



Giving Documents or Things to the AAT

This Direction is given under section 18B of the *Administrative Appeals Tribunal Act 1975* (AAT Act).

1. About this Direction

- 1.1 This Direction specifies ways in which a document or thing may be lodged with, or given to, the Administrative Appeals Tribunal (AAT).
- 1.2 This Direction has effect on and from 7 December 2020.
- 1.3 The Practice Direction *Giving Documents or Things to the AAT* given on 2 April 2020 is revoked.

2. Migration and Refugee Division

- 2.1 Part 2 of this Direction specifies, for the purposes of subsections 379F(b) and 441F(b) of the *Migration Act 1958* (Migration Act) and subregulations 4.11(1) and 4.31AA(1) of the *Migration Regulations 1994* (Migration Regulations), how a document or thing may be given to the AAT in relation to the review of a decision that must be reviewed in the Migration and Refugee Division.

Giving applications for review

- 2.2 Regulations 4.11 and 4.31AA of the Migration Regulations provide that an application for review must be given to the AAT by:
 - leaving it with an officer of the AAT at a registry of the AAT, or with a person specified in a direction under section 18B of the AAT Act; or
 - sending it by pre-paid post to a registry of the AAT; or
 - faxing it to a fax number or transmitting it to a registry of the AAT by other electronic means specified in a direction under section 18B of the AAT Act.
- 2.3 For the purposes of paragraphs 4.11(1)(a) and 4.31AA(1)(a) of the Migration Regulations, an application for review may be given to the AAT by leaving it with any person who is performing duties for the AAT at a registry of the AAT.

- 2.4 For the purposes of paragraphs 4.11(1)(d) and 4.31AA(1)(d) of the Migration Regulations, an application for review may be given to the AAT by faxing it to (02) 9276 5599, (03) 8600 5801, (03) 9454 6999, (07) 3361 3069, (07) 3052 3069, (08) 8128 8099 or (08) 6222 7299.
- 2.5 For the purposes of paragraphs 4.11(1)(e) and 4.31AA(1)(e) of the Migration Regulations, an application for review may be given to the AAT by transmitting it electronically to the AAT by:
- (a) emailing it to mrdivision@aat.gov.au or registry@mrt-rrt.gov.au; or
 - (b) submitting it using an AAT online system accessible via the AAT website (<http://www.aat.gov.au>) or at <https://www.tribunalonline.mrt-rrt.gov.au>.

Giving other documents or things

- 2.6 Sections 379F and 441F of the Migration Act provide that any other kind of document or thing must be given to the AAT by:
- giving it to an officer of the AAT; or
 - a method set out in a direction under section 18B of the AAT Act.
- 2.7 For the purposes of subsections 379F(b) and 441F(b) of the Migration Act, a document or thing, other than an application for review, may be given to the AAT by:
- (a) leaving it with any person who is performing duties for the AAT at a registry of the AAT;
 - (b) giving it to a member of the AAT in the course of a hearing of the review;
 - (c) sending it by pre-paid post to a registry of the AAT;
 - (d) faxing it to (02) 9276 5599, (03) 8600 5801, (03) 9454 6999, (07) 3361 3069, (07) 3052 3069, (08) 8128 8099 or (08) 6222 7299;
 - (e) emailing it to mrdivision@aat.gov.au or registry@mrt-rrt.gov.au;
 - (f) submitting it using an AAT online system accessible via the AAT website (<http://www.aat.gov.au>) or at <https://www.tribunalonline.mrt-rrt.gov.au>;
- Note:** To give us a document or thing in relation to an application using <https://www.tribunalonline.mrt-rrt.gov.au> you must have been a registered user at the time you lodged the application using this online system.
- (g) if the document or thing is given by or on behalf of the Secretary of the Department of Home Affairs – submitting it by another electronic means approved by the AAT.

3. Giving documents or things to the AAT – other Divisions

- 3.1 Part 3 of this Direction specifies, for the purposes of paragraph 68(1)(a) of the AAT Act, how a document or thing is to be lodged with, or given to, the AAT other than in relation to the review of a decision that must be reviewed in the Migration and Refugee Division.

Giving documents or things (including applications for review)

- 3.2 A document or thing (including an application for review or any other application) may be lodged with, or given to, the AAT by:
- (a) delivering it to a registry of the AAT;
 - (b) sending it by pre-paid post or reply-paid post to a registry of the AAT;
 - (c) faxing it to a registry of the AAT; or
 - (d) emailing it to a registry of the AAT.

Note 1: Contact details for the registries of the AAT and guidelines you should follow when sending an email to the AAT can be found on the AAT website (<http://www.aat.gov.au>).

Note 2: An application for review of a decision reviewable in the Social Services and Child Support Division (other than an application for AAT first review of an AAT reviewable employer decision within the meaning of the *Paid Parental Leave Act 2010*) may also be made by making an oral application in person at, or by telephone to, a registry of the AAT: subparagraph 29(1)(a)(ii) of the AAT Act.

- 3.3 An application for review or any other application (except for AAT first review of an AAT reviewable employer decision within the meaning of the *Paid Parental Leave Act 2010*) may also be given to the AAT by submitting it electronically using an AAT online system accessible via the AAT website (<http://www.aat.gov.au>).
- 3.4 If an application has already been lodged with the AAT, a document that relates to the application may also be lodged with, or given to, the AAT by:
- (a) submitting it using an AAT online system accessible via the AAT website (<http://www.aat.gov.au>); or
 - (b) if the document or thing is lodged or given by or on behalf of the person who made the decision – submitting it by another electronic means approved by the AAT.

Justice D G Thomas
President

4 December 2020