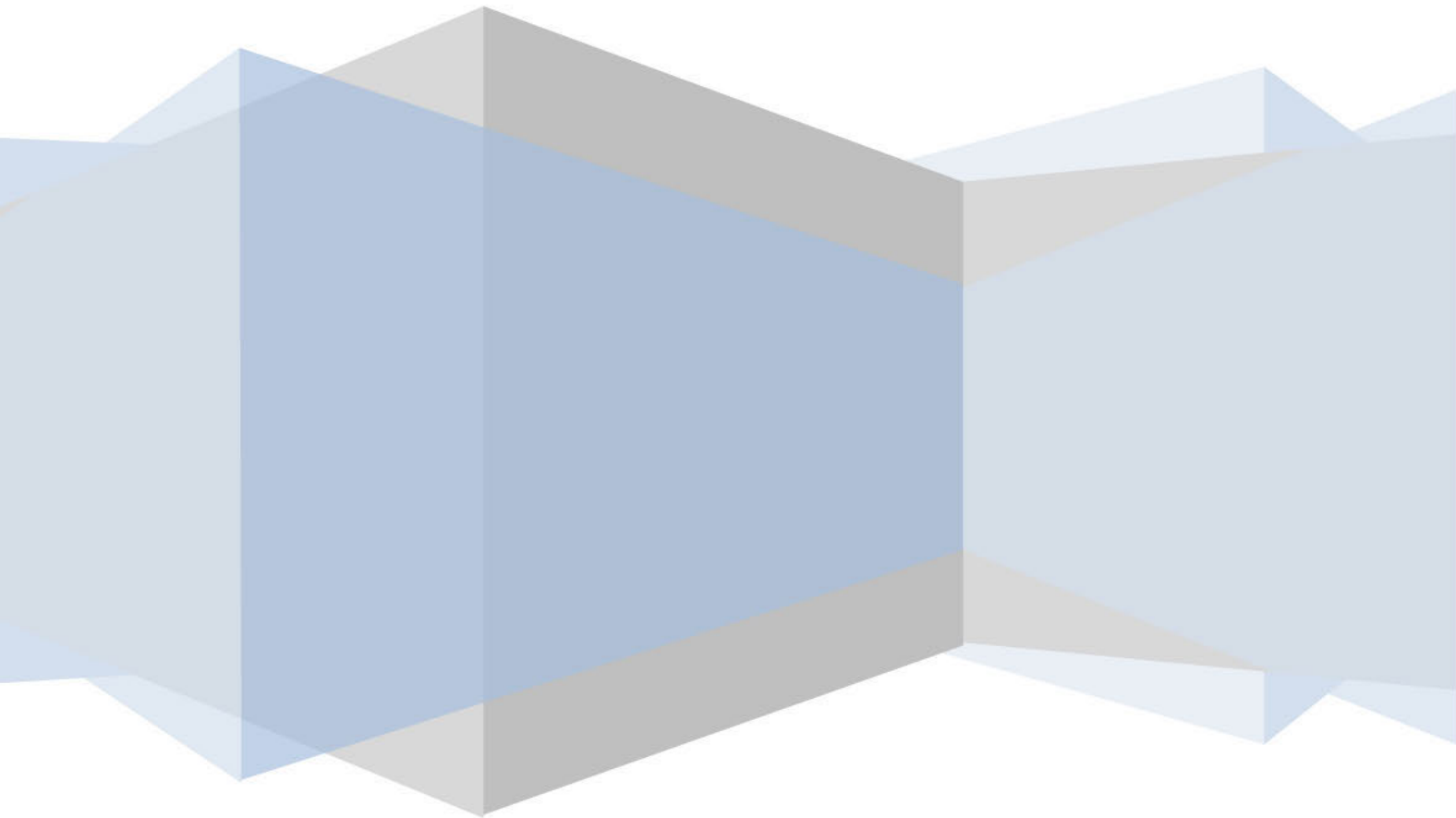


Jurisdiction Issues

Pre Con Team training material



s 22

Incurable issues

- Timeframes Not Met, Non Reviewable Decision – **Always incurable**
 - However, Out Of Time issue could cease to be Jurisdiction issue after DFQ17 assessment is conducted s 47E(d)
 - When identified as Out Of Time at the raising stage it will be still marked as NJ issue and then s 47E(d) will undertake further assessment if a matter is DFQ17 affected. s 47E(d)
 - If DFQ17 affected – s 47E(d)

Examples:

s 47E(d)

s 47E(d)

s 47E(d)

s 47E(d)

s 22

s 22

o s 22

Procedure

- Create Jurisdiction case note outlining the issue
- s 47E(d) [REDACTED]
- s 47E(d) [REDACTED]
- Finish raising the application in Casemate
- Send Acknowledgment letter
- s 47E(d) [REDACTED]
- Create paper file
- s 47E(d) [REDACTED]
- s 47E(d) [REDACTED]
- s 47E(d) [REDACTED]

Examples

Out of Time

Primary Notification letter



Australian Government
Department of Home Affairs

3 September 2019

In reply quote:

Client Name
Date of Birth
Date of Visa Application
Application ID
File Number
Visa Application Charge Receipt Number

Transmission Method Email sent to

Notification of refusal of application for a Protection (subclass 866) visa

This letter refers to your application for a Protection (subclass 866) visa, which was lodged at Sydney City Office on

Decision on Protection (subclass 866) visa

I wish to advise you that the application for a Protection (subclass 866) visa has been refused for the following applicant(s):

After careful consideration of all the information available to me, I was not satisfied that you met the relevant criteria for the grant of this visa as set out in Australian migration law.

This application was refused because you did not satisfy subsection 36(2) of the *Migration Act 1958*. That provision requires you to be a non-citizen in Australia in respect of whom Australia has protection obligations or a member of the same family unit as such a person.

The attached decision record provides more detailed information about this decision and the applicant(s) it applies to.

Review Rights

The Department cannot consider your visa application any further. However, you are entitled to apply to the Administrative Appeals Tribunal (AAT) for a merits review of this decision. An application for merits review of this decision must be given to the AAT within the period of 28 calendar days, commencing on the day you are taken to have received this letter.

Humanitarian Sources

s 47E(d)

Lodgement Date: 3/10/2019 12
Lodgement Method: Email

Working Days Calculator

Today's date or letter's date: 03/09/2019 dd/mm/yyyy

State: QLD Insert the state that the letter is being sent to

Working Days: 0

Calendar Days: 28

The last day of the relevant period is

Tuesday, 1/10/2019

s 47E(d)

s 47E(d)

Procedure

- s 47E(d)
- Contact the Party
- Case note outlining the outcome of the contact
- s 47E(d)
- s 47E(d)
- s 47E(d)
- s 47E(d)
- s 47E(d)
- While jurisdiction issue is being resolved – the file location remains s 47E(d) responsible
- When issue amended by Party – s 47E(d)
- s 47E(d)

Examples:

s 47E(d)

s 47E(d)

s 47E(d)