

MRT-RRT Caseload Statistics

Glossary of terms and abbreviations

359/424 letter	A letter given by the tribunal to a review applicant pursuant to sections 359 / 359A (MRT) or sections 424/424A (RRT) of the <i>Migration Act 1958</i> . Such a letter may invite the applicant to provide information or respond to or comment on adverse information.
access to documents	The tribunals allow access to documents they hold in accordance with the <i>Migration Act 1958</i> and the <i>Freedom of Information Act 1982</i> .
Act, the	The <i>Migration Act 1958</i> , unless otherwise indicated.
active	Refers to review applications which have been lodged but not yet decided. Includes both constituted and unconstituted cases. Sometimes also referred to as ‘cases on hand’.
adjourned	A hearing which is suspended, to be resumed at a later date or time.
affirm	To ratify the decision under review – the original decision remains unchanged and in force.
applicant	The applicant for review.
average days	The average number of days taken to decide a review application. Counted in calendar days (unless otherwise specified) from the date of lodgement or constitution for MRT matters; and from date of receipt of the department file for RRT matters.
bridging visa	A bridging visa is a temporary visa generally granted to eligible non-citizens to enable them to remain lawfully in Australia for one of a number of specified reasons, the most common being while they are awaiting the outcome of another, substantive, visa application.
cancellation	The <i>Migration Act 1958</i> and Migration Regulations 1994 contain a range of provisions allowing for cancellation of visas in specified circumstances and on specified grounds. A decision to cancel a visa is reviewable by the MRT or RRT in certain circumstances.
case	It is the tribunals’ practice to count multiple applications for review as a single case where the legislation provides that the applications for review can be combined, usually where members of a family unit have applied for the grant of visas at the same time.
case category	A grouping of cases related by visa subclass or decision type. The tribunals use standard case categories for most statistical reporting. A table explaining which subclasses and decisions fall within each case category can be found here .
CaseMate	CaseMate is the tribunals’ case management system and is the source for most of the tribunals’ statistical reports. CaseMate is a customised database that contains, in electronic form, information on individual cases.

cases on hand	Review applications which have been lodged but not yet decided. Includes both constituted and unconstituted cases. See also “active”.
clearance rate	Compares lodgements with decisions over a given period. A clearance rate of 100% for a month means that as many cases were decided as were lodged.
combined hearing	Where hearings for two or more review applications are held concurrently. A combined hearing may be held in circumstances where the review applicants and/or their claims are closely related and they consent to or request a combined hearing.
constituted	Refers to review applications which have been formally allocated to a tribunal member to decide.
constitution	The formal process of allocating a case to a member for the purposes of a particular review. Once the tribunal is constituted by a member for the purposes of a particular review, that member is responsible for the decision-making processes and the decision of the tribunal for that particular review.
country	The country of nationality of an applicant or, in the case of an RRT applicant who is stateless, the country to which the applicant’s claims for protection relate.
court remittal	A tribunal decision that a court has held to be invalid and remitted to the tribunal for reconsideration.
decided	An application for review in relation to which the MRT or RRT has made a decision. A decision (other than an oral decision) is taken to have been made on the date of the written statement of decision.
decision	A decision made by the MRT or RRT in relation to an application for review. Depending on the circumstances, the tribunal may decide to affirm, vary or set aside the primary decision or remit the matter to the primary decision-maker with a direction.
department file	Documents relevant to a review which are provided to the tribunal by the Department of Immigration and Citizenship (DIAC).
detention	Refers to ‘immigration detention’ as defined in section 5 of the <i>Migration Act 1958</i> .
DIAC	The Department of Immigration and Citizenship.
far end video location	In the case of a hearing conducted by video-link, the location at the opposite end to where the tribunal member is located.
FCA	The Federal Court of Australia.
fee waiver	A decision to waive the fee payable in respect of a MRT review application.
FMCA	The Federal Magistrates Court of Australia.
FOI	Freedom of Information.
HCA	The High Court of Australia.
hearing	An appearance before the tribunal by the review applicant to give evidence and

	present arguments relating to the issues arising in relation to the decision under review.
jurisdiction	Jurisdiction defines the scope of the tribunal's power to conduct a review.
lodgement	The act of giving a review application to the MRT or RRT.
member	A Principal Member, Deputy Principal Member, Senior Members and other members are appointed by the Governor-General to the tribunals. The MRT or the RRT is constituted by a member for the purposes of a particular review and that member is responsible for the decision-making processes and the decision of the tribunal for that review.
Minister, the	The Minister for Immigration and Citizenship.
MRT	The Migration Review Tribunal.
no jurisdiction	A decision by the tribunal that it lacks power to conduct a review. This may be because the application has been withdrawn, or because the review application was invalid, for example, because it was not made within the prescribed time limit, not made in respect of a reviewable decision or not made by a person with standing to apply for review.
notification	The act of formally making known or giving notice.
PMD	Principal Member Direction.
primary decision	The decision subject to review. A primary decision is usually made by an officer of the Department of Immigration and Citizenship acting pursuant to a delegation from the Minister.
priority 1	Refers to review applications given priority for constitution in accordance with the Principal Member's Direction on caseload and constitution.
priority 2	Refers to review applications which do not have priority for constitution under the Principal Member's Direction on caseload and constitution.
protection visa	Protection visas are a class of visa, a criterion for which is the applicant for the visa is a non-citizen in Australia to whom Australia has protection obligations under the Refugees Convention or a non-citizen in Australia who is a member of the same family unit as a non-citizen who holds a protection visa.
Refugees Convention	Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 as amended by the Protocol Relating to the Status of Refugees done at New York on 31 January 1967.
registry	The tribunals have registries in NSW (which co-ordinates services to applicants located in NSW, Queensland, Northern Territory and ACT) and Victoria (which co-ordinates services to applicants located in Victoria, Tasmania, South Australia and Western Australia). Tribunal members are also located in, and receive administrative services, from offices of the Administrative Appeals Tribunal in Brisbane, Adelaide and Perth.
Regulations, the	The Migration Regulations 1994, unless otherwise indicated.

remit	To send a matter back for reconsideration. The tribunal may remit a matter to DIAC when it decides that a visa applicant has satisfied the criteria which the primary decision-maker found were not satisfied, or that the visa applicant is a refugee.
representative	A person authorised by the applicant to act on his or her behalf in relation to a review. This may include forwarding written submissions and evidence to the tribunals, contacting the tribunals and accompanying the applicant to any meeting or hearing arranged by the tribunals. With very limited exceptions, a representative must be a registered migration agent.
review applicant	A person who has made an application for review to either of the tribunals.
review application	An application for review of a decision that has been made to either of the tribunals.
RRT	The Refugee Review Tribunal.
S/A	Set aside. May also refer to remit decisions.
set aside	To revoke the decision under review. The primary decision is deemed not to have been made. When the tribunal sets aside a primary decision it must substitute a new decision in its place.
set aside rate	The percentage of all decisions with set aside or remit outcomes made in a specified period.
standard hearing	A face to face hearing where the member and review applicant are in the same location.
time standards	Time standards for the completion of reviews are set out in the Act and Regulations or in the Portfolio Budget Statements. For MRT cases, time standards are generally calculated from date of lodgement or constitution. For RRT cases, the time standard is calculated from the date the department's documents are provided to the RRT.
tribunal	The Migration Review Tribunal (MRT) or the Refugee Review Tribunal (RRT).
tribunals	The Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT), unless otherwise indicated.
unconstituted	Refers to review applications which are not formally allocated to a tribunal member to decide.
video hearing	A hearing conducted using a video-link, where the member and the review applicant are not in the same location.
visa applicant	A person who has made a visa application.