



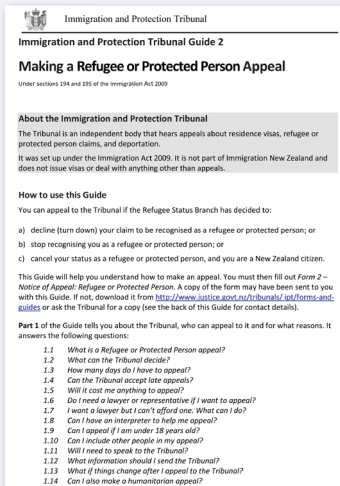
Immigration and Protection Tribunal

For more information visit www.justice.govt.nz/tribunals/immigration/immigration-and-protection

Refugee and Protection Status Appeal

Form 2

Important information to be read in conjunction with Guide 2.



See the Guide to Lodging a Refugee and Protection Status Appeal

1 What is this form for?

Use this Notice of Appeal form if you want to appeal to the Immigration and Protection Tribunal (the Tribunal) against a Refugee and Protection Officer's decision to:

- **Decline** your claim for **refugee or protected person status**;
- **Decline to accept for consideration your claim for recognition as a refugee or protected person**;
- **Cancel or cease** your recognition as a **refugee or protected person**; or
- **Refuse** to consider your **subsequent claim** for refugee or protected person status.



Important information

- Please read *Guide 2 – A Guide to Lodging a Refugee and Protection Status Appeal* before you start completing this form. The Guide will help you assess whether you are entitled to an appeal and provides information on how to lodge an appeal.
- If your appeal is against a decline of your claim for refugee or protected person status, and you are:
 - › liable for deportation or may in the future be liable for deportation, and
 - › entitled to an appeal on humanitarian grounds,

you must lodge that appeal at the same time as this appeal. To lodge a humanitarian appeal you must complete *Form 5* (the form for Humanitarian Appeal Against Deportation) available at www.justice.govt.nz/tribunals/immigration/immigration-and-protection or by contacting the Tribunal. You will be required to pay a lodgement fee of NZ \$700 with *Form 5*.

2 How much does it cost to lodge an appeal?

- Lodging this appeal with the Tribunal is free.

3 How do you complete this form?

- You must complete this form in English.
- Please print in CAPITAL LETTERS if filling out by hand.
- You/your representative must complete all the parts of this form. If you have a representative, he/she should sign it as well.
- If you are providing any documents or evidence in support of your appeal, ensure that the documents are certified copies and in English or with a certified translation in English. Two copies of all documents need to be provided.
- If you are a minor appellant (under 18 years of age and not married or in a civil union), a responsible adult must sign on your behalf. If you do not have a parent present to act as responsible adult, tick the relevant box in Part 5 of this form and the Tribunal will nominate a responsible adult to act for you.

4 How long do you have to lodge this form?

- If you are **in prison or detention** you have **5 working days** after the date you were notified of the decision by the Refugee Status Branch to which this appeal relates to lodge this form.
- If you are **not in prison or detention** you have **10 working days** after the date you were notified of the decision by the Refugee Status Branch to which the appeal relates to lodge this form.

5 How do you lodge this appeal?

- You **must** lodge this Notice of Appeal in person, by courier or by post to the Tribunal at the address at the end of this form.
- You may also send in advance a copy of this Notice of Appeal by fax but note that you will still need to deliver or post the original of this Notice of Appeal and any supporting documents to the Tribunal.

6 What will happen after you lodge your appeal?

- After you have lodged your appeal, the Tribunal will write to let you know that your appeal has been received.
- A copy of your appeal will be sent to the Refugee Status Branch who will provide relevant information from your immigration file to the Tribunal.
- If you change your representative or your (or your representative's) contact details change you must notify the Tribunal immediately.

7 Who can help you with this form?

- The following persons can help you complete this form:
 - › a lawyer
 - › a licensed immigration adviser
 - › a licence-exempt person.
- Note: Only the above persons can act as your representative. The Tribunal can only accept appeals lodged by you or any one of the persons listed above. For more details, please refer to *Guide 2*.
- You can also contact the United Nations High Commissioner for Refugees (UNHCR) at:
3 Lyons Place, Lyons ACT, 2606
Australia
Telephone: 0061 2 6260 3411
Fax: 0061 2 6260 3477
www.unhcr.org.au

Definitions

Appellant	An appellant is the person who appeals a decision.
Certified copy	A true copy, approved by someone legally allowed to approve it. If you are in New Zealand, certified copies must be approved by a lawyer, notary public, Justice of the Peace or court official.
Certified translation	A written translation from one language into English that has been officially certified by a recognised translation agency. A translation by a friend or family member will not be accepted.
Decision	The letter from the Refugee Status Branch telling you that your refugee and/or protection status has been cancelled.



Immigration and Protection Tribunal

For more information visit www.justice.govt.nz/tribunals/immigration/immigration-and-protection

Refugee and Protection Status Appeal

Form 2

Notice of Appeal

Under the Immigration Act 2009

It is an offence under the Immigration Act 2009 to make any statement, provide information, evidence or submissions knowing that they are false or misleading in any material aspect in any appeal or application in the nature of an appeal to the Tribunal.

Please fill in all sections below:

Part 1: Appellant's information

1A: What is your full name?

Last name(s)

First name(s)

Title Mr Mrs Ms Miss Dr Other (specify) _____

1B: What other names are you known by?

Name(s)

1C: What is your gender? (Please tick)

Male Female Prefer not to disclose

Other (please tell us your gender identity) _____

1D: When were you born?

Date (day/month/year) / /

1E: What country were you born in?

1F: What is your nationality?

1G: What is your current residential address in New Zealand (if any)? (This cannot be a PO Box).

YOU MUST NOTIFY THE TRIBUNAL IMMEDIATELY IF YOU CHANGE YOUR ADDRESS.

Street number / Street name

Suburb

Town / City

Post code

This is where you are currently living.

Part 1: Appellant's information (continued)

1H: What are your contact details

Daytime contact phone number ()

Other contact phone number ()

Fax number ()

1I: Where do you want us to send all documents and official notices relating to this appeal?

(This cannot be a PO Box). Note that under section 225(2)(i) of the Immigration Act 2009 you must provide the Tribunal with a current address to which communications relating to your appeal may be sent.

(Please tick one)

to your representative (details to be provided in Part 4). Move on to Part 2 and continue.

to you, at the address in 1G above.

to you, at the following address (if you are a minor appellant and have a responsible adult, this will be the responsible adult's address for communication):

Street number / Street name

Suburb

Town / City

Post code

You must notify the Tribunal immediately if you change your address. Note that under section 225(4) of the Immigration Act 2009 the Tribunal may rely on the latest address you provided for purpose of communications relating to your appeal.

Part 2: Appeal information

2A: What is your Immigration New Zealand client number?

2B: What is the date of your Refugee Status Branch decision?

Date of decision (day/month/year) / /

Part 3: Interpreter

3A: Do you require an interpreter if a hearing takes place? (Please tick)

Yes. Please complete question 3B.

No. Go to Part 4.

3B: What language and dialect (if applicable) do you prefer to speak?

Language

Dialect

Part 4: Representative's information

If you do not have a representative, you do not need to complete this part. Go to Part 5.



Only a lawyer, licensed immigration adviser, or a licence-exempt person can act as a representative.

4A: What is your representative's name?

Last name(s)	
First name(s)	
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other (specify) _____
Organisation name (if applicable)	

4B: What is your representative's physical address? (This cannot be a PO Box)

Notices, documents, and information relating to this appeal will normally be sent to this address.

Street number / Street name	
Suburb	
Town / City	Post code

What is your representative's postal address?

Delivery service type	PO Box/Bag/DX number
Locality	
Town / City	Post code

4C: What are your representative's contact details?

Daytime contact phone number ()	
Other contact phone number ()	Fax number ()

4D: Declaration

I (the representative) accept the authority to act on behalf of the appellant.

I will accept service of notices, communications, and other documents on behalf of the appellant.

I am a: (Please tick one)

<input type="checkbox"/> Lawyer	
<input type="checkbox"/> Licensed Immigration Adviser	Licence number <input type="text"/>
<input type="checkbox"/> Licence-exempt person. Please tick your ground for exemption	
<input type="checkbox"/> person providing immigration advice in an informal or family context only	
<input type="checkbox"/> current member of Parliament or one of their staff	
<input type="checkbox"/> foreign diplomat or consular staff	
<input type="checkbox"/> public service employee providing immigration advice within the scope of their employment agreement	
<input type="checkbox"/> staff of a community law centre or citizens advice bureau	

4E: Representative's signature

Signature	Date (day/month/year)	/	/
-----------	-----------------------	---	---

Part 5: Principal appellant's declaration

DECLARATION



This declaration **MUST** be signed by all appellants aged 17 years or older.

Knowing that it is an offence under the Immigration Act 2009 to make a declaration that is false, I declare that the answers in the form are true and correct. I authorise my representative to act on my behalf in all matters with the Tribunal and receive all correspondence and documents relating to my appeal.

Signature of appellant

Date (day/month/year)

/

/

If you are a minor appellant, under 17 years of age, a responsible adult must sign this declaration for you.

Responsible adult's name & signature

Name

Signature

Date (day/month/year)

/

/

Relationship to appellant

If you are a minor appellant and require a responsible adult to be nominated for you by the Immigration and Protection Tribunal, tick the box below:

I require a responsible adult to be nominated by the Tribunal.

Checklist

Please tick to confirm the following

- You have answered all the relevant sections of this form in English or attached a certified translation.
- You have provided certified copies of relevant information you wish to submit at this point. Two copies of all documents must be provided
- You have provided a certified copy of the identification page from your passport.
- You and your representative (if you have one) have signed this form.
- You have provided a copy of your RSB decision.

Tribunal Contact Details



Immigration and Protection Tribunal
Tribunals Unit

Physical address:

(Use this address to deliver items in person or to send by courier. Do not post items to this address.)

**Level 1, Chorus House
41 Federal Street
Auckland 1010
New Zealand**

Postal address:

(Use this address for posting items only. Do not courier items to this address.)

**DX EX 11086
Auckland
New Zealand**

Ph: 64 9 914 4299
Fax: 64 9 914 5263
Email: IPT@justice.govt.nz

www.justice.govt.nz/tribunals/immigration/immigration-and-protection