



Australian Government
Migration Review Tribunal

REQUEST FOR ACCESS TO WRITTEN MATERIAL HELD BY THE TRIBUNAL

This form may be used by a review applicant, a person acting on behalf of the review applicant including their representative or any assistant under s.366A of the *Migration Act 1958* (the Act), to request access under s.362A of the Act, to any written material, or a copy of any written material, given or produced to the tribunal for the purpose of the review. No fees or charges apply.

Please read the 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 tribunal file number:

Part 2 - Access details

Tribunal file: File number:

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

Please provide a description of the written material you require:

Part 3 - Form of access

Please select from the options below.

- I want a paper copy of the written material
- I want an electronic copy of the above documents on CD
- I want to inspect the written material

Your signature:

Date :

DAY/MONTH/YEAR

What is access to written material?

At any time prior to the tribunal giving a review applicant a copy of its decision, a review applicant is entitled to have access to any written material, or a copy of any written material, given or produced to the tribunal for the purposes of the review, subject to ss.375A and 376 of the Act and the Privacy Act 1988 (the Privacy Act). Written material given or produced to the tribunal generally consists of the tribunal 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. Completed forms can be lodged in person at the New South Wales or Victorian registries of the tribunal or at the Queensland, South Australia and Western Australia registries of the Administrative Appeals Tribunal. Completed forms can also be faxed or mailed to the New South Wales or Victorian registries of the tribunal depending on where the applicant is located.

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.

How long will it take to process my request?

The tribunal will usually make a decision within 30 days of receipt of the request, however if the tribunal is unable to make a decision in this period, you will be contacted and provided with an estimated time frame in which a decision will be made.

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

The information held by the tribunal may include personal information about a person or persons other than the review applicant. The tribunal 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 person or persons other than the review applicant, you can facilitate the request by providing the tribunal with that person's written consent. This can be done by completing a Form M14 'Consent to Release Personal Information under s.362A of the Migration Act' which is available from the New South Wales or Victorian registries of the tribunal or on the tribunal's website at www.mrt-rrt.gov.au.

How will access be provided?

Access may be provided either by way of a supervised inspection at a tribunal registry or by providing you with a paper or electronic copy of the written material. Please select the form of access 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 provided in Part 1 of this form or to the authorised recipient's address, 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.

Tribunal Registries**New South Wales****(applications from NSW, QLD, ACT and NT)**

Level 11, 83 Clarence Street

Sydney NSW 2000

GPO BOX 1333

Sydney NSW 2001

Telephone: (02) 9276 5000

Fax: (02) 9276 5599

National enquiry line: 1300 361 969

Victoria**(applications from VIC, SA, WA and TAS)**

Level 12, 460 Lonsdale Street

Melbourne VIC 3000

PO Box 14158

Melbourne VIC 8001

Telephone: (03) 8600 5900

Fax: (03) 8600 5801

National enquiry line: 1300 361 969

Administrative Appeals Tribunal**Queensland**

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South Australia

11th Floor, 91 Grenfell Street

Adelaide SA 5000

Western Australia

Level 5, 111 St Georges Terrace

Perth WA 6000