



Administrative
Appeals Tribunal

2021 National mooting competition

Information package

Introduction

The Administrative Appeals Tribunal (“AAT or Tribunal”) National mooting competition (the moot) is now in its 17th year. All law students enrolled in Australian universities are invited to register in the competition. Teams must include 2 team members who act as Senior Counsel and Junior Counsel and may also include a third team member who can provide assistance but will not be permitted to speak during the moot.

The moots involve fact scenarios drawn from a variety of administrative law areas across the following jurisdictions: Freedom of Information, General, National Disability Insurance Scheme, Small Business Taxation, Taxation & Commercial, and Veterans’ Appeals divisions of the AAT .

Overview of the AAT

The AAT is an independent body that reviews administrative decisions made by Australian Government ministers, departments and agencies. The Tribunal conducts merits review which involves considering afresh the facts, law and policy relating to the decision under review. The Tribunal determines what it considers to be the correct or preferable decision on the material before it and may affirm, vary or set aside the decision under review.

The AAT does not have any inherent review powers. The entirety of the Tribunal’s jurisdiction is conferred by Acts and legislative instruments. There are over 400 pieces of legislation that confer jurisdiction on the Tribunal.

You can access the *Administrative Appeals Tribunal Act 1975*, the primary Act that governs how the Tribunal operates, and a list of legislation that confers jurisdiction on the Tribunal on our website at [Legislation and jurisdiction | Administrative Appeals Tribunal](#).

We recommend that you [observe a Tribunal hearing](#) before the competition starts so that you can better understand the role of advocates in the merits review setting. Daily press lists indicating the hearings taking place on any day are published online at [Daily listings | Administrative Appeals Tribunal](#) . You should try and attend one of the hearings on the daily listings under the ‘Other divisions’ heading and listed as ‘Hearing’ or ‘Resumed hearing’.

However, please note while COVID-19 impacts the AAT’s services, many hearings are being conducted by telephone or video, primarily using Microsoft Teams. This helps limit the number of people visiting our registries.

It also means that before attending the hearing you will need to contact the relevant registry by email before 8:00 am on the day of the hearing you would like to attend and tell them your name, contact telephone number, the file number of the case you want to attend, and whether you want to join by telephone or video.

You should avoid asking to attend a hearing where a party is identified by a pseudonym (e.g. ‘BCDF’) as these hearings, as well as some others, are generally held in private. You will not be able to observe these hearings.

Conduct of the moot

The moots are abridged versions of Tribunal hearings. Your team will be provided with a fact scenario one week before the moot. You can assume that evidence has already been given in relation to the facts set out in the scenario.

Written Submissions

Written submissions are due by midday on the Friday before your moot is scheduled.

Written submissions should outline your team's main arguments and cite the law upon which they rely. It is not necessary to include an outline of the facts. For guidance on how to write a submission read the following article:

A H Baida, 'Writing a Better Brief: The Civil Appeals Style Manual of the Office of the Maryland Attorney General', 3 J App Prac & Process 685 (2001)

For additional requirements in relation to written submissions, please see Rule 6.3 of the [2021 competition rules](#).

The moot

The moot will last approximately 1.5 to 2 hours. It will be conducted:

- by video, or
- in person at one of the AAT's registries.

The hearing attendant will open the hearing room or virtual hearing room approximately 15 minutes before the moot is due to start. The hearing attendant will assist team members and spectators to be admitted to the room, introduce the Tribunal and act as a timekeeper. If your team has any procedural questions, speak with the hearing attendant before the moot starts.

The moots will be adjudicated by AAT members. The Member will be introduced at the start of each moot by the hearing attendant.

The moot involves each team presenting closing submissions:

1. 30 minutes for the 'applicant' team
2. 40 minutes for the 'respondent' team
3. 10 minutes for the 'applicant' team to present submissions in reply.

'Applicant' team's closing submissions

Senior Counsel and Junior Counsel will each have 15 minutes.

The hearing attendant will sound one bell after 10 minutes of each speaker's submissions, 2 bells at 14 minutes and will ring the bell continuously after 15 minutes.

'Respondent' team's closing submissions

Senior Counsel and Junior Counsel will each have 20 minutes.

The hearing attendant will sound one bell after 15 minutes of each speaker's submissions, 2 bells at 19 minutes and will ring the bell continuously after 20 minutes.

'Applicant' team's submissions in reply

Senior Counsel has 10 minutes.

The hearing attendant will sound one bell after 7 minutes, 2 bells at 9 minutes and will ring the bell continuously after 10 minutes.

Structure of the competition

The competition consists of 5 rounds.

All teams participate in the first 2 rounds. These preliminary rounds will be conducted by video. The Tribunal will be constituted by one member.

Following the outcome of the preliminary rounds, 8 teams will enter the national finals:

- Eight teams will compete in the quarter-finals
- Four teams will compete in the semi-finals
- Two teams will compete in the grand final.

For the quarter-finals and semi-finals, the Tribunal will be constituted by one or 2 Tribunal members. The grand final will be adjudicated by the President of the AAT and either 2 other Tribunal members, or one other Tribunal member and a guest adjudicator.

The draft timetable for the competition is set out on the next page.

If you reach the grand final and it is to be held in person, we will provide you and your team with a travel and accommodation allowance where necessary.

If you're on the winning team or the runner-up team will be awarded prizes. The name of the winning team's university will also be inscribed on the AAT National mooting competition shield located at our Brisbane offices.

If you have any questions, contact us at moot@aat.gov.au.

Please refer to the [2021 competition rules](#) for further information about the competition.



2021 Competition timetable – dates subject to change

Registrations open	24 May 2021
Registrations close	25 June 2021
Information session for competitors	1 July 2021 at 2:00 pm

Preliminary round 1 draw and documents released	16 July 2021
Preliminary round 1 – submissions due	23 July 2021
Preliminary round 1	27 – 29 July 2021
Preliminary round 2 draw and documents released	30 July 2021
Preliminary round 2 – submissions due	13 August 2021
Preliminary Round 2	16 – 19 August 2021
Quarter – finals draw and documents released	20 August 2021
Quarter – finals – submissions due	3 September 2021
Quarter – finals	7 – 9 September 2021
Semi – finals draw and documents released	10 September 2021
Semi – finals – submissions due	24 September 2021
Semi – finals	28 – 29 September 2021
Grand final draw and documents released	1 October 2021
Grand final – submissions due	15 October 2021
Grand final	TBA – either 20 or 27 October 2021