



Administrative Appeals Tribunal

Migration & Refugee Division

Request for access to written material under Section 362A of the Migration Act - MR Division

Please read the explanatory notes on the reverse side before completing this form.

Part 1 - Details of person requesting access

Title (Mr, Ms, Mrs, Dr etc.):

Family name:

Given name(s):

Postal address:

Daytime phone:

Mobile:

Fax:

Email:

If you are not the review applicant, please provide the review applicant's name and case file number:

Part 2 - Access details

Case file: File number:

Department file: File number(s) (if known):

Please provide a description of the written material you require:

Part 3 - Form of access

We provide access to an electronic copy of the written material via email or CD. Please indicate your preference:

Email:

CD:

If you do not wish to receive an electronic copy of the written material please indicate how you would prefer to access it:

Your Signature:

Date:

DAY/MONTH/YEAR

Explanatory notes

What is access to written material?

In relation to a migration review (other than a refugee review), at any time prior to us giving a review applicant a copy of our decision, a review applicant is entitled to have access to any written material, or a copy of any written material, given or produced to us for the purposes of the review, subject to certain limitations under the *Migration Act 1958* (the Act) and the *Privacy Act 1988* (the Privacy Act). Written material given or produced to us generally consists of our case file and department file(s).

How do I make a request for access?

A request to access written material may be made in writing by completing this form and submitting it to us. No fees or charges apply.

Can another person lodge a request for access on my behalf?

A person acting on behalf of the review applicant including their representative or any assistant under s.366A of the Act may request and receive access to written material. An 'assistant under s.366A', is a person who has been authorised by the review applicant to be present and assist the review applicant at the hearing. When such an assistant (who is not also the applicant's representative) makes a request to access written material that may include personal information about the review applicant, they should provide the review applicant's consent to access the personal information. This may be done by attaching a form MR14 completed by the review applicant.

How long will it take to process my request?

We will usually make a decision within 30 days of receipt of the request, however if you have not received our decision by this time you can contact us to follow this up.

Can I access written material about a person other than the review applicant?

The information held by us may include personal information including sensitive information such as health information about a person or persons other than the review applicant (third party). We can only disclose this information to the review applicant within the framework created by the Act and subject to the Privacy Act. If the written material requested contains personal information about a third party, including other applicants and family members, please ask the third party to complete the attached form *MR14 - Consent to release personal information - MR Division* and submit it together with this request. If you need to obtain consent from more than one person, you may get copies of form MR14 from our website at www.aat.gov.au.

How will access be provided?

If access is granted, you will be provided with an electronic copy (via CD or email) of the written material. If you do not want the material in an electronic format, please indicate your preference in Part 3 of this form.

To what address will the copy of the written material be sent to?

A copy of the written material will be sent to the address or email provided in Part 1 of this form or to the authorised recipient's address or email, if the review applicant has appointed an authorised recipient for the purposes of the application for review, unless the request is made by an assistant under s.366A of the Act.

Can I appeal a decision?

There is no right under the Act to appeal a decision made under s.362A of the Act. You may apply for access to documents under the Freedom of Information Act or make a further s.362A request.

Please see next page for options on how to submit this form.

SUBMIT THIS FORM:

Online (registered users only)

Using the online application system accessible from <http://www.aat.gov.au/apply-online/>

By email

mrdivision@aat.gov.au

By post or by fax

Administrative Appeals Tribunal
GPO Box 9955, Sydney NSW 2001
Fax: (02) 9276 5599

Administrative Appeals Tribunal
GPO Box 9955, Brisbane QLD 4001
Fax: (07) 3052 3069

Administrative Appeals Tribunal
GPO Box 9955, Perth WA 6848
Fax: (08) 6222 7299

Administrative Appeals Tribunal
GPO Box 9955, Melbourne VIC 3001
Fax: (03) 9454 6999

Administrative Appeals Tribunal
GPO Box 9955, Adelaide SA 5001
Fax: (08) 8128 8099

By hand

Sydney

Level 6
83 Clarence Street
Sydney NSW 2000

Adelaide

Level 2
1 King William Street
Adelaide SA 5000

Melbourne

Level 4
15 William Street
Melbourne VIC 3000

Perth

Level 13
111 St Georges Terrace
Perth WA 6000

Brisbane

Level 6
295 Ann Street
Brisbane QLD 4000

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