the cancellation should be revoked – application of Ministerial Direction No 79 – causal connection between mental illness and offending – schizophrenia – risk to Australian community is at a low level – decision set aside and substituted

[Nah and Migration Agents Registration Authority](#) (Migration) [2019] AATA 4376 (24 October 2019); Senior Member Katter

Cancellation of registration as a migration agent – whether the agent is a person of integrity – whether the agent is a fit and proper person to provide immigration assistance – whether the agent is honest – whether the agent dealt with his or her client competently, diligently and fairly – whether agent took all reasonable steps to maintain the reputation and integrity of the migration advice profession – decision under review affirmed

[Neal and Minister for Home Affairs](#) (Migration) [2019] AATA 4379 (28 October 2019); Senior Member L Kirk

MIGRATION – mandatory visa cancellation – Class BF (transitional) visa – failure to pass the character test – substantial criminal record – whether another reason why cancellation decision should be revoked – Direction No. 79 – primary considerations – protection of the Australian community – best interests of minor children – expectations of the Australian community – other considerations – strength, nature and duration of ties – extent of impediments if removed from Australia – decision under review set aside

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

(Migration) [2019] AATA 4424 (31 October 2019); S Burford, Member

MIGRATION – decision of delegate of Minister not to revoke mandatory cancellation of visa – character test – substantial criminal record – Direction No. 79 – jurisdiction where application filed prior to proper notification – primary and other considerations – protection of the Australian community – expectations of the Australian community – international non-refoulement obligations – strength, nature and duration of ties to Australia – impact on victim – extent of impediments if returned to the Philippines – reviewable decision affirmed

Tuioti and Minister for Home Affairs (Migration) [2019] AATA 4423 (30 October 2019); Senior Member T Tavoularis

MIGRATION – mandatory cancellation of Class TY Subclass 444 (Special Category) Temporary Visa under section 501(3A) – where Delegate of the Minister decided pursuant to subsection 501CA(4) not to revoke mandatory cancellation decision – where Applicant does not pass the character test – whether there is another reason to revoke the cancellation of the Applicant’s visa under subsection 501CA(4)(b)(ii) – application of Direction No 79 – decision under review affirmed

Verma (Migration) [2019] AATA 4142 (9 September 2019); J Cripps Watts, Member

MIGRATION – cancellation – Temporary Business Entry (Class UC) – Subclass 457 (Temporary Work (Skilled)) – ceased employment for over 90 days – terminated from company – fair work claim dismissed – no approved nomination – decision under review affirmed

Wang (Migration) [2019] AATA 4163 (10 September 2019); P Emmerton, Member

MIGRATION – Regional Employer Nomination (Permanent) (Class RN) visa – Subclass 187 (Regional Sponsored Migration Scheme) – Direct Entry stream – Accountant (General) – English language proficiency – ‘3 years immediately before the day on which the application was made’ – calculating periods of time – decision under review remitted

WKMZ and Minister for Home Affairs (Migration) [2019] AATA 4381 (14 October 2019); Member T Eteuati

MIGRATION – mandatory cancellation of Applicant’s visa under s 501(3A) – Applicant failed to pass the character test - whether there is another reason why cancellation decision should be revoked - application of Direction No. 79 – consideration of Australia’s international non-refoulement obligations – decision under review affirmed

Practice and Procedure

Fitt and K & S Freighters Pty Limited (Compensation) [2019] AATA 4374 (8 October 2019); Senior Member Dr S Fenwick

PRACTICE AND PROCEDURE – application for an extension of time to apply for review – whether satisfied that it is reasonable in all the circumstances to do so – whether prejudice arising from delay – extension of time granted.

[Palemala Nadzan and Minister for Home Affairs](#) (Citizenship) [2019] AATA 4365 (28 October 2019); Senior Member C Puplick AM

CITIZENSHIP – Extension of time application – whether there is an acceptable explanation for the delay — whether applicant rested rights – merits of substantial application – prejudice – fairness - extension of time application granted

[Zablotsky and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4367 (25 October 2019); Senior Member C Puplick AM

PRACTICE AND PROCEDURE – Social Security – disability support pension debt – member of a couple – application for reinstatement – application for review withdrawn by applicant – reinstatement application lodged by Secretary, Department of Social Services – whether Secretary is “a party to the proceeding” who may apply to the Tribunal for reinstatement for the purposes of section 42A(8) of the Administrative Appeals Tribunal Act 1975 – Tribunal accepts that Department is a party for the purposes of section 42A(8) – consideration of *Hunter Valley Developments Pty v Cohen* – explanation for delay – whether party has rested on their rights – any prejudice caused – merits of substantial application – consideration of fairness – reinstatement granted

Refugee

[1416486](#) (Refugee) [2016] AATA 4994 (9 May 2016); C Cody, Member

REFUGEE – protection visa – Nepal – particular social group – homosexual – forced marriage – fear of attacks by Maoists – family honour and disapproval – fear of assault – state protection – delay in applying for protection – decision under review affirmed

[1609192](#) (Refugee) [2019] AATA 4209 (14 August 2019); S Baker, Member

REFUGEE – protection visa – India – particular social group – homosexual – disowned by family – real chance of physical harm – forced into marriage – right to enter and reside in Nepal – significant practical impediment – proof of nationality – renewal of passport refused by Indian Embassy – decision under review remitted

[1614039](#) (Refugee) [2019] AATA 3960 (12 June 2019); A Grant, Member

REFUGEE – protection visa – India – race – religion – Sikh – inter-faith marriage – Muslim wife – honour killings – fears harm from Hindu nationalists and conservative Sikhs – vague, speculative threats – no well-founded fear of persecution – decision under review affirmed

[1614426](#) (Refugee) [2019] AATA 4192 (17 September 2019); P Millar, Member

REFUGEE – protection visa – Bangladesh – particular social group – homosexual – credibility concerns – accounts of various relationships in Bangladesh and Australia – fabricated claims – delay in applying for protection – decision under review affirmed

[1615776](#) (Refugee) [2019] AATA 4380 (7 August 2019); N Lamont, Member

REFUGEE – protection visa – India – particular social group – single/divorced women – single mothers in India – women who have breached religious and social and cultural norms by separating from their husbands – female children of separated/divorced parents – female without male protection – gender-based violence – physical, sexual and psychological abuse of women in the private sphere – ineffective state protection – Protection of Women from Domestic Violence Act 2005 (PWDVA) – internal relocation – need to provide husband’s details to access services – difficulty finding accommodation – decision under review remitted

Social Services

Correction – Please note the following two decisions appeared in last week’s bulletin, No.43 – 28 October 2019, with incorrect references to the deciding members. The correct version is set out below for your convenience.

[Markus and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4308 (23 October 2019); Brigadier A G Warner, Member

SOCIAL SECURITY – disability support pension – whether Applicant’s impairments were fully diagnosed, treated and stabilised – whether Applicant’s impairments attract 20 points under Impairment Tables – Applicant’s impairments do not attract 20 points or more under the Impairment Tables – decision under review affirmed

[Sidebottom and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4254 (3 October 2019); Senior Member J C Kelly

SOCIAL SECURITY – cancellation of age pension and refusal of new claim for age pension – Applicant exceeded income limit for age pension – proceeds of sale of principal residence deposited in bank account – deeming provisions apply to calculation of income received from deposit – Applicant not receiving age pension immediately before period of absence from Australia – indefinite portability not applicable – no change in circumstances since cancellation – reviewable decision affirmed

[Al-Shuraifi; Secretary, Department of Social Services and](#) (Social services second review) [2019] AATA 4377 (29 October 2019); D Mitchell, Member

SOCIAL SECURITY – Disability Support Pension – DSP – whether medical conditions fully diagnosed, fully treated and fully stabilised – vision impairment condition - whether 20 points or more under the Impairment Tables during the Relevant Period – continuing inability to work – decision under review set aside and substituted

[Barrington and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4375 (29 October 2019); Ms A Burke AO, Member

SOCIAL SECURITY – application for disability support pension – whether qualified – Meniere’s disease, hearing loss, obesity, mental health condition - whether impairment attracts rating of 20 points or more under Impairment Tables – whether program of support had been undertaken – decision under review affirmed

[Cox and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4396 (30 October 2019); W Frost, Member

SOCIAL SECURITY – Disability Support Pension – multiple medical conditions – fibromyalgia – sleep apnoea – heart condition – dilated cardiomyopathy – epilepsy – upper limb condition – shoulder impingement – irritable bowel syndrome – incontinence – whether the Applicant’s conditions are fully diagnosed, treated and stabilised – decision under review affirmed

[McLarty and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4426 (1 November 2019); K Parker, Member

SOCIAL SECURITY – claim for disability support pension – numerous physical and mental health conditions – whether fully diagnosed, treated and stabilised – reasonable treatment – some, but not all, conditions found to be permanent – permanent conditions did not give rise to an impairment rating of more than 20 points under one or more Impairment Tables – decision affirmed

[Noy and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4420 (30 April 2019); Senior Member The Hon. Matthew Groom

SOCIAL SECURITY – Member of a couple – has a child – no sexual relationship – no shared bed – separate laundry – separate meals – shared finances – joint mortgage – decision affirmed

PRACTICE AND PROCEDURE – request for written reasons – four months out of time – Federal Court of Australia appeal – written reasons granted

[Prestt and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4425 (31 October 2019); K Parker, Member

SOCIAL SECURITY – claim for disability support pension – numerous physical and mental health conditions – whether fully diagnosed, treated and stabilised – reasonable treatment - reference to clinical treatment guidelines – some, but not all, conditions found to be permanent - conditions did not give rise to an impairment rating of more than 20 points under one or more Impairment Tables – decision affirmed

[TSMB and Secretary, Department of Social Services](#) (Social services second review) [2019] AATA 4366 (25 October 2019); Senior Member C Puplick AM

SOCIAL SECURITY – carer payment – rate of payment– whether applicant was a member of a couple – financial aspects of relationship – nature of household – social aspects of relationship – sexual relationship – nature of commitment to each other – decision set aside and remitted

Veterans' Affairs

[Dietman and Repatriation Commission](#) (Veterans' entitlements) [2019] AATA 4428 (31 October 2019); Deputy President J Sosso

VETERANS' AFFAIRS – whether veteran should be paid a service pension at the single rate – whether veteran is a member of a couple – financial aspects of the relationship – the nature of the household – social aspects of the relationship – sexual relations between the people – the nature of people’s commitment to each other – veteran not living together in a de facto relationship – decision to reduce service pension set aside

[VNJI and Repatriation Commission](#) (Veterans' entitlements) [2019] AATA 4394 (6 September 2019); Senior Member Katter

VETERANS' AFFAIRS – claim for defence-caused conditions – claim for an increase in disability pension – application for special rate – decision affirmed

[Weeks and Repatriation Commission](#) (Veterans' entitlements) [2019] AATA 4421 (31 October 2019); Deputy President J Sosso

VETERANS' AFFAIRS' – military compensation – Veterans' Entitlements Act – application for an increase in the rate of pension – disability pension – special rate of pension – war-caused injury or war-caused disease – claim for post-traumatic stress disorder – Flentjar methodology – alone test – suffering a loss of salary, wages or earnings – decision under review affirmed

Appeals

This section of the Bulletin provides information about appeals that have been lodged or finalised against decisions in the AAT's General, Freedom of Information, National Disability Insurance Scheme, Security, 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
Abichandani and Commissioner of Taxation	[2019] AATA 4296
Brighton Pacific Pty Ltd and Australian Skills Quality Authority	[2019] AATA 3645
NLJV and Minister for Home Affairs	[2019] AATA 3646
Trang and Minister for Home Affairs	[2019] AATA 4087

Appeals finalised

CASE NAME	AAT REFERENCE	COURT REFERENCE
VCBP v Minister for Home Affairs	[2019] AATA 337	[2019] FCA 1738

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 24 October 2019, the AAT was advised that the RMA intends to carry out [investigations](#) under subsection 196B(7) of the VEA in respect of the following:

an immunosuppressive drug (as a factor in malignant neoplasm of the eye)

<https://www.legislation.gov.au/Details/C2019G00965>

insecticides (as a factor in acute myeloid leukaemia)

<https://www.legislation.gov.au/Details/C2019G00967>

insecticides (as a factor in malignant neoplasm of the lung)

<https://www.legislation.gov.au/Details/C2019G00966>

various conditions (prosiasis, tinnitus, otitic barotrauma, carotid arterial disease, malignant neoplasm of the cervix, endometriosis, porphyria cutanea tarda, pes planus, physical injury due to munitions discharge, aplastic anaemia, mesangial IgA glomerulonephritis, deep vein thrombosis, pulmonary thromboembolism, otitis externa, asthma)

<https://www.legislation.gov.au/Details/C2019G00968>

New Statements of Principles

The AAT has been advised that the RMA has made the following new Statements of Principles. These take effect from 18 November 2019:

Acoustic neuroma (Balance of Probabilities) – No. 97 of 2019

<https://www.legislation.gov.au/Series/F2019L01362>

Acoustic neuroma (Reasonable Hypothesis) – No. 96 of 2019

<https://www.legislation.gov.au/Series/F2019L01363>

Malignant neoplasm of the renal pelvis and ureter (Balance of Probabilities) – No. 93 of 2019

<https://www.legislation.gov.au/Series/F2019L01339>

Malignant neoplasm of the renal pelvis and ureter (Reasonable Hypothesis) – No. 92 of 2019

<https://www.legislation.gov.au/Series/F2019L01338>

Microscopic polyangiitis (Balance of Probabilities) – No. 91 of 2019

<https://www.legislation.gov.au/Series/F2019L01358>

Microscopic polyangiitis (Reasonable Hypothesis) – No. 90 of 2019

<https://www.legislation.gov.au/Series/F2019L01353>

Ross River virus infection (Balance of Probabilities) – No. 95 of 2019

<https://www.legislation.gov.au/Series/F2019L01354>

Ross River virus infection (Reasonable Hypothesis) – No. 94 of 2019

<https://www.legislation.gov.au/Series/F2019L01355>

Sensorineural hearing loss (Balance of Probabilities) – No. 99 of 2019

<https://www.legislation.gov.au/Series/F2019L01361>

Sensorineural hearing loss (Reasonable Hypothesis) – No. 98 of 2019

<https://www.legislation.gov.au/Series/F2019L01360>

Subdural haematoma (Balance of Probabilities) – No. 101 of 2019

<https://www.legislation.gov.au/Series/F2019L01348>

Subdural haematoma (Reasonable Hypothesis) – No. 100 of 2019

<https://www.legislation.gov.au/Series/F2019L01347>

Amended Statements of Principles

The AAT has been advised that the RMA has made the following instruments amending the Statements of Principles for the specified conditions. These take effect from 18 November 2019.

Cervical spondylosis – No. 102 of 2019

<https://www.legislation.gov.au/Details/F2019L01359>

Ross River virus infection – No. 103 of 2019

<https://www.legislation.gov.au/Details/F2019L01370>

Statements of Principles to be revoked

The AAT has been advised that the following Statements of Principles determined by the RMA will be revoked on 18 November 2019:

Acoustic neuroma – No. 30 of 2011

<https://www.legislation.gov.au/Series/F2011L00736>

Acoustic neuroma – No. 29 of 2011

<https://www.legislation.gov.au/Series/F2011L00735>

Malignant neoplasm of the renal pelvis and ureter – No. 99 of 2011

<https://www.legislation.gov.au/Series/F2011L01734>

Malignant neoplasm of the renal pelvis and ureter – No. 98 of 2011

<https://www.legislation.gov.au/Series/F2011L01733>

Microscopic polyangiitis – No. 14 of 2011

<https://www.legislation.gov.au/Series/F2010L03262>

Microscopic polyangiitis – No. 13 of 2011

<https://www.legislation.gov.au/Series/F2010L03260>

Ross River virus infection – No. 91 of 2010

<https://www.legislation.gov.au/Series/F2010L02847>

Ross River virus infection – No. 90 of 2010

<https://www.legislation.gov.au/Series/F2010L02846>

Sensorineural hearing loss – No. 6 of 2011

<https://www.legislation.gov.au/Series/F2010L03254>

Sensorineural hearing loss – No. 5 of 2011

<https://www.legislation.gov.au/Series/F2010L03252>

Subdural haematoma – No. 34 of 2011

<https://www.legislation.gov.au/Series/F2011L00786>

Subdural haematoma – No. 33 of 2011

<https://www.legislation.gov.au/Series/F2011L00784>



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