

# **SENATE LEGAL AND CONSTITUTIONAL COMMITTEE - ADDITIONAL ESTIMATES - 14 FEBRUARY 2006**

## **ADMINISTRATIVE APPEALS TRIBUNAL WORKLOAD INFORMATION**

### **Explanatory Note**

The following tables and charts provide information in relation to the Tribunal's workload and performance to the period ending 31 December 2005. Information is provided in relation to lodgements, finalisations and applications current as at 31 December 2005. Information is also provided in relation to the time taken to finalise applications and the proportion of applications finalised with and without a hearing.

Information relating to lodgements, finalisations and applications on hand is set out in Section 1 to 4. The table and chart in Section 1 give overall figures. Sections 2, 3 and 4 provide more detailed information relating to lodgements, finalisations and current applications in the Tribunal's major jurisdictions.

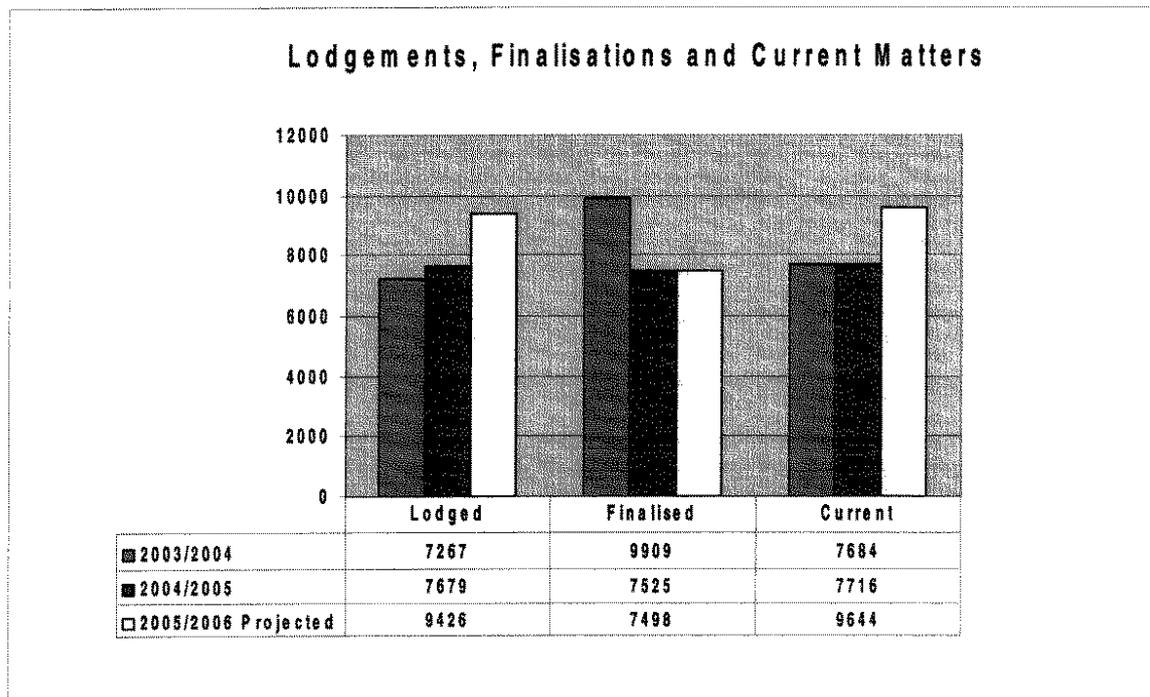
To demonstrate trends in relation to lodgements, finalisations and current applications, the Tribunal has provided information for the 2003/04 and 2004/05 financial years together with a projection for the current financial year. The tables include the actual figures for the period from 1 July 2005 to 31 December 2005. The projections for 2005/06 in relation to lodgements and finalisations were derived by doubling the figures for the 6 months ending 31 December 2005. The projection for the number of applications that are likely to be current as at 30 June 2006 was derived by adding the projected number of lodgements for 2005/06 to the number of applications current as at 30 June 2005 and then subtracting the projected number of applications that will be finalised in 2005/06.

Information relating to the time taken to finalise applications is set out in Section 5. The tables set out the percentage of applications in the Tribunal's major jurisdictions that were finalised within the Tribunal's time standards in the 2003/04 and 2004/05 financial years and in the 12 month period ending 31 December 2005.

Section 6 provides information in relation to the way in which applications have been finalised. Figures are given for the proportion of applications finalised by way of a Tribunal decision following a hearing and the proportion of applications finalised in other ways. Comparative information is provided for the 2003/04 and 2004/05 financial years and for the 12 month period ending 31 December 2005.

**1. Applications lodged, finalised and current**

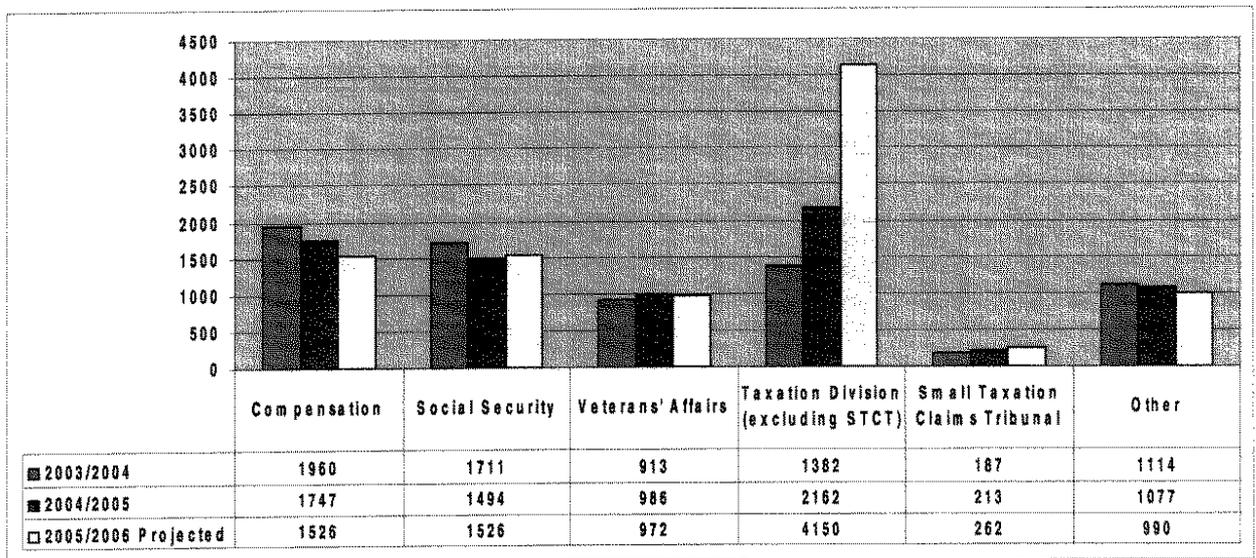
	<u>2003/04</u>	<u>2004/05</u>	<u>% change from 2003/04 (no.)</u>	<u>6 months ending 31/12/05</u>	<u>Projection 2005/06</u>	<u>% change from 2004/05 (no.)</u>
<b>Lodged</b>	7267	7679	+ 5.7% (412)	4713	9426	+ 22.8% (1747)
<b>Finalised</b>	9909	7526	- 24.0% (- 2383)	3749	7498	- 0.4% (- 28)
<b>Current<sup>1</sup></b>	7684	7716	+ 0.4% (32)	8673	9644	+ 25.0% (1928)



<sup>1</sup> "Current" projection for 05/06 = ("Current" for 04/05) + ("Lodged" projection for 05/06) – ("Finalised" projection for 05/06)

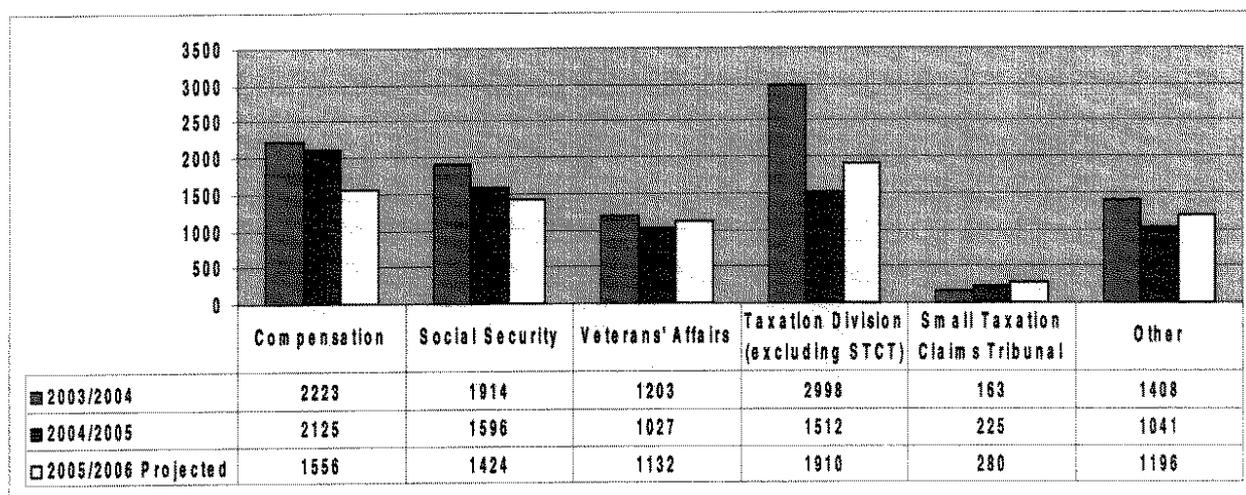
## 2. Lodgements by jurisdiction

Jurisdiction	<u>2003/04</u>	<u>2004/05</u>	% change from 2003/04 (no.)	6 months ending 31/12/05	<u>Projection 2005/06</u>	% change from 2004/05 (no.)
Compensation	1960	1747	- 10.9% (- 213)	763	1526	- 12.7% (- 221)
Social Security	1711	1494	- 12.7% (- 217)	763	1526	+ 2.1% (32)
Veterans' Affairs	913	986	+ 8.0% (73)	486	972	- 1.4% (- 14)
Taxation Division (excluding STCT)	1382	2162	+ 56.4% (780)	2075	4150	+ 92.0 (1988)
Small Taxation Claims Tribunal	187	213	+ 13.9% (26)	131	262	+ 23.0% (49)
Other	1114	1077	- 3.3% (37)	495	990	- 8.1% (87)



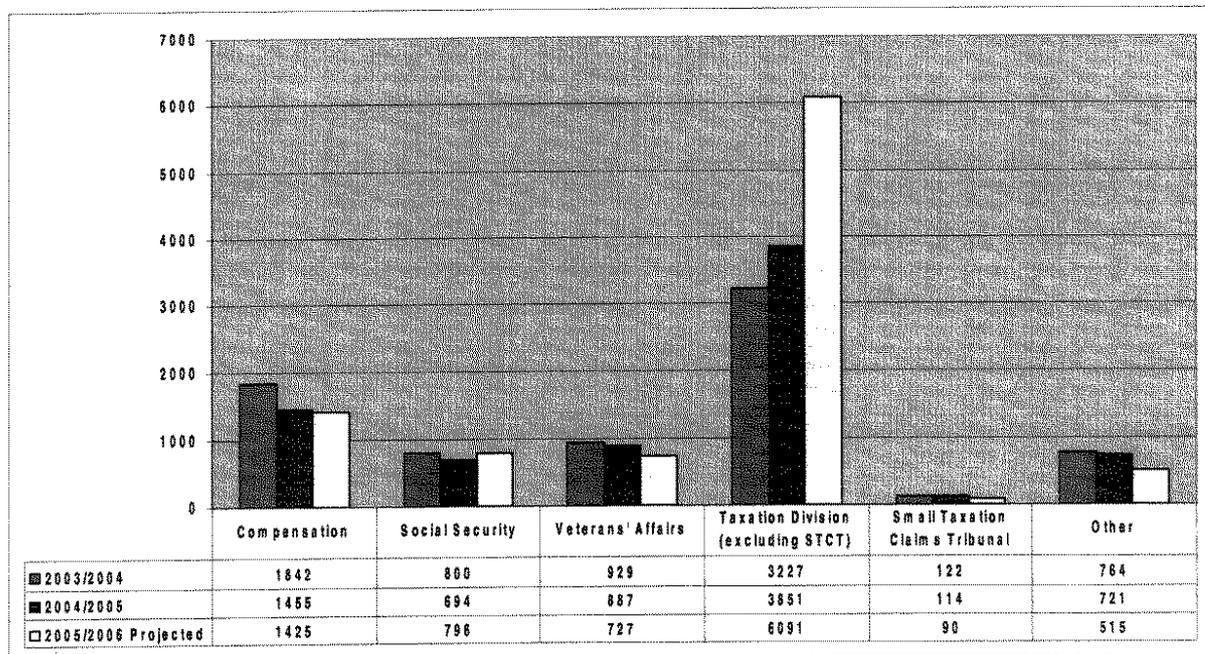
### 3. Finalisations by jurisdiction

Jurisdiction	<u>2003/04</u>	<u>2004/05</u>	% change from 2003/04 (no.)	6 months ending 31/12/05	Projection <u>2005/06</u>	% change from 2004/05 (no.)
Compensation	2223	2125	- 4.4% (- 98)	778	1556	- 26.8% (- 569)
Social Security	1914	1596	- 16.6% (- 318)	712	1424	- 10.8% (- 172)
Veterans' Affairs	1203	1027	- 14.6% (- 176)	566	1132	+ 10.2% (105)
Taxation Division (excluding STCT)	2998	1512	- 49.6% (- 1486)	955	1910	+ 26.3% (398)
Small Taxation Claims Tribunal	163	225	+ 38.0% (62)	140	280	+ 24.4% (55)
Other	1408	1041	- 26.1% (367)	598	1196	+ 14.9% (155)



#### 4. Current by jurisdiction<sup>2</sup>

Jurisdiction	2003/04	2004/05	% change from 2003/04 (no.)	6 months ending 31/12/05	Projection 2005/06	% change from 2004/05 (no.)
Compensation	1842	1455	- 21.0% (- 387)	1428	1425	- 2.1% (- 30)
Social Security	800	694	- 13.3% (- 106)	737	796	+ 14.7% (102)
Veterans' Affairs	929	887	- 4.5% (- 42)	808	727	- 18.0% (160)
Taxation Division (excluding STCT)	3227	3851	+ 19.3% (624)	4979	6091	+ 58.2% (2240)
Small Taxation Claims Tribunal	122	108	- 11.5% (- 14)	106	90	- 19.8% (- 18)
Other	764	721	- 5.6% (43)	615	515	- 28.6% (- 206)



<sup>2</sup> "Current" projection for 05/06 = ("Current" for 04/05) + ("Lodged" projection for 05/06) – ("Finalised" projection for 05/06)

**5. Time standards – percentage finalised within 365 days**

<b>Jurisdiction (target % rate for finalisation within 365 days)</b>	<b><u>2003/04</u></b>	<b><u>2004/05</u></b>	<b>12 months ending 31/12/05</b>	<b>% change from 2004/05</b>
Compensation (75% target)	62%	64%	63%	- 1%
Social Security (90% target)	90%	91%	90%	- 1%
Veterans' Affairs (80% target)	56%	59%	65%	+ 6%
Taxation Division (excluding STCT) (75% target)	13%	35%	37%	+ 2%

**Time standards – STCT - percentage finalised within 84 days**

	<b><u>2003/04</u></b>	<b><u>2004/05</u></b>	<b>12 months ending 31/12/05</b>	<b>% change from 2004/05</b>
Small Taxation Claims Tribunal	49%	37%	41%	+ 4%

**6. Finalisations - percentages of applications finalised with and without hearing<sup>3</sup>**

<b>Type of finalisation</b>	<b><u>2003/04</u></b>	<b><u>2004/05</u></b>	<b>12 months ending 31/12/05</b>	<b>% change from 2004/05</b>
Finalisation without a hearing	81%	78%	78%	-
By Tribunal decision after a hearing	19%	22%	22%	-

<sup>3</sup> Applications finalised without a hearing include all applications that were finalised otherwise than by a Tribunal decision following a hearing on the merits. For example, applications finalised by consent pursuant to section 34D or 42C of the AAT Act or withdrawn by the applicant under section 42A(1A) of the AAT Act are included in this category.



## **Laundering laws will trap many**

**Geoffrey Newman**  
Legislation

EXPERTS have warned that professionals such as lawyers, accountants and real estate agents are still unprepared for tough new anti-money-laundering rules, after the federal Government released the first draft of its legislation yesterday.

Deloitte's partner Chris Cass said many professionals would still be unaware that they would be captured by the new laws, which required financial service providers to verify customer identity and implement a risk-based assessment system to prevent money laundering and terrorist financing.

The laws will also apply to electronic currency, still in its infancy in Australia.

"The number of people who are caught is the real surprise," Mr Cass said.

A financial planner or an accountant, for example, would be subject to the new laws if he or she acquired, or disposed of, a security, promissory note or bill of exchange on behalf of a client, or provided a safe deposit box, or advice on the acquisition, or disposal of securities. The bill specifies 64 definitions of captured activity known as designated services.

Once in place, the Government would then consider extending it to real estate agents, jewellers and others providing financial services, Justice Minister Chris Ellison said yesterday.

A report in October by the Paris-based Financial Action Taskforce said that \$3 billion was being laundered in Australia each year, and that the country had complied with only 25 per cent of its international obligations. The report also raised concerns about identity fraud and the low number of prosecutions for money laundering.

Senator Ellison said the bill addressed key issues raised in the report and brought Australia in line with international best practice.

The bill also makes it clear that companies will have to scrutinise the identity of their existing client database, as well as new customers in some circumstances, such as when existing customers sign up to a new financial product.

The bill also beefs up the role of the Australian Transaction Reports and Analysis Centre (Aus-trac), which Mr Cass said would become another regulator in the mould of the Australian Securities and Investments Commission.