

# The Administrative Review Tribunal: Information for people who came to Australia by boat

## Who is this information for?

This information is for people who:

- came to Australia by boat before 2014;
- applied for a Temporary Protection Visa (TPV) or Safe Haven Enterprise Visa (SHEV);
- but have never been granted a TPV or SHEV.

## What has changed?

When your TPV or SHEV was refused by Home Affairs, you likely had a review of that decision by the Immigration Assessment Authority (IAA).

**New laws have passed, which abolish the IAA and replace it with a new body called the Administrative Review Tribunal (ART).**

**The ART will start working on 14 October 2024.**

The ART is different to the IAA because it can:

- more easily look at new information or evidence which might not have been included when you first applied for your TPV or SHEV;
- more easily give you an oral hearing where you can explain why you need protection, answer questions from the Tribunal Member and call witnesses to support your case.

## What does this mean for me?

Some people who came to Australia by boat will be able to have their case looked at by the ART but only if they still have a TPV or SHEV application in the system.

If your TPV/SHEV was refused and your court cases and reviews are all finished then the ART cannot look at your case.

## My case is with the IAA now

If your case is still with the IAA and they do not decide on your case before 14 October 2024, your case will be automatically transferred to the ART. You do not need to apply to the ART.

**If you have not had a decision from the IAA by 14 October, you should speak with a lawyer who can help you to provide new information and evidence for the ART to consider.**

## **My case is currently at the Federal Circuit and Family Court or Federal Court**

If your court case is successful after 14 October 2024, the court will send your application back to the ART, instead of to the IAA.

If this happens, **you should speak with a lawyer who can help you to provide new information and evidence for the ART to consider.**

## **My Ministerial Intervention Request was successful, and I have lodged a fresh application for a TPV**

The Department of Home Affairs will now look at your application. If the Department refuses your application after 14 October, you can appeal to the ART.

If your application is refused by the Department, speak with a lawyer because there may be a strict deadline to apply to the ART.

## **Where can I go for help?**

People in Queensland who came to Australia by boat can get free legal advice from RAILS.

Phone: (07) 3846 9300

Email: [admin@rails.org.au](mailto:admin@rails.org.au)

Website: [www.rails.org.au](http://www.rails.org.au)