

Information on making an application for review - Refugee

(For persons applying for review of decisions about protection visas or protection findings) (R1)

Administrative

Review Tribunal



You can use this form (R1) to apply for review of most decisions to refuse or cancel a protection visa.

However, if you want to apply for review of:

- (a) a decision to refuse or cancel a protection visa on character grounds relying on section 5H(2), 36(1C), 36(2C) or 501 of the *Migration Act 1958*, or
- (b) non-revocation of a protection visa cancellation under section 501CA of the Migration Act,

you must use a different form which you can find on our website (www.art.gov.au).

You can also use this form to apply for review of a decision under section 197D(2) of the Migration Act that a non-citizen is no longer a person in respect of whom a protection finding would be made.

Contact us on 1800 228 333 if you are not sure this is the correct form.

Please read all of the information pages in this form before you start to fill in the application form (pages 1-10).

You must complete this form in English. If you are completing this form by hand use blue or black pen.

You may use an interpreter to assist you. See '*Information in other languages*' at the end of these information pages if you need assistance in your language.

You should complete all the details requested in this form. If you do not have enough space for all of your information, you can write the information on a separate sheet and attach it to your application.

Who can apply for review?

The Administrative Review Tribunal (the ART) reviews certain decisions made by the Department of Home Affairs (the Department) to refuse or cancel a protection visa and decisions that a protection finding would not be made about a non-citizen. Some decisions about protection visas cannot be reviewed by the ART.

The Department's letter providing notification of the decision will specify whether the decision can be reviewed by the ART.

Can an application cover other family members?

Generally, members of a family unit who are named as visa applicants in the Department's decision can be included on the one application form (a combined application). Please contact us if you need further information.

When should I apply for review?

There are strict timelines for applying for review. You **must** lodge your application for review within the time limit referred to in the letter from the Department notifying you of the decision. If you do not apply within the time limit we will not be able to consider your application for review. We do not have any power to extend the time limit.

Required documents or information

If you have it, you must give us a copy of the letter from the Department notifying you of the decision at the same time as you lodge your application for review. If you don't have a copy of this letter, there are certain details you must provide in your application for review, otherwise your application may not be valid and we may not be able to consider it. For more information about minimum requirements for making a valid application, see our website www.art.gov.au.

Dealing with the ART

You can deal with us directly or you can appoint someone to represent you and act on your behalf in relation to your application.

If you choose to appoint a person to represent you, this person is known as your representative. If you appoint a representative, they can:

- communicate with us on your behalf
- give us written evidence and written submissions on your behalf
- request access to documents relating to the review, and
- attend a hearing with you.

Under the *Migration Act 1958*, only certain people can provide 'immigration assistance'. They include:

- a registered migration agent
- an Australian lawyer who holds a practising certificate
- a close family member (your spouse, child, parent, brother or sister), and
- a nominator or sponsor if you are a visa applicant.

'Immigration assistance' includes where a person uses their knowledge or experience in migration to assist you to prepare for, or represent you in, an application at the ART.

Only a registered migration agent or an Australian lawyer with a practising certificate can ask you to pay a fee for providing immigration assistance.

By law, all persons acting as migration agents in Australia must be registered with the Office of the Migration Agents Registration Authority (Office of the MARA). You can check whether a migration agent is registered on the Office of the MARA's website (www.mara.gov.au).

More information about who can assist you with your application can be found on our [website](#).

Corresponding with the ART

Where will correspondence and other documents be sent?

You can choose to have all correspondence/documents sent to you or you can authorise a person (known as the authorised recipient) to receive correspondence/documents on your behalf in connection with the application.

If you appoint a representative in relation to your application, we will assume that you are also authorising that person to communicate with us and receive correspondence/documents on your behalf in connection with your application. Any correspondence/document that is sent to your representative or another person you authorise in writing will be taken to have been given to you.

In cases where more than one person applies for review, all correspondence/documents will be sent to the person identified as Person 1 in the application form unless we are notified otherwise in writing. Person 1 should advise all other applicants of any correspondence/document from us.

If Person 1 has appointed a representative or authorised recipient then we will regard that appointment as applying to the other people named as review applicants in the application form unless we are notified otherwise in writing.

How will the ART send correspondence/documents?

We may send correspondence by email, by fax or by post.

What will it cost to apply for review?

There is no fee payable to apply for a review of a decision about a protection visa or a decision that a protection finding would not be made about a person.

However, if the application for review is not successful, a fee of \$2,151 will be payable. If a fee is payable you will be advised after we make a decision on your case.

Privacy and your personal information

We collect personal information about you from you and others to process your application and carry out the review under the *Administrative Review Tribunal Act 2024* and the *Migration Act 1958*.

In making an application for review, you consent to the collection of personal information about you from the Department or person who made the decision, any other party to the review, or a relevant person or body, where collecting the information is reasonably necessary to carry out the review.

We will give a copy of your application form to the Department or person who made the decision and, if relevant, to any other party to the review.

We will usually give a copy of any relevant document given to us by you, or anyone else, to the other parties to the review for the purposes of the review and to the Department when the review is finalised. Information about you may also be disclosed to the Department or a relevant person or body in the course of making inquiries or requesting an opinion for the purposes of the review. For example, to education bodies, courts and law enforcement agencies.

The information we collect may also be used for other purposes relating to the administration of the *Migration Act 1958*, for another review involving you, if it is reasonably necessary to do so, or to improve our services.

Information available to the public

The law requires that hearings of protection decision reviews are held in private.

If the Tribunal makes a written decision with a statement of reasons, it will usually be made public and published on the internet, including on the AustLII website (www.austlii.edu.au). However, information which may identify the applicant in a protection review or their relatives or dependents will not be published.

For more information about the decisions we publish, see our Publication of Decisions Policy on our [website](#).

Orders and laws restricting publication or disclosure

The Tribunal may make orders restricting disclosure or publication of information about you or others or evidence in a review, if it considers an order is appropriate in the circumstances. You can apply for an order by writing to us stating what information you want kept confidential and why.

In some cases, a law or the Tribunal's Practice Directions require that certain information be kept confidential or that hearings be held in private. This includes certain information covered by certificates given under the *Migration Act 1958* and the identity of applicants for protection reviews and their relatives or dependents.

Access to information

Under section 362A of the *Migration Act 1958*, you can ask the Department of Home Affairs to give you access to the written material that it has given to us for the purposes of the review.

For more information, including how you can access information we hold about you and how to make privacy complaints, see our Privacy Policy on our [website](#) www.art.gov.au, or call us on 1800 228 333.

How do I lodge an application for review?

Applications for review using this form can be lodged by email, by post, or in person. Available options are set out in the table on the next page.

An application for review using this form is taken to have been lodged with us at the time that it is received by us.

If you want to apply online, which is a convenient 24 hours, 7 days a week service, go to www.art.gov.au.

What happens once I lodge the application for review?

We will send you a letter confirming receipt of your application.

We will also ask the Department to send us relevant documents relating to your case. For further information on the conduct of reviews, please refer to our [website \(www.art.gov.au\)](http://www.art.gov.au).

Changes to your contact details

While we are dealing with your application, you must immediately advise us, in writing, of any change in your contact details (including changes to your residential (home) address) or if you are placed in detention by the Department. You should also advise the Department of any change in your address or other contact details. If you are unable to collect your mail, you should arrange for someone to collect your mail on your behalf.

You must also inform us immediately in writing if:

- you change your authorised recipient or representative, or cancel your representative's authority to act on your behalf, or
- the contact details of your authorised recipient or your representative change.

If we do not receive a response to important correspondence we send you, your case may be decided without further notice.

Method of lodgement and contact

Online

You can complete an application online at www.art.gov.au

By post

Applications for review can be posted:

Administrative Review Tribunal

GPO Box 9955, Sydney NSW 2001

Administrative Review Tribunal

GPO Box 9955, Melbourne VIC 3001

Administrative Review Tribunal

GPO Box 9955, Brisbane QLD 4001

Administrative Review Tribunal

GPO Box 9955, Adelaide SA 5001

Administrative Review Tribunal

GPO Box 9955, Perth WA 6848

By email

You can scan and send a copy of your completed application for review to reviews@art.gov.au.

By hand

Applications for review can be lodged on weekdays between 8:30am and 5:00pm in the following locations:

Sydney

Level 6, 83 Clarence Street, Sydney NSW

Melbourne

Level 4, 15 William Street, Melbourne VIC

Brisbane

Level 6, 295 Ann Street, Brisbane QLD

Adelaide

Level 2, 1 King William Street, Adelaide SA

Perth

Level 13, 111 St Georges Terrace, Perth WA

Contacts

Website

www.art.gov.au

National telephone enquiry number

1800 228 333

Email

reviews@art.gov.au

Information in other languages

For assistance in your language please contact TIS ☎ 131 450 (local call cost only)

للحصول على المساعدة بلغتكم اتصلوا بخدمة الترجمة الهاتفية
(لقاء كلفة مكالمة محلية فقط) 131 450 ☎ (TIS)

आपনার ভাষায় সাহায্যের জন্য, অনুগ্রহপূর্বক টিস্ (TIS) ☎ এ ১৩১৪৫০
(131 450) নম্বরে যোগাযোগ করুন (অধুমাত্র স্থানীয় কল এর খরচ)।

如需传译员的协助, 请联系TIS,电话号码: ☎ 131 450 (按本地电话收费)

برای کمک به زبان خودتان لطفاً با TIS به تلفون
131450 تماس بگیرید (بمصرف مخابراته محلی)

Kevaka ko ni gadreva na veivuke ena vosa vakaviti, e kerei mo ni
veitaratara kei na TIS e na naba ni talevoni ☎ 131450 (na isau ni qiri e
tautauvata ga kei na isau ni nomuni qirita e dua e na nomuni yasa ni koro)

तमारी भाषामा मद्दत गरीवना माटे छुपा करीने TIS ☎ 131 450 नंवर
पर संपर्क करीने. (इकत स्थानिक छेन दर लागू पडरीने.)

अपनी भाषा में सहायता के लिये कृपया टि आई एस (TIS) से ☎ (131 450)
पर सम्पर्क करें (केवल स्थानीय काल का लागूग)

Untuk bantuan dalam bahasa Anda harap menghubungi
TIS ☎ 131 450 (dengan biaya telpon lokal)

귀하의 모국어 도움이 필요하시면 ☎ 131 450 으로 TIS에 문의해 주십
시오(시내 통화요금 적용)

Untuk bantuan dalam bahasa anda, sila hubungi TIS
☎ 131 450 (bayaran panggilan tempatan sahaja)

നിങ്ങളുടെ സഹായം അന്വയിക്കുന്ന സഹായത്തിന് ടി.ഐ.എസ്
- നെ ☎ 131 450 -ൽ വിളിക്കുക (ലോക്കൽ കോളിംഗ് ചാർജ്ജ് മാത്രം).

Өөрийн эх хэл дээр туслалгаа авахын тулд
TIS-ийн ☎ 131 450 дугаар руу холбогдоно уу
(зөвхөн орон нутгийн утсан ярианы үнээр)

तपाईंलाई आफ्नो भाषामा सहयोग चाहिए कृपया TIS ☎ 131 450 मा सम्पर्क
रखनु होला। (स्थानीय फोनको मात्र खर्च लाग्ने छ)

به خپله ژبه کې د مرستې لپاره لطفاً TIS ته په ☎ 131 450 کې
زنګ ووهئ (د محلي مخابراتي په رڼه)

برای دریافت کمک به زبان خودتان لطفاً با TIS به شماره ☎ 131 450
(با هزینه تلفن محلی) تماس بگیرید.

Pomoc we własnym języku uzyskać można kontaktując się z TIS
pod numerem ☎ 131 450 (koszt połączenia miejscowego)

Para ajuda na sua língua faça o favor de contactar TIS no
número ☎ 131 450 (custo de chamada local)

आपली भाषा वरिच सहायता पुपुत्र करन वसते व्हापा वरते TIS (टिस)
तुं ☎ 131 450 नंबर वुते ढेन वते।

Если вам нужна помощь переводчика, то позвоните
в переводческую службу TIS по номеру ☎ 131 450
(по стоимости местного звонка)

ඔබගේ භාෂාව හා සම්බන්ධයෙන් උපකාර සඳහා අමතන්න TIS
☎ 131 450 (අඟයන්තර ඇමරීම් ගාස්තුව පමණයි)

Para solicitar ayuda en su idioma, favor de llamar a TIS al
número ☎ 131 450 (al costo de una llamada local)

Para sa tulong sa iyong sariling wika mangyari lamang na
kumontak sa TIS ☎ 131 450 (sa halaga lamang ng lokal na tawag)

ඔබගේ මවුභාෂාවේ උදව් සඳහා සහාය ලබාදීමට TIS (ඒස්)
☎ 131 450 ට දුරකථන කථනා කළහොත් (දුරකථන
ආයතනයේ කාලයට අනුව)

หากท่านต้องการความช่วยเหลือเป็นภาษาไทย โปรดติดต่อ TIS หมายเลข
☎ 131 450 (ค่า โทรศัพท์ราคาท้องถิ่นเท่านั้น)

Ka' i ai ha' o fiema' u tokoni fekau' aki pea mo 'etau lea, kataki 'o
fetu'utaki ki he TIS 'i he ☎ 131 450 ('i he totongi fakalotofonua pe.)

Kendi dilinizde yardım için lütfen ☎ 131 450'den TIS'i arayın
(şehir içi telefon ücreti karşılığı)

آپنی زبان میں مدد کیلئے، براہ کرم ٹی آئی ایس (TIS) سے فون نمبر
131 450 پر رابطہ کریں (صرف مقامی کال کی قیمت پر)

Để được giúp đỡ bằng tiếng Việt, xin quý vị gọi cho Dịch
Vụ Thông Ngôn và Phiên Dịch (TIS) số ☎ 131 450 (giá
bằng cú gọi địa phương)

Please keep these information pages for your reference

Please keep these information pages for your reference

Application for review - Refugee

(For persons applying for review of decisions about protection visas or protection findings) (R1)

Note: Read the information pages before you complete this form.

This form must be completed in English. If you are completing this form by hand use blue or black pen.

A Are you applying for review of a decision under section 197D(2) of the *Migration Act 1958* that a non-citizen is no longer a person in respect of whom a protection finding would be made?

No Go to next question

Yes **Go to Part A**

B Are you applying for review of a decision about a protection visa (Class XA – Subclass 866), a temporary protection visa (Class XD – Subclass 785) or a safe haven enterprise visa (Class XE – Subclass 790)?

No **You may not be completing the correct form.**
Please contact us on 1800 228 333

Yes Go to next question

C Are you applying for review of a decision about: The refusal or cancellation of a protection visa on character grounds relying on section 5H(2), 36(1C), 36(2C) or 501 of the *Migration Act 1958*, or the non-revocation of a protection visa cancellation under section 501CA of the *Migration Act 1958*?

No **Go to Part A**

Yes **You may not be completing the correct form.**
Please contact us on 1800 228 333

Part A – Details of person(s) applying for review

Important: Please read 'Who can apply for review?' in the information pages before filling out this Part.

The purpose of this Part is to collect information about the person, or persons, applying for review.

If more than one person is applying for review, one person (Person 1) should provide their details at Question 1. The details of the other persons should be provided at Question 7.

1 Details of the person applying for review

Person 1

Mr Mrs Miss Ms Other

Family name

Given names

Have you been known by any other names?

No

Yes

Family name

Given names

What type of name was this?

(e.g. alias, name before marriage)

Date of birth

DAY MONTH YEAR

/ /

Male

Female

Unspecified

Nationality

Country of birth

Passport number

Country of issue

2 Do you (or any person included in the application) need an interpreter when communicating with us?

No

Yes

Language/Dialect

3 Your contact details in Australia

Address in Australia where you currently live

State/Territory

Postcode

Contact numbers in Australia

Note: Please provide as many contact numbers as possible

Daytime

Evening

Mobile

Fax

Your email address

4 Are you in immigration detention (including community detention)?

No

Don't know

Yes

Go to question 6

Go to next question

5 What are your contact details in immigration detention?

Name of immigration detention centre/facility

OR Other arrangement (such as community detention) — please provide details

6 Are any other persons applying for review?

No **Go to Part B** — you do not need to complete Questions 7 and 8
 Yes Go to next question

7 **Details of all other persons applying for review** — Please read ‘Can an application cover other family members?’ in the information pages before you complete this question.

	Title (eg.Mr/Mrs)*	Full name	Date of birth	Relationship to person 1	Gender (M/F/X)*
Person 2		Family name:			
		Given names:			
Person 3		Family name:			
		Given names:			
Person 4		Family name:			
		Given names:			
Person 5		Family name:			
		Given names:			

* M = Male; F = Female; X = Unspecified

8 Are there more than five persons included in this application?

No
 Yes Total number of persons included

 Please attach details of all other persons on a separate sheet.

Part B — Representative details

Important: Please read 'Dealing with the ART' in the information pages before filling out this Part.

Note: You can appoint a person to represent you and act on your behalf in relation to your application. This person is known as your representative. If you appoint a representative, they can:

- communicate with us on your behalf
- give us written evidence and written submissions on your behalf
- request access to documents relating to the review, and
- attend a hearing with you.

If you appoint a representative, we will assume you are also authorising that person to be your authorised recipient to receive correspondence/documents from us on your behalf in relation to your application.

In cases where more than one person applies for review, we will regard the appointed representative of Person 1 as the representative and authorised recipient of all persons applying for review unless notified otherwise in writing.

You can deal with us directly if you do not want to appoint a representative.

- 9 Do you want to appoint a representative to act on your behalf and to be your authorised recipient?
- No **Go to Part C**
- Yes Complete questions 10, 11 and 12 below, then go to Part D

10 Type of representative

Close family member

Registered migration agent^a Migration Agent Registration Number (MARN)

Client reference number (if applicable)

Australian lawyer who holds a practising certificate^a Australian Legal Practitioner Number^b (if applicable)

Former Migration Agent Registration Number (MARN) (if applicable)

Client reference number (if applicable)

Other Please specify

Notes:

^a Some registered migration agents may also be Australian lawyers. If your representative is representing you as a registered migration agent, select 'Registered migration agent'. If they are representing you as an Australian lawyer in connection with legal practice, select 'Australian lawyer who holds a practising certificate'.

^b This is the ID number that the Department of Home Affairs may issue to an Australian lawyer providing immigration assistance in connection with a legal practice.

11 Representative's details

Mr Mrs Miss Ms Other

Family name

Given names

Organisation name
(if applicable)

Postal address

<input type="text"/>	
State/Territory	Postcode

Contact numbers

Daytime

()

Evening

()

Mobile

Fax

()

E-mail address

12 Representative's signature



DAY MONTH YEAR

/	/
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Note for migration agents: If this Part is completed and the form signed on page 9, you do not need to attach a separate **MR1 Registered Migration Agent Notice Under s312B** form.

▶▶ Now go to Part D — you do not need to complete Part C

Part C — Where do you want us to send correspondence and other documents about your application?

Important: Only complete this Part if you **have not** appointed a representative in Part B.

Note: If you do not appoint a representative then we will send correspondence/documents for all persons included in this application to the person you specify below.

13 Please send correspondence about this application to (choose *ONE option only*):

To me (Person 1)

Please give your contact details

Postal address

State/Territory	Postcode

Fax

Email address

OR

To my authorised recipient

Please give their contact details

Name

Postal address

State/Territory	Postcode

Phone

Fax

Email address

Part D - Communication by email

Note: If you have provided an email address, we may use the email address to contact you. You can also agree to receiving all case correspondence by email, including hearing notices, written requests to comment on and decision notifications. You should note that these communications may include sensitive personal information and that you should consider your online security and email settings. Please check that emails from the ART do not appear in your junk folder rather than your inbox, and adjust your email settings as appropriate to ensure we can email you. Information about online security is available on our website www.art.gov.au.

14 Do you agree to us sending all correspondence by email, acknowledging that there are risks in transmitting information via email and that while we strive to protect such information, we cannot guarantee the security or integrity of information transmitted via email or by other means?

Yes

No

Part E – Decision to be reviewed



Please attach a copy of the decision and the notification letter from the Department.

15 What decision do you want reviewed?

Visa **refusal**

Visa **cancellation**

Date of decision / /

A decision under section 197D(2) of the Migration Act that a non-citizen is no longer a person in respect of whom a protection finding would be made

16 Details of the letter from the Department notifying of the decision

How was the letter received?

By post

By hand

By fax or email from the Department

Date of letter from the Department / /

Department's file number (if known)

Boat identification number (if applicable/if known)

Part F – Declaration

This form should be signed by each person applying for review.


Note 1: Where you are unable to sign the form in person, you may instruct another person (e.g. Person 1 or your representative) to sign the form for you. You must read the declaration or have the declaration read to you, before the form is signed.

Note 2: If the person applying for review is under 18 years of age or lacks legal capacity to sign on their own behalf, the form should be signed by a parent or guardian on that person's behalf.

Note 3: The provision of false or misleading information is subject to penalties under the *Migration Act 1958*.

17 I declare that:





- I understand the information supplied to me in this form and in the information pages, and the information I have provided in this form and any attachments is complete and correct in every detail, and
- I consent to the ART collecting personal/sensitive information about me from the Department of Home Affairs and other government agencies, entities, persons or publicly available sources, where that information is likely to be relevant to this review, and using it for the purposes of this review, and
- I consent to the personal/sensitive information that I provide to the ART, or that the ART collects from other sources about me, being collected and used for purposes relating to the *Administrative Review Tribunal Act 2024* and the *Migration Act 1958*, and
- I consent to any information/documents that I provide to the ART, or that the ART collects from other sources about me, being given to the Department at the end of the review, including personal/sensitive information, and
- I will inform the ART of any changes to my circumstances (e.g. marital status, changes to my family composition) while my application is being considered, and
- I understand that if I change my contact details and do not inform the ART of my new address or other new contact details, the ART may proceed to make a decision about my case even if it cannot contact me, and
- if this application includes more than one person, I undertake to inform each other person of the contents of any communication from the ART.

Person 1 	Date / /	Family name
		Given name

If there is more than one person applying, the other person(s) should complete this declaration next page.

I declare that:

- I understand the information supplied to me in this form and in the information pages, and the information I have provided in this form and any attachments is complete and correct in every detail, and
- I consent to the ART collecting personal/sensitive information about me from the Department of Home Affairs and other government agencies, entities, persons or publicly available sources, where that information is likely to be relevant to this review, and using it for the purposes of this review, and
- I consent to the personal/sensitive information that I provide to the ART, or that the ART collects from other sources about me, being collected and used for purposes relating to the *Administrative Review Tribunal Act 2024* and the *Migration Act 1958*, and
- I consent to any information/documents that I provide to the ART, or that the ART collects from other sources about me, being given to the Department at the end of the review, including personal/sensitive information, and
- I will inform the ART of any changes to my circumstances (e.g. marital status, changes to my family composition) while my application is being considered, and
- I understand that if I change my contact details and do not inform the ART of my new address or other new contact details, the ART may proceed to make a decision about my case even if it cannot contact me, and
- I authorise the ART to communicate with Person 1 or any person whom Person 1 appoints or authorises the ART to communicate with in relation to my application unless I advise otherwise in writing.

Person 2		Date	Family name
		/ /	Given name
Person 3		Date	Family name
		/ /	Given name
Person 4		Date	Family name
		/ /	Given name
Person 5		Date	Family name
		/ /	Given name

Part G – Checklist

18 Please complete this checklist to make sure this application is complete

- All relevant questions have been answered.
- The Declaration at Part F has been completed.



Attachments

- A copy of the notification letter from the Department of Home Affairs (see **Important** information below).
- A copy of the decision record from the Department of Home Affairs.
- If there are more than 5 person(s) included in the application, details of the other person(s).
- Any evidence that will support your application or any comments you wish to make on why you disagree with the decision. You can provide additional documentation to us at any time before the decision on the review is made.

Note: All documents should be in English, or translated into English by a qualified translator. You should provide us with both the English translation and the original document (or a certified copy).

Lodging this application

Lodge this application with a registry of the ART as instructed in the information pages.

Important: You must lodge this application within the time limit referred to in the Department's letter that notified you of the decision and attach a copy of the Department's letter if you have it. If you don't have a copy of the Department's letter, there are certain details you must provide in this application, otherwise your application may not be valid and we may not be able to consider it. For more information about minimum requirements for making a valid application, see our website www.art.gov.au.