



# INFORMATION FOR APPLICANTS (for applicants not in immigration detention)

# M1

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

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

আপনার ভাষায় সাহায্যের জন্য, অনুগ্রহপূর্বক টিস (TIS) ☎ এ ১৩১৪৫০  
(131 450) নম্বরে যোগাযোগ করুন (শুধুমাত্র স্থানীয় কল এর খরচ)।

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

برای کمک به زبان خود تا ن لطفاً با TIS به تلفون  
131450 تماس بگیرید (بمصرف مخابرات 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 मद्दद मेलववा माटे कृपा करीने TIS ☎ 131 450 नंबर  
पर संपर्क करशो. (इकत स्थानिक डोन दर लागू पडशे.)

अपनी भाषा मे सहायता के लिये कृपया टि आई एस (TIS) से ☎ (131 450)  
पर सर्मर्क करे खर्चा केवल स्थानीय काल का लगेगा-

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 ഭാഷയിലുള്ള സഹായത്തിന് ടി.ഐ.എസ്.  
- നെ ☎ 131 450 -ൽ വിളിക്കുക (ലോക്കൽ കോളിന്റെ ചാർജ്ജ് മാത്രം).

Өөрийн эх хэл дээр туслахаа 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  
रख्नु होला। (स्थानिय फोनको मात्र खर्च लाग्ने छ)

په خپله ژبه کې د مرستې لپاره لطفاً TIS ته په ☎ 131 450 کې  
زنگ ووهئ (د محلي مخابراتي په بهیر)

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)

आपही भाषा विस मगटिउत युपुअ वरन वामडे क्पिा वरवे TIS (टिस)  
तुं ☎ 131 450 नंबर उते डेन वरे।

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  
☎ 131 450 (අභ්‍යන්තර ඇමරිකා ගස්තුව 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)

ജങ്ങൾക്കു മൊഴിയിൽ ഉതകുകയ്ക്കു തയയ്യ ചെയ്യതു നീക്കടൻ  
(വജ്ജ) ☎ 131 450 ല് തൊടൻപു കൊണ്ടുവരും(ഉണ്ടുൻ  
അയ്യർപ്പുകു കടൻടൻ മടൻ(ഉയ്യ)

หากท่านต้องการความช่วยเหลือเป็นภาษาไทย โปรดติดต่อ TIS หมายเลข  
☎ 131 450 (ค่าโทรศัพท์ราคาท้องถิ่นเท่านั้น)

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)

اپنی 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)

**Only use this application form if you are NOT in immigration detention.  
If you are in immigration detention, you must make your application on form M2.**

## Who can apply for review?

The Migration Review Tribunal (the Tribunal) reviews certain decisions made by the Department of Immigration and Citizenship (DIAC). Not all decisions made by DIAC can be reviewed by the Tribunal. Where a decision can be reviewed, only certain persons can apply for review of that decision.

The letter providing notification of DIAC's decision will state whether the decision can be reviewed by the Tribunal and who may apply for review of that decision. Alternatively, factsheet 'M10: Migration Review Tribunal', which is available from any Tribunal registry or from the Tribunal's website, provides information about applying for review.

## How to apply for review

If you are a person who can apply for review, and you are not in immigration detention, you can apply by completing this form (M1) and lodging it with the Tribunal, along with the application fee. The Tribunal's contact details are listed below.

(continued overleaf)

### **When must I apply for review?**

You must lodge your application within the prescribed time limit. Once you decide to apply for review, you must lodge your application without delay. The letter providing notification of DIAC's decision will tell you the time limit that applies to you.

### **Fees**

An application fee of \$1540 is payable in all cases except when applying for review of a bridging visa decision (including any related decision to require a security) that resulted in a person being placed in immigration detention.

Payment can be made by cash, cheque, money order, EFTPOS, Visa or Mastercard. Cheques should be crossed and made payable to the "Migration Review Tribunal". Payment is not considered to have been made if your cheque is dishonoured or your credit card payment is not approved.

The Tribunal will refund \$770 of your application fee if a favourable decision is made on your case. If the Tribunal decides that your application is invalid, you will be refunded the entire fee paid. **If you withdraw your application, the Tribunal can only refund your application fee in very limited circumstances.**

The fee may be reduced to \$770 (or \$770 refunded if the full fee has been paid) if the Registrar or an authorised Tribunal officer is satisfied that payment of \$1540 has caused, or is likely to cause, severe financial hardship to the review applicant. Form 'M11: Request for Fee Waiver/Reduction' is available from any Tribunal registry or from the Tribunal's website.

Where a fee is payable either:

- the \$1540 application fee should be paid in full; or
- \$770 of the application fee should be paid and a fee reduction application lodged with the Tribunal

before the deadline for lodging the application for review. Supporting documentary evidence is required for all fee reduction applications.

### **Combined applications for review**

In some visa refusal cases, separate applications for review may be combined (for example, where the visa applicants are members of a family unit or where an application to review a decision to require a security is combined with a related application to refuse to grant a visa). Where applications are combined, only one application fee is payable and only one application form should be used. Please note that applications for review of decisions to cancel two or more visas cannot be combined. Please contact the Tribunal if you need more information about combining applications.

### **What information should I give with my application?**

You must complete all the details requested on this form. If you do not have enough space for all of your information on the application form, you can write the information separately and attach it to your application. You must complete this form in English. If you cannot do this, you should use an interpreter.

You may provide evidence and submissions with your application. You may also provide evidence and submissions after your application is lodged. All documents that you provide that are not in English should be translated into English by a qualified translator. You should provide both the documents and the translations.

### **Do I need a representative?**

You may authorise a person to represent you and act on your behalf in relation to your application. This person is known as your representative. It is not necessary to nominate a representative – you may choose to deal with the Tribunal directly. If you nominate a representative, he or she can communicate with the Tribunal on your behalf, forward written submissions and written evidence to the Tribunal, request access to documents held by the Tribunal in relation to your application, and accompany you to any meeting or hearing arranged by the Tribunal. You must inform the Tribunal immediately, in writing, if you change your representative, cancel your representative's authority to act on your behalf, or if your representative's contact details change.

Under the *Migration Act 1958* (the Act), only the following persons can provide you with 'immigration assistance':

- a registered migration agent;
- your spouse, child, parent, brother or sister;
- a nominator or sponsor of the visa applicant;
- parliamentarians;
- a member of a diplomatic mission, consular post or office of an international organisation; and
- an official (as defined in Part 3 of the Act) in the course of his or her duties.

A person provides 'immigration assistance' when they use their knowledge or experience in migration procedure to assist

in preparing, advising or representing a visa applicant, a sponsor or nominator, or a 'cancellation review applicant' (a person whose visa has been cancelled).

The factsheet 'MR2: Immigration Assistance', which is available from any Tribunal registry or from the Tribunal's website, can provide you with further information about registered migration agents. You may also contact the Migration Agents Registration Authority (ph: 02 9299 5446 / [www.themara.com.au](http://www.themara.com.au)).

### **Where will correspondence be sent?**

You may choose to have all correspondence sent to yourself or you may nominate a person known as an authorised recipient to receive correspondence on your behalf in connection with the review.

If you nominate an authorised recipient the Tribunal will send all correspondence to your authorised recipient. The Tribunal only sends copies of correspondence to applicants who have nominated an authorised recipient where the applicant is in immigration detention.

If you have a representative and you do not nominate your representative as your authorised recipient, your representative will not receive any correspondence from the Tribunal.

If you do not nominate an authorised recipient all correspondence on your case will be sent to you.

You must advise the Tribunal of any change in your address, your telephone or fax numbers, or of any change in the contact details of your authorised recipient. If you instruct the Tribunal to send correspondence to you and for some reason you are unable to collect your mail, you should arrange for someone to check your mail or you should nominate an authorised recipient to receive correspondence on your behalf. If the Tribunal does not receive a response to important correspondence, your case may be decided without further notice. You should also advise DIAC of any change in your address.

### **How will the information provided to the Tribunal be used?**

The information provided to the Tribunal will be used to assess your review application under the Act. Any information provided to the Tribunal during the review process by you or by other parties may be provided to other participants in proceedings, to other individuals or organisations when seeking expert opinion or assessment, and may become public during Tribunal proceedings or when a Tribunal decision is published. In certain circumstances the Tribunal may also provide information about your application to other government and non-government individuals or organisations. These include but are not limited to DIAC, the Migration Agents Registration Authority, courts and tribunals, and law enforcement agencies.

### **How do I lodge my application?**

Applications can be lodged in person at the New South Wales or Victorian registries of the Migration Review Tribunal, or at the Queensland, South Australian or Western Australian registries of the Administrative Appeals Tribunal. Applications can be lodged between 8.30am and 5.00pm in all locations.

Applicants in NSW, Qld, ACT or NT can post or fax their applications to the New South Wales registry of the Migration Review Tribunal. Applicants in Vic, SA, WA or Tas can post or fax their applications to the Victorian registry of the Migration Review Tribunal.

### **Registries of the Migration Review Tribunal**

#### **New South Wales**

Level 11, 83 Clarence Street  
Sydney NSW 2000

GPO Box 1333  
Sydney NSW 2001  
Phone (02) 9276 5000  
Fax (02) 9276 5599

#### **Victoria**

Level 12, 460 Lonsdale Street  
Melbourne VIC 3000

PO Box 14158  
Melbourne VIC 8001  
Phone (03) 8600 5900  
Fax (03) 8600 5801

### **Registries of the Administrative Appeals Tribunal**

#### **Queensland**

Level 4, Harry Gibbs Commonwealth Law Courts Building  
119 North Quay  
Brisbane QLD 4000

#### **South Australia**

11th Floor, 91 Grenfell Street  
Adelaide SA 5000

#### **Western Australia**

Level 5, 111 St Georges Terrace  
Perth WA 6000  
Phone (08) 9327 7200 (metropolitan area)  
1300 366 700 (country areas)  
Fax (08) 9327 7299

**Further information**

If you need help or more information, you can contact the Sydney or Melbourne registries of the Tribunal on one of the phone numbers provided above. If you are outside the Sydney or Melbourne metropolitan areas, you can call the National Telephone Enquiry Number: 1300 361 969 (local call charges apply; not available from mobile telephones).

The Tribunal's website is at [www.mrt-rrt.gov.au](http://www.mrt-rrt.gov.au).

The Translating and Interpreting Service (TIS) can provide assistance if you require an interpreter. TIS can be contacted on 131 450 from anywhere in Australia.

**You may keep the front part of this form for your future information**

# APPLICATION FOR REVIEW TO THE MIGRATION REVIEW TRIBUNAL

(for applicants **not** in immigration detention)

# M1

To complete this form, you should be the person with the right to apply for review, OR a person acting on behalf of a person with the right to apply for review, OR a person authorised to act on behalf of a corporate body that has a right to apply for review.

If you are a corporate body, do not complete Section A; go straight to Section B.

## Section A                      Details of person(s) applying for review

### Review applicant(s)

Where applications for review are combined, each person is an applicant in his or her own right. The Tribunal will communicate with Review Applicant 1 about this application unless otherwise requested. Letters should be treated as applying to all applicants unless otherwise stated. Review Applicant 1 must inform each applicant of the contents of any communication from the Tribunal. If there are more than six review applicants, provide details on a separate sheet of paper and attach it to this form.

List all review applicants included in this application.

|                    | Title | Full name | Date of birth | Relationship to Review Applicant 1 | Male/<br>Female |
|--------------------|-------|-----------|---------------|------------------------------------|-----------------|
| Review Applicant 1 |       |           |               | SELF                               |                 |
| Review Applicant 2 |       |           |               |                                    |                 |
| Review Applicant 3 |       |           |               |                                    |                 |
| Review Applicant 4 |       |           |               |                                    |                 |
| Review Applicant 5 |       |           |               |                                    |                 |
| Review Applicant 6 |       |           |               |                                    |                 |

### Provide details of Review Applicant 1

Title (choose one)      Mr       Mrs       Miss       Ms       Other (eg. Dr, Rev)

Family Name

Given Name(s)

Other names  
(eg name before marriage)

Date of birth (dd/mm/yy)       Country of birth

Passport number       Are you an Australian citizen or an Australian permanent resident?      Yes       No

Residential address in Australia

|          |
|----------|
|          |
| Postcode |

Phone number

( )

Mobile phone number

Fax number

( )

Email address

Do you need an interpreter? Yes  No

If yes, in what language?

Dialect

## Section B

### Details of the corporate body applying for review

This section must only be completed if the review applicant is a corporate body.

Organisation name

ABN or ACN number

Business name (where different from organisation name)

Contact person's title (choose one)

Mr

Mrs

Miss

Ms

Other (eg. Dr, Rev)

Contact person's Family Name

Contact person's Given Name(s)

Contact person's position within organisation

Organisation business address

|          |
|----------|
|          |
| Postcode |

Phone number

( )

Mobile phone number

Fax number

( )

Email address

Does the contact person need an interpreter? Yes  No

If yes, in what language?

Dialect

## Section C

## Your capacity to apply for review

Tick a box to indicate your capacity to apply for review.

I am:

- the visa applicant.
- the former visa holder whose visa has been cancelled.
- a sponsor or nominator of the visa applicant(s).
- a close relative of the visa applicant(s) whose particulars were included in the visitor visa application.
- applying in respect of a business sponsorship (ie refusal or revocation of status as a sponsor, refusal of renewal as a sponsor, refusal of nomination of business activity or refusal of employer nomination).
- the professional development sponsor.

## Section D

## Details of visa applicant(s)

You only need to complete this section if you are applying for review of a decision to refuse to grant a visa and you are not the visa applicant.

List all visa applicants included in this application.

|                  | Title | Full name | Date of birth | Relationship to Visa Applicant 1 | Male/<br>Female |
|------------------|-------|-----------|---------------|----------------------------------|-----------------|
| Visa Applicant 1 |       |           |               | SELF                             |                 |
| Visa Applicant 2 |       |           |               |                                  |                 |
| Visa Applicant 3 |       |           |               |                                  |                 |
| Visa Applicant 4 |       |           |               |                                  |                 |
| Visa Applicant 5 |       |           |               |                                  |                 |
| Visa Applicant 6 |       |           |               |                                  |                 |

### Provide details of Visa Applicant 1

Title (choose one)    Mr     Mrs     Miss     Ms     Other (eg. Dr, Rev)

Family Name

Given Name(s)

Other name(s)  
(eg name before marriage)

Date of birth (dd/mm/yy)     Country of birth

Passport number     Nationality/  
Citizenship

Residential address in Australia

|          |
|----------|
|          |
| Postcode |

Phone number

( )

Mobile phone number

Fax number

( )

Email address

Do you need an interpreter? Yes  No

If yes, in what language?

Dialect

## Section E

## Appointment of representative

Do you wish to nominate a representative to act on your behalf?

No ([go to Section F](#))

Yes ([complete your representative's details below](#))

Title (choose one)

Mr

Mrs

Miss

Ms

Other (eg. Dr, Rev)

Family Name

Given Name(s)

Organisation name  
(if applicable)

Postal address

|          |
|----------|
|          |
| Postcode |

Phone number

( )

Mobile phone number

Fax number

( )

Email address

My representative is  
(tick one)

A registered migration agent

My spouse, child, parent, brother or sister

The nominator or sponsor of the visa applicant

Other \_\_\_\_\_

Registered Migration Agent No. (if applicable)

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

Representative's client reference (if applicable)

Representative's signature

Date

Where the information in this section refers to a migration agent, the details and signature of the representative will be taken as notification under section 312B of the Act that the representative is providing immigration assistance to the applicant(s) in relation to this review and DIAC will be notified of relevant details as required by the Act.

## Section F

## Where do you want us to send correspondence about your application?

You may choose to have all correspondence sent to yourself or you may nominate a person known as an authorised recipient to receive correspondence on your behalf in connection with the review.

If you nominate an authorised recipient, the Tribunal will send all correspondence to your authorised recipient. The Tribunal only sends copies of correspondence to applicants who have nominated an authorised recipient where the applicant is in immigration detention.

If you have a representative and you do not nominate your representative as your authorised recipient, your representative will not receive any correspondence from the Tribunal.

If you do not nominate an authorised recipient, all correspondence on your case will be sent to you.

**Please send all correspondence in connection with this review:** (tick one box only)

- to my representative whom I nominate as my authorised recipient**  
(If you tick this box, all correspondence will be sent to your representative as given in Section E).

**OR**

- to another person whom I nominate as my authorised recipient**  
(If you tick this box, all correspondence will be sent only to the person whose details you provide below).

Title (choose one)      Mr       Mrs       Miss       Ms       Other (eg. Dr, Rev)

Family Name

Given Name(s)

Organisation name  
(if applicable)

Postal address   
 Postcode

Phone number  (   )

Mobile phone number

Fax number  (   )

**OR**

- to me at my address**  
(If you tick this box, all correspondence will be sent only to the address you provide below).

Address   
  
 Postcode

## Section G

## Decision to be reviewed

In this section, you need to give the Tribunal information about the decision that you want reviewed.

Tick one of the following two boxes:

I have attached a copy of the DIAC decision and covering letter (go to Section H)

OR

I have NOT attached a copy of the DIAC decision and covering letter (complete details below)

**My application is for the review of:** (tick one box only)

a decision to refuse the grant of a visa or visas.

a decision to cancel my visa.

a decision not to revoke the automatic cancellation of my student visa.

a points test assessment where no decision has been made to refuse the grant of a visa.

a decision to refuse approval as a business sponsor (including renewal as a business sponsor) or as a professional development sponsor.

a decision to cancel approval as a business sponsor or professional development sponsor.

a decision to refuse approval of a nomination of an activity or nominated activity.

a decision to give an approved professional development sponsor a notice under subregulation 1.20Q(2).

a decision to require a security for compliance with visa conditions (where the related visa application has been refused).

Visa class

Visa subclass

Date of visa application (if known)

DIAC file number (if known)

Date of DIAC letter notifying the decision

Immigration office where the decision was made

Method of notification (tick one)

Decision was received by post

Decision was received by hand or facsimile

## Section H

## Review applicant declaration

This declaration should be signed by:

- Review Applicant 1 or one of the review applicants on behalf of all applicants;
- A responsible adult where the applicant is a child; or
- A person acting on behalf of the review applicant(s).

Where the application is signed by a person acting on behalf of the review applicant(s), the Tribunal will need to obtain a signed authority from the review applicant(s) that this person acts on their behalf.

**Warning: Giving false or misleading information in this declaration is subject to penalties under the *Migration Act 1958*.**

I declare that:

- the information I have supplied on or with this form is complete and correct;
- I have read and understood the information in this application form;
- I authorise the representative named in Section E to act on my behalf in relation to this application;
- if this application includes more than one review applicant, I make this application with the consent of the other review applicants and undertake to inform all other review applicants of the contents of any communication from the Tribunal.

Signature

Date

Name

Please complete this authorisation if you want to pay the application fee by credit card

### CREDIT CARD AUTHORISATION

Card type:  Visa  Mastercard

Amount

Cardholder name:

Credit card number:

Expiry date:

Cardholder signature:

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