



Australian Government

Migration Review Tribunal

Refugee Review Tribunal

Information for persons who are summonsed to give oral evidence or produce documents

What is a summons?

The Tribunals have the power to issue a summons. A summons is a legal notice requiring a person within Australia to appear and give evidence or to produce documents to the Tribunals. A summons may be issued following a request by an applicant or at the Tribunal's own initiative.

Fees and expenses

Persons, other than applicants, who are summonsed to appear before the Tribunals to give evidence are entitled to be paid expenses for loss of wages, salary or fees for attending the Tribunal hearings. They are also entitled to be paid a reasonable allowance for expenses including transport costs.

If your attendance at a Tribunal hearing was requested by the applicant, such costs will be payable by the applicant. Otherwise, the Tribunal will pay the costs.

If you wish to claim reasonable expenses for travel and/or reimbursement for loss of wages, salary or fees arising from your appearance before the Tribunal, you should send an estimate of costs to the contact person given on the letter accompanying this information sheet. The Tribunal will then determine the amount of payment you are entitled to receive either from the Tribunal or the applicant according to the scale provided in Schedule 2 to the *Administrative Appeals Tribunal Regulations 1976*.

Fees and costs are only payable for appearance before the Tribunal. No fees are payable where you have only been summonsed to produce documents.

What happens if I cannot attend at the scheduled time or to produce the requested documents?

If a summons has been issued for you to attend a Tribunal or to produce documents, and you believe that you have a reasonable excuse for not attending or producing documents, you should immediately get in touch with the contact person on the letter accompanying this information sheet.

Failure to comply with a summons without a reasonable excuse is an offence under the *Migration Act 1958* and may result in a penalty of imprisonment for 6 months.