

Appendix // 04

Applications, outcomes, listings and appeals statistics

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Table A4.1 Applications lodged and applications finalised, 2014–15

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
APPLICATIONS FOR REVIEW OF DECISIONS – MAJOR JURISDICTIONS				
NATIONAL DISABILITY INSURANCE SCHEME				
Eligibility to access scheme	8		10	
Review of supports in participant plan	10		8	
Subtotal	18	< 1	18	< 1
SOCIAL SECURITY				
Age pension/Pension bonus scheme	176		146	
Austudy payment	12		11	
Carer allowance and carer payment	74		61	
Compensation preclusion period	64		68	
Disability support pension	1,253		1,108	
Family tax benefit	94		62	
Newstart allowance	104		100	
Overpayments and debt recovery	440		454	
Parenting payment	18		27	
Rent assistance	12		11	
Special benefit	11		11	
Youth allowance	18		17	
Other	44		53	
Subtotal	2,320	35	2,129	32
VETERANS' AFFAIRS				
<i>Military Rehabilitation and Compensation Act 2004</i>	72		61	
<i>Veterans' Entitlements Act 1986</i>				
Disability pension	229		225	
Service pension/Income support supplement/ Pension bonus	38		30	
Widows pension	44		57	
Other	8		6	
Subtotal	391	6	379	6

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
WORKERS' COMPENSATION				
<i>Safety, Rehabilitation and Compensation Act 1988, by decision-maker</i>				
Asciano Services	7		15	
Australian Air Express Pty Limited	11		7	
Australian Postal Corporation	294		302	
BIS Industries Limited	12		7	
Comcare	569		485	
Commonwealth Bank of Australia and related companies	27		27	
John Holland Group Pty Limited and related companies	21		16	
K & S Freighters Pty Limited	26		33	
Linfox Armaguard Pty Limited/Linfox Australia Pty Limited	94		88	
Military Rehabilitation and Compensation Commission	105		113	
National Australia Bank Limited/National Wealth Management Services Limited	28		32	
Optus Administration Pty Limited	9		12	
Prosegur Australia Pty Limited	19		7	
Telstra Corporation Limited	81		97	
TNT Australia Pty Limited	38		23	
Transpacific Industries Pty Limited	49		34	
Other decision-makers	25		31	
<i>Seafarers Rehabilitation and Compensation Act 1992</i>	83		89	
Subtotal	1,498	23	1,418	21
TAXATION				
Taxation Appeals Division				
Excess contributions tax	8		15	
Fringe benefits tax	13		13	
Goods and services tax	97		112	
Income tax (other than tax schemes)	727		1,153	
Income tax (tax schemes)	1		1	
Private rulings	8		31	
Superannuation guarantee charge	12		32	

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
Taxation administration	5		8	
Other	25		20	
<i>Subtotal</i>	896	14	1,385	21
Small Taxation Claims Tribunal				
Goods and services tax	2		4	
Income tax	62		80	
Refusal of extension of time to lodge objection	23		21	
Release from taxation liabilities	67		71	
Superannuation contributions surcharge	0		16	
Other	5		5	
<i>Subtotal</i>	159	2	197	3
<i>Subtotal</i>	1,055	16	1,582	23
<i>SUBTOTAL FOR MAJOR JURISDICTIONS</i>	5,282	81	5,526	82
APPLICATIONS FOR REVIEW OF DECISIONS – BY PORTFOLIO				
AGRICULTURE				
Agricultural and veterinary chemicals	3		8	
Fisheries	1		0	
Research participation certificates for Conservation Tillage Refundable Tax Offset	2		2	
<i>Subtotal</i>	6	< 1	10	< 1
ATTORNEY-GENERAL'S				
Anti-money laundering and counter-terrorism financing	1		1	
Background checking	4		3	
Bankruptcy	26		25	
Human rights	1		1	
Marriage celebrants	24		22	
Personal property securities	6		1	
Privacy	4		0	
Tax offset for films	1		1	
Waiver of fees in courts	1		1	
<i>Subtotal</i>	68	1	55	< 1

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
COMMUNICATIONS				
Communications and media	1		1	
Subtotal	1	< 1	1	< 1
DEFENCE				
Defence Force retirement and death benefits	3		6	
Other	2		2	
Subtotal	5	< 1	8	< 1
EDUCATION AND TRAINING				
Education services for overseas students	9		12	
Higher Education Loan Program	48		46	
Mutual recognition of occupations	10		10	
National vocational education and training regulation	36		32	
Tertiary education quality and standards	8		7	
Trade support loans	1		1	
Subtotal	112	2	108	2
EMPLOYMENT				
Fair entitlements guarantee	29		17	
Subtotal	29	< 1	17	< 1
ENVIRONMENT				
Clean energy regulation	1		3	
Environment protection and biodiversity	2		2	
Great Barrier Reef Marine Park	2		2	
Hazardous waste	2		0	
Ozone protection and synthetic greenhouse gas management	1		1	
Sydney Harbour Federation Trust	1		1	
Subtotal	9	< 1	9	< 1
FINANCE				
Electoral matters	2		3	
Subtotal	2	< 1	3	< 1

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
FOREIGN AFFAIRS AND TRADE				
Export market development grants	2		5	
Passports	20		18	
Subtotal	22	< 1	23	< 1
HEALTH				
Industrial chemicals	1		2	
Medicare	1		2	
Pharmacists	12		13	
Sports anti-doping	0		3	
Therapeutic goods	7		9	
Subtotal	21	< 1	29	< 1
IMMIGRATION AND BORDER PROTECTION				
Citizenship	324		290	
Customs	31		31	
Migration agent registration	10		4	
Protection visa cancellation or refusal	3		6	
Visa cancellation or refusal on character grounds	6		5	
Subtotal	374	6	336	5
INDUSTRY AND SCIENCE				
Automotive industry	0		1	
Industry research and development	14		4	
Patents, designs and trade marks	3		2	
Subtotal	17	< 1	7	< 1
INFRASTRUCTURE AND REGIONAL DEVELOPMENT				
Airports	1		2	
Aviation and maritime transport security	1		2	
Civil aviation	28		47	
Coastal trading	0		1	
Maritime safety	4		3	
Motor vehicle standards	12		10	
National land decisions	0		1	
Subtotal	46	1	66	< 1

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
SOCIAL SERVICES				
Aged care	26		38	
Child care services	5		3	
Child support – percentage of care review	35		27	
Child support – review of SSAT refusal to extend time	10		9	
Child support – other	12		16	
Disability services	0		1	
Paid parental leave	16		14	
Subtotal	104	2	108	2
TREASURY				
Auditors and liquidators registration	2		2	
Business names registration	23		18	
Charities and not-for-profit entities	1		1	
Consumer credit	3		1	
Corporations and financial services	32		20	
Insurance and superannuation	3		4	
Tax agent registration	24		17	
Subtotal	88	1	63	< 1
SUBTOTAL FOR PORTFOLIOS	904	14	843	12
APPLICATIONS FOR REVIEW OF DECISIONS – OTHER				
SECURITY APPEALS				
ASIO security assessments	11		8	
Decisions of National Archives of Australia relating to ASIO records	0		1	
Subtotal	11	< 1	9	< 1
WHOLE OF GOVERNMENT				
<i>Archives Act 1983</i>	25		15	
<i>Freedom of Information Act 1982</i>	64		53	
Subtotal	89	1	68	1

Table A4.1 Applications lodged and applications finalised, 2014–15 (continued)

	APPLICATIONS LODGED		APPLICATIONS FINALISED	
	NO	%	NO	%
JURISDICTION AND TRIBUNAL DECISIONS				
Decisions not subject to review by the Tribunal	155		162	
Review of decisions relating to fees	1		1	
Subtotal	156	2	163	2
SUBTOTAL FOR OTHER	256	4	240	4
APPLICATIONS – OTHER, ADMINISTRATIVE APPEALS TRIBUNAL ACT				
Applications for extension of time to lodge an application for review of a decision	138		139	
Applications under the AAT Act relating to a finalised case	1		0	
Subtotal	139	2	139	
APPLICATIONS – NORFOLK ISLAND				
	0		0	
Subtotal	0	0	0	
TOTAL^a	6,581	100	6,748	100

^a Percentages do not total 100% due to rounding.

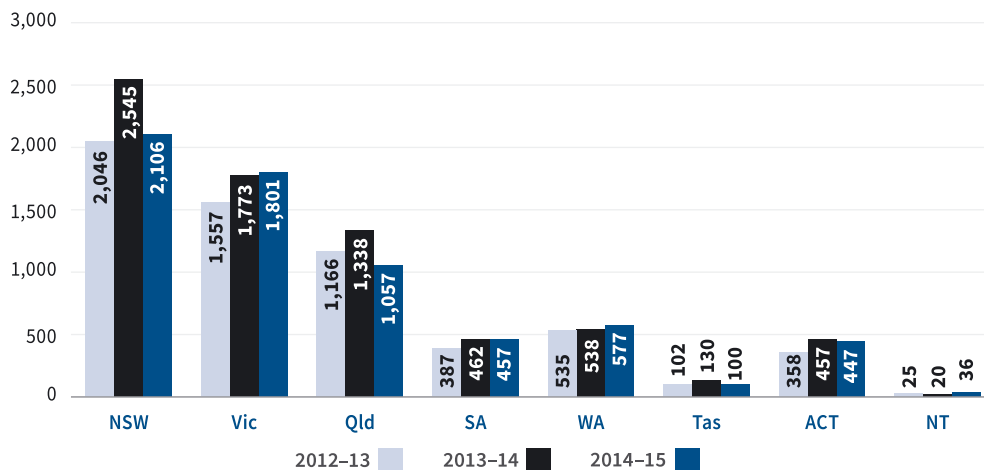
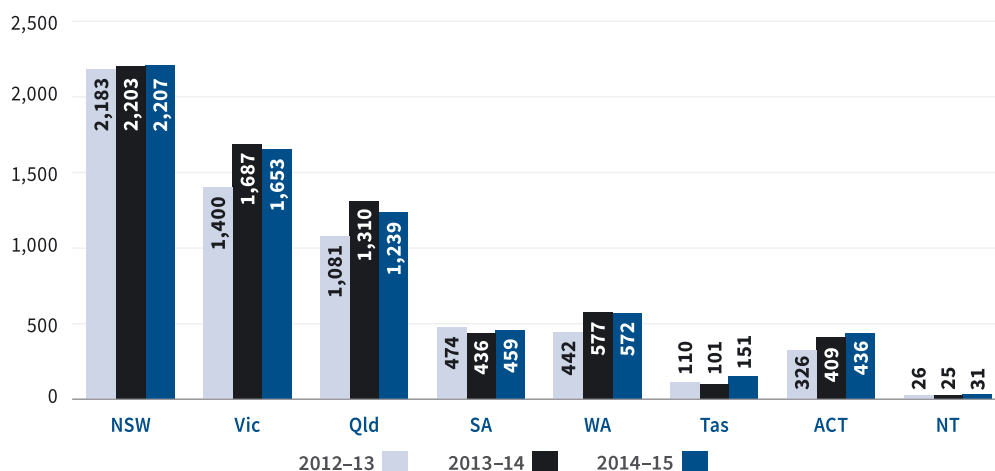
Chart A4.2 Applications lodged – By state and territory

Chart A4.3 Applications finalised – By state and territory**Table A4.4 Percentage of applications finalised without a hearing^a**

JURISDICTION	2012-13 %	2013-14 %	2014-15 %
All	79	82	80
Social security	76	77	77
Veterans' affairs	71	72	67
Workers' compensation	87	86	86
Taxation			
Taxation Appeals Division	85	87	82
Small Taxation Claims Tribunal	63 ^b	86	83

^a Applications finalised by the AAT without it completing the review and giving a decision on the merits under section 43 of the *Administration Appeals Tribunal Act 1975*. Includes applications finalised in accordance with terms of agreement lodged by the parties (sections 34D and 42C), applications withdrawn by the applicant (section 42A(1A)) and applications dismissed by the Tribunal (sections 42A and 42B).

^b The figure for the percentage of applications finalised without a hearing in the STCT in 2012-13 differs from the figure that appeared in the 2012-13 and 2013-14 annual reports as a result of a clerical error.

Table A4.5 Outcomes of applications for review of a decision finalised in 2014–15

	ALL APPLICATIONS			SOCIAL SECURITY			VETERANS' AFFAIRS			WORKERS' COMPENSATION			TAXATION APPEALS DIVISION			TAXATION SMALL TAXATION CLAIMS TRIBUNAL		
	NO	%		NO	%		NO	%		NO	%		NO	%		NO	%	
BY CONSENT OR WITHDRAWN																		
Decision affirmed ^a	458	7	10	<1	<1	2	<1	432	30	8	<1	1	<1					
Decision varied ^a	492	7	26	1	34	9	64	5	324	23	39	20						
Decision set aside ^a	1,165	18	273	13	79	21	324	23	299	22	37	19						
Dismissed by consent ^b	90	1	30	1	3	1	7	<1	36	3	3	2						
Dismissed by operation of law ^c	282	4	282	13	0	0	0	0	0	0	0	0						
Withdrawn by applicant	2,015	30	734	34	126	33	344	24	384	28	65	33						
Subtotal	4,502	68	1,355	64	244	64	1,171	83	1,051	76	145	74						
BY DECISION																		
Decision affirmed ^d	1,017	15	420	20	74	20	138	10	189	14	29	15						
Decision varied ^d	51	<1	9	<1	8	2	9	<1	18	1	0	0						
Decision set aside ^d	274	4	54	3	43	11	58	4	46	3	4	2						
Subtotal	1,342	20	483	23	125	33	205	14	253	18	33	17						

Table A4.5 Outcomes of applications for review of a decision finalised in 2014–15 (continued)

OTHER	ALL APPLICATIONS				SOCIAL SECURITY				VETERANS' AFFAIRS				WORKERS' COMPENSATION				TAXATION				SMALL TAXATION CLAIMS TRIBUNAL			
	NO		%		NO		%		NO		%		NO		%		NO		%		NO		%	
Dismissed by Tribunal ^e	228	3	117	5	5	1	20	1	39	3	5	3	5	3										
No jurisdiction ^f	271	4	42	2	4	1	18	1	19	1	6	3												
Extension of time refused	147	2	116	5	0	0	4	<1	3	<1	1	<1												
No application fee paid	84	1	0	0	0	0	0	0	17	1	0	0												
Other ^g	35	<1	16	<1	1	<1	0	0	3	<1	7	4												
Subtotal	765	12	291	14	10	3	42	3	81	6	19	10												
TOTAL^h	6,609	100	2,129	100	379	100	1,418	100	1,385	100	197	100												

^a Applications finalised by the AAT in accordance with terms of agreement reached by the parties either in the course of an alternative dispute resolution process (section 34D of the *Administrative Appeals Tribunal Act 1975*) or at any stage of review proceedings (section 42C).

^b Applications dismissed by consent under section 42A(1).

^c If an application in the family assistance and social security area relates to the recovery of a debt, the parties may agree in writing to settle the proceedings. On receipt of the agreement, the application is taken to have been dismissed.

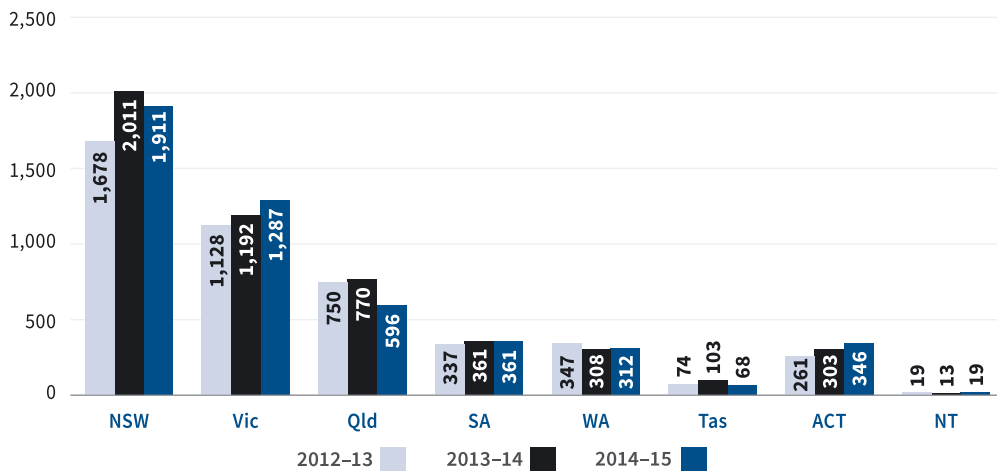
^d Applications finalised by a decision of the AAT under section 43.

^e Applications dismissed under section 42A(2) (non-appearance at a case event), section 42A(5) (failure to proceed with an application or to comply with a direction of the AAT) and section 42B(1) (application is frivolous or vexatious).

^f Applications in relation to which the AAT determined it does not have jurisdiction or that were dismissed under section 42A(4) on the basis the applicant failed to demonstrate that a decision was reviewable.

^g Includes applications for review of a decision that were lodged out of time and in relation to which no extension of time application was subsequently received.

^h Percentages do not total 100% due to rounding.

Chart A4.6 Applications current at 30 June 2015 – By state and territory**Table A4.7 Alternative dispute resolution processes, interlocutory hearings and hearings conducted by the AAT**

EVENT TYPE	2012-13	2013-14	2014-15
Conferences	7,606	7,636	7,775
Case appraisals	3	3	1
Conciliations	485	555	523
Mediations	42	39	13
Neutral evaluations	32	22	9
Interlocutory hearings ^a	437	524	625
Hearings	1,063 ^b	1,083	1,183

^a Includes hearings relating to the jurisdiction of the Tribunal and hearings relating to applications for orders of the following kind:

- to extend the time to lodge an application for review
- to be joined as a party to a proceeding
- to make a confidentiality order under section 35 of the *Administrative Appeals Tribunal Act 1975*
- to stay the operation or implementation of a reviewable decision
- to dismiss an application
- to reinstate an application.

^b The figure for the number of hearings conducted by the AAT in 2012-13 differs from the figure that appeared in the annual report for that year. A technical issue with the operation of the AAT's electronic case management system led to some hearings not being counted in the report for that year.

Table A4.8 Constitution of tribunals for hearings

TRIBUNAL TYPE	2012–13 ^a		2013–14		2014–15	
	NO	%	NO	%	NO	%
Judge alone	0	0	3	< 1	16	1
Judge with 1 other member	8	< 1	4	< 1	2	< 1
Judge with 2 other members	1	< 1	3	< 1	0	0
Deputy President alone	187	18	242	22	283	24
Deputy President with 1 other member	51	5	29	3	25	2
Deputy President with 2 other members	2	< 1	0	0	5	< 1
Senior Member alone	469	44	491	45	544	46
Senior Member with 1 other member	93	9	56	5	35	3
Senior Member with 2 other members	2	< 1	1	< 1	1	< 1
Member alone	239	22	243	22	269	23
Two Members	11	1	11	1	3	< 1
Three Members	0	0	0	0	0	0
Total^b	1,063	100	1,083	100	1,183	100
Total multi-member tribunals	168	16	104	10	71	6

^a The figures for the number of hearings conducted by the AAT in 2012–13 differ from those that appeared in the annual report for that year. A technical issue with the operation of the Tribunal's electronic case management system led to some hearings not being counted in the report for that year.

^b Percentages do not total 100% due to rounding.

Table A4.9 Appeals against decisions of the AAT – By jurisdiction

JURISDICTION	2012–13		2013–14		2014–15	
	SECTION 44 ^a	OTHER ^b	SECTION 44 ^a	OTHER ^b	SECTION 44 ^a	OTHER ^b
Social security	8	0	19	1	22	0
Veterans' affairs	8	1	11	0	6	0
Workers' compensation	17	2	24	2	21	0
Taxation						
Taxation Appeals Division	22	4	18	0	17	2
Small Taxation Claims Tribunal	0	0	0	0	0	0
Immigration and citizenship	4	21	6	7	7	2
Other	13	2	18	1	18	2
Total	72	30	96	11	91	6

^a Appeals lodged in the Federal Court under section 44 of the *Administrative Appeals Tribunal Act 1975*. In some circumstances, a party may lodge an application seeking relief under section 44 and under another enactment. These applications are treated as section 44 appeals for statistical purposes.

^b Applications for judicial review made under other enactments, including the *Administrative Decisions (Judicial Review) Act 1977*, the *Judiciary Act 1903*, Part 8 of the *Migration Act 1958* and section 75(v) of the Constitution.

Table A4.10 Outcomes of appeals against AAT decisions – By jurisdiction^a

OUTCOME	2012–13		2013–14		2014–15	
	SECTION 44	OTHER	SECTION 44	OTHER	SECTION 44	OTHER
SOCIAL SECURITY						
Allowed/Remitted	4	0	4	0	1	0
Dismissed	6	0	13	0	9	0
Discontinued	1	0	3	0	8	0
Subtotal	11	0	20	0	18	0
VETERANS' AFFAIRS						
Allowed/Remitted	5	0	5	0	8	0
Dismissed	3	1	6	0	6	0
Discontinued	0	0	0	0	0	0
Subtotal	8	1	11	0	14	0
WORKERS' COMPENSATION						
Allowed/Remitted	9	0	11	1	6	0
Dismissed	9	1	14	1	10	2
Discontinued	1	0	3	0	4	0
Subtotal	19	1	28	2	20	2
TAXATION						
Taxation Appeals Division						
Allowed/Remitted	7	1	6	1	4	0
Dismissed	11	1	11	0	13	1
Discontinued	3	0	4	0	5	0
<i>Subtotal</i>	<i>21</i>	<i>2</i>	<i>21</i>	<i>1</i>	<i>22</i>	<i>1</i>
Small Taxation Claims Tribunal						
Allowed/Remitted	0	0	0	0	0	0
Dismissed	0	0	0	0	0	0
Discontinued	0	0	0	0	0	0
<i>Subtotal</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Subtotal	21	2	21	1	22	1

Table A4.10 Outcomes of appeals against AAT decisions – By jurisdiction^a (continued)

OUTCOME	2012–13		2013–14		2014–15	
	SECTION 44	OTHER	SECTION 44	OTHER	SECTION 44	OTHER
IMMIGRATION AND CITIZENSHIP						
Allowed/Remitted	1	9	0	3	1	3
Dismissed	2	12	3	11	4	9
Discontinued	2	1	1	1	3	0
Subtotal	5	22	4	15	8	12
OTHER						
Allowed/Remitted	2	0	3	1	6	0
Dismissed	7	2	14	1	11	0
Discontinued	0	0	2	0	5	1
Subtotal	9	2	19	2	22	1
TOTAL	73	28	103^b	20	104	16
ALL						
Allowed/Remitted	28	10	29	6	26	3
Dismissed	38	17	66	13	53	12
Discontinued	7	1	8	1	25	1
TOTAL	73	28	103^b	20	104	16

^a Where a decision of a judge of the Federal Circuit Court, a single judge of the Federal Court or the Full Court of the Federal Court has been appealed, only the ultimate result is counted for the purpose of these statistics.

^b The figures for the number of section 44 appeals from AAT decisions that were finalised in 2013–14 differ from those that appeared in the annual report for that year. The AAT did not become aware of the result of some appeals until after the publication of the report.