



Australian Government
Australian Skills Quality Authority

Fact Sheet—Administrative Appeals Tribunal review of an ASQA decision

The Australian Skills Quality Authority (ASQA), the national VET regulator, makes decisions about the registration of training providers as registered training organisations (RTOs) and the accreditation of VET courses.

If you are not satisfied with a decision made by ASQA, you have a number of options:

1. Consider the reasons for the decision, address the outstanding areas of non-compliance and submit a new application.
2. Ask ASQA to (under the *National Vocational Education and Training Regulator Act 2011*)
 - reassess its position; or
 - to review the decision. (Refer to the ASQA [Fact sheet—Reviewing ASQA's decision](#))
3. Apply to have the decision reviewed by the Administrative Appeals Tribunal (AAT).

ASQA, as the ESOS agency for a provider, also makes decisions about the registration of certain providers on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to provide a course or courses to overseas students.

If you are not satisfied with a decision made by ASQA relating to your CRICOS registration, you have a number of options:

1. Consider the reasons for the decision, address the outstanding areas of non-compliance and submit a fresh application.
2. Ask ASQA to review the decision (under the *Education Services for Overseas Students Act 2011*).
3. Apply to have the decision reviewed by the Administrative Appeals Tribunal (AAT).

This fact sheet tells you about **the AAT review process** for decisions under the NVR Act and the ESOS Act, including how to apply to the AAT to review a decision made by ASQA.

An application can also be made to the AAT for a 'stay' of ASQA's decision, which means that an RTO can continue to operate and its registration is taken to continue until its review application is decided.

What is the Administrative Appeals Tribunal?

The [Administrative Appeals Tribunal](#) (AAT) provides independent review of a wide range of administrative decisions made by the Australian Government (and some non-government bodies).

The AAT aims to provide fair, impartial, high quality and prompt review with as little formality and technicality as possible.

Both individuals and government agencies use the services of the AAT.

How do I lodge an application for review?

Your application to the AAT must be lodged:

- in writing (using the forms available from the AAT Registry in your capital city, or from the [AAT website](#)), and
- within 28 days of receiving notification of the ASQA decision that you want reviewed.

Once your application has been lodged, you will receive a letter confirming receipt of the application and telling you what happens next.

Contact the AAT

- Phone 1300 366 700
- Visit the [AAT homepage](#)
- Write to GPO Box 9955 in your nearest capital city

Is there a fee?

A fee for lodging an application may apply.

For more information, including information about whether the fee can be waived, you can [contact the AAT](#).

What is the review process?

In most cases, the first step in a review is a conference. This is an informal meeting conducted by the AAT with you and an ASQA representative. You will have a chance to talk about your case and explain why you think the decision should be changed. The AAT will, where possible, try to help you reach an agreement with ASQA about how the case should be resolved.

The AAT might hold a second conference or another type of meeting, such as a conciliation or mediation. Many cases are finalised at this stage.

If agreement cannot be reached, the AAT will hold a hearing and then make a decision.

How long does the review process take?

The AAT's procedures and the amount of time needed to complete the review will vary from case to case. The AAT aims to have cases finalised within 12 months.

Timelines for steps in the process are available from the [AAT website](#).

Further rights of review

Decisions made by the AAT are binding on both you and ASQA.

You can appeal an AAT decision through the Federal Court of Australia, but only if you believe the AAT made a mistake in law in deciding your case. ASQA can also appeal an AAT decision.

You must make your appeal to the Federal Court no later than 28 days after receiving the AAT's decision. The appeal must be made on a form available from the Federal Court. For more information about how to make an appeal, visit the [Federal Court's website](#).

Additional information

Freedom of information

You have the right to obtain access to documents about ASQA's decision under the *Freedom of Information Act 1982* (Cth).

Information about how to apply to ASQA to access documents is available from the [ASQA Freedom of Information webpage](#).

Interpreting services

If you need an interpreter, please call the Translating and Interpreting Service (TIS National) on 131 450 for the cost of a local call. Tell the operator the language you speak. Ask the TIS to telephone the ASQA Info line on 1300 701 801.

Cantonese

若你需要口譯員，請致電131 450聯絡翻譯和口譯服務署 (TIS National)，要求他們致電1300 701 801 聯絡 ASQA。我們的工作時間是 9.00am – 7.00pm Monday – Friday AEST。

Mandarin

如果你需要口译员，请致电131 450联系翻译和口译服务署 (TIS National)，要求他们致电1300 701 801 联系 ASQA。我们的工作时间是9.00am – 7.00pm Monday – Friday AEST。

Greek

Αν χρειάζεστε διερμηνέα, παρακαλείστε να τηλεφωνήσετε στην Υπηρεσία Μετάφρασης και Διερμηνείας (Εθνική Υπηρεσία TIS) στο 131 450 και ζητήστε να τηλεφωνήσουν ASQA στο 1300 701 801. Οι ώρες λειτουργίας μας είναι 9.00am – 7.00pm Monday – Friday AEST.

Korean

통역사가 필요하시면 번역통역서비스 (TIS National)에 131 450으로 연락하여 이들에게 1300 701 801 번으로 ASQA에 전화하도록 요청하십시오. 저희의 근무시간은 9.00am – 7.00pm Monday – Friday AEST입니다.

Persian

شماره 131 450 – تلفن کنید و از (TIS National) اگر به مترجم شفاهی نیاز دارید لطفاً به "خدمات ترجمه کتبی و شفاهی" شماره 1300 701 801 – شماره ASQA آنها بخواهید به 9.00am – 7.00pm AEST (Monday – Friday) تلفن کنند. ساعات کار ما است.

Russian

Если вам нужен переводчик, то позвоните в Службу письменного и устного перевода (TIS National) по номеру 131 450 и скажите переводчику, что вам нужно позвонить в ASQ по номеру 1300 701 801. Наш расписание работы: 9.00am – 7.00 pm Monday – Friday AEST..

Serbian

Ако вам је потребан тумач, молимо вас да позовете Службу преводилаца и тумача (Translating and Interpreting Service - TIS National) на 131 450 и замолисте их да позову ASQA на 1300 701801 Наше радно време је 9.00am – 7.00 pm Monday – Friday AEST.

Spanish

Si necesita intérprete, llame al Servicio de Traducción e Interpretación - Translating and Interpreting Service (TIS National) al 131 450 y pídale que llamen a ASQA al 1300 701 801. Nuestro horario de atención es 9.00am – 7.00 pm Monday – Friday AEST.

Turkish

Tercümana ihtiyacınız varsa, 131 450 numaralı telefondan Yazılı ve Sözlü Tercüme Servisini (TIS National) arayınız ve sizi 1300 701 801 numaralı telefondan ASQA ile görüşmelerini isteyiniz. Çalışma saatlerimiz 9.00am – 7.00 pm Monday – Friday AEST.