Australian Government
Civil Aviation Safety Authority

AVIATION MEDICINE

Reviewable decisions and rights of review



If your medical certificate has been refused – or has a restriction imposed that you have not asked for – and you would like to have that decision reviewed, please read on.

Reconsideration by CASA

Under Civil Aviation Safety Regulation 67.190, you can apply in writing for reconsideration of CASA's decision if:

- CASA has refused to issue a medical certificate, or
- CASA has issued a medical certificate subject to a condition you did not ask to have imposed.

You can submit a reconsideration application via the Medical Records System (MRS). You need to do this within 21 days of receiving the original decision.

In your application, you should explain why you think CASA should change its decision and provide any further medical evidence you may have.

Please note there is currently a fee of $150* payable for seeking reconsideration.

Administrative Review Tribunal

If you are not satisfied with any aspect of the decision, you may also apply to the Administrative Review Tribunal (ART) to review the decision under the Administrative Review Tribunal Act 2024.

Time limits for applying to the ART

Applications to the ART must be made within 28 days of the date you receive the original decision.

What the ART can do

The ART has power to review certain administrative decisions made by Australian Government agencies, departments and ministers.

It is independent of CASA and has the power to review CASA's decisions.

If it determines that CASA made the wrong decision, it can vary or overturn that decision.

*Subject to change.

How to apply to the ART for a review of a decision

The easiest and most secure way to contact the ART is by lodging an application form through the ART website at **online.aat.gov.au**

To create an account and lodge an application online, you will need a valid email address and information about the decision you want the Tribunal to review.

Other ways to contact the ART include:



email
reviews@art.gov.au



phone
(from Australia): 1800 228 333
(from overseas or Norfolk Island):
+61 29276 5000



letter



in-person at an ART office.

To find out more, go to **art.gov.au/contact-us**



The standard application fee is $1,121 (subject to change).

Other review options

There are other ways you can ask for a review of a CASA decision.

These include lodging a complaint with:

- CASA's Industry Complaints Commissioner (go to **casa.gov.au** for more information)
- the Commonwealth Ombudsman (go to **ombudsman.gov.au** for more information).

You may wish to obtain legal advice about which of the options is most suitable for you.

How CASA makes decisions

CASA's Office of Aviation Medicine follows a rigorous, evidence-based risk management process in making decisions about medical certificates.

In making these decisions, CASA balances its primary responsibility to aviation safety with the rights and privileges of the individual.

CASA recognises that in some cases a decision may not accord with an applicant's views or the views of their treating clinicians. This is because CASA's Aviation Medicine team is required to assess medical fitness by reference to the aviation medical standards and relevant risk factors.

Legal advice

While all possible care has been taken in providing the contact details and costs in this flyer, please visit the ART website at **art.gov.au** for the most up to date information.

Please note the information in this flyer is not provided by way of procedural or legal advice. Anyone who wants to make an application to the ART should make and rely upon their own enquiries concerning the commencement and conduct of proceedings before the Tribunal and should seek and rely upon their own legal advice.