



The Fast Track Assessment process

Information for people who arrived illegally by boat on or after 13 August 2012 and before 1 January 2014 who are seeking Australia's protection

The law about how protection visa applications are processed for illegal maritime arrivals (IMAs) has changed. It is your responsibility to make sure you understand what these changes mean for you.

On 5 December 2014, Parliament passed legislation to create a Fast Track Assessment process for protection visa applications. These laws come into effect on 19 April 2015.

The Fast Track Assessment process will allow protection claims to be assessed efficiently by introducing a new review pathway. It also has shorter timeframes for applicants to respond to requests for further information or to respond to adverse information.

Your protection visa application will be assessed under the Fast Track Assessment process if:

- you arrived on or after 13 August 2012 and before 1 January 2014
- you have not been taken to a regional processing centre
- the Minister for Immigration and Border Protection has allowed you to make a valid protection visa application, and
- you lodge a valid protection visa application on or after 19 April 2015.

The Minister could also determine that other groups of people will be processed under the Fast Track Assessment process. We will tell if you are a fast track applicant.

The Fast Track Assessment process uses a new review body called the Immigration Assessment Authority (IAA). If you are refused a protection visa, you will not be able to apply for review by the Refugee Review Tribunal (RRT). Instead, we will automatically refer your case to the IAA for a review. However, you will not be eligible for IAA review if you are assessed to be an 'excluded fast track review applicant'.

Under the Fast Track Assessment Process, it is extremely important to **give us your protection claims early and in full**. If you do not give us all of your protection claims and we refuse your application, you might not have another chance to provide these claims.

If we have questions or concerns about the claims you have made or the information you have given, we will give you an opportunity to respond to our questions or concerns. This will be either during your interview or in writing. However, you will be given limited time to give us any new information before we make a decision on your application. It is important that you respond and provide any new information within the timeframes we give you.

It could be some time before you are invited to apply for a protection visa, given the large number of people who need to be assessed under the Fast Track Assessment process. When it is your turn and the Minister has allowed you to make a valid protection visa application, we will invite you to apply.



Stay in contact with us and make sure we have your current contact information so we can send you this invitation. It is also very important that you attend any appointments we arrange with you and respond to any questions we ask you.

To update your contact details, call 1300 728 662 with your name, date of birth, boat identification number, home address and contact phone number.

Let us know if your circumstances change. This includes a new residential address or phone number, a pregnancy, change of relationship, birth or death in your family, significant changes in your health or financial situation or criminal charges.

What will the Fast Track Assessment process involve?

When you are invited to apply for a protection visa, you can choose to apply for a [Temporary Protection visa](#), or for a [Safe Haven Enterprise visa](#) (when available). You will need to fill out the relevant application form in English, or get a translator to help you if you cannot write in English. In this form, you should include all of your protection claims as fully as possible. You must be truthful and provide evidence to support your claims where this is possible.

You must provide genuine documents as evidence of your identity, nationality and citizenship. You will be asked to provide translated, certified copies of these documents with your application form. If you cannot give us these documents, you must have a reasonable explanation for not providing them.

Documents in a language other than English should be accompanied by an English translation completed by a translator who is accredited by the National Accreditation Authority for Translators and Interpreters (NAATI). Visit the NAATI website at <http://www.naati.com.au> for more information.

You will be asked to attend an interview with an immigration officer. That officer will ask you for more information about yourself and your claims. When answering these questions, you must speak truthfully and provide all the information you have about your protection claims.

If you are found to engage Australia's protection obligations and meet all other criteria, such as health, security, character and identity requirements, you will be granted a temporary visa to stay in Australia.

To help you apply for protection, we have developed Protection Application Information and Guides (PAIG). They are available on our website at www.immi.gov.au/paig. These documents include more information on how to apply for a visa, your visa options and the assessment process.

Review rights

Under the Fast Track Assessment process, you will not have access to the RRT. If you are found not to engage Australia's protection obligations, you could get a limited form of review by the IAA. You will not be eligible for this review if you are assessed to be an excluded fast track review applicant.

The IAA will only consider information that was available to us when we made the decision to refuse your visa. This includes the information you gave to us in your protection visa application. In most cases, you will not be able to give new information to the IAA. This will only be allowed in exceptional circumstances.

You do not need to apply for IAA review. If you are eligible, we will automatically refer your case to the IAA. We will tell you if we do this.

Excluded fast track review applicants

If we find that you do not engage Australia's protection obligations, we will then assess whether you are eligible to have this decision reviewed. You will not be eligible for a review if you:

- have access to a safe third country that you can seek protection from, or are a national of two or more countries
- have previously entered Australia and, while in Australia, made an application for a protection visa which was either refused or withdrawn
- have been refused protection in another country, including with the United Nations High Commissioner for Refugees (UNHCR)
- have made manifestly unfounded claims for protection (that is, your claims have no substance)
- have given us a bogus document as part of your protection visa application and do not have a reasonable explanation for doing so.

If you fit one of these criteria, you will be an excluded fast track review applicant. We will tell you if we assess that you fit one of these criteria. You will be able to comment and give us more information before we reach a decision.

If we decide that you are an excluded fast track review applicant, you cannot seek merits review of our decision to refuse your visa. You will be expected to make arrangements to leave Australia.

Application assistance

To help you apply for protection, we have developed Protection Application Information and Guides (PAIG). They are available on our website at www.immi.gov.au/paig.

People who have entered Australia illegally and have been determined to be most vulnerable may have access to application assistance through the Primary Application Information Services (PAIS). We will tell you if you can get this service.

You can seek the assistance of a registered migration agent at any time. You will have to pay for this yourself.

Why has this new process been introduced?

There are many asylum seekers who arrived in Australia illegally and are waiting to have their claims assessed. This new system means we can make sure our protection visa application process for these asylum seekers is more efficient and effective.

Can I choose to have my claims assessed under a different process?

No. All IMAs in Australia who arrived on or after 13 August 2012 and before 1 January 2014, who lodge a valid protection visa application on or after 19 April 2015, will have their claims assessed under the Fast Track Assessment process.

Will IMAs at Nauru or Manus be processed under Fast Track?

No. IMAs who have been transferred to Nauru or Papua New Guinea will have their asylum claims assessed under the laws of those countries. They will not be resettled in Australia.



Going home

If you are found not to engage Australia's protection obligations, you will be expected to return home or to another country where you have right of entry.

You can choose to return home or to another country where you have right of entry at any time. You may be eligible for assistance to return home. For information about your options to return home, visit the IOM website at <http://www.thinkingofhome.org>.