Human Rights Law Program Infosheet – Judicial Review (Federal Circuit Court)



Judicial Review: Affidavit Guide

Who is this Infosheet for?

This Infosheet is for people seeking judicial review of their decision at the Federal Circuit Court (FCC). It is an annotated guide to completing an affidavit for the FCC. It should be used alongside the Asylum Seeker Resource Centre's (ASRC) Infosheet titled 'Judicial Review at the Federal Circuit Court'.

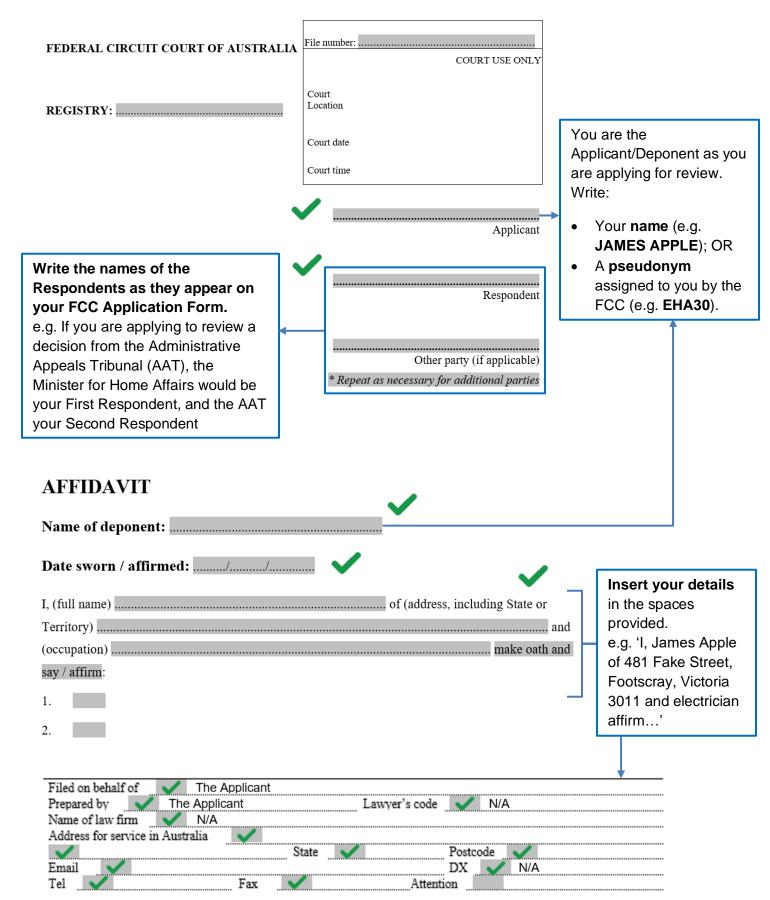
To apply for judicial review, you must complete and lodge:

- An application for review of a decision made by the Immigration Assessment Authority (IAA),
 Administrative Appeals Tribunal (AAT), the Minister for Home Affairs, the Independent
 Protection Assessment Reviewer (IPAR). Please refer to the ASRC's Infosheet titled 'HRLP
 Infosheet Completing a Federal Circuit Court Application Form' for guidance on completing
 the application form.
- An affidavit and annexure cover sheet confirming you are the applicant in you FCC application and including a copy of the written decision that you are reviewing (e.g. your AAT decision or IAA decision). This Infosheet will explain how to complete the affidavit and annexure cover sheet.

How to use this Infosheet

To access the Affidavit form referred to throughout this Infosheet, visit this link: http://www.federalcircuitcourt.gov.au/wps/wcm/connect/fccweb/forms-and-fees/court-forms/form-topics/all+jurisdictions/form-fcc-affidavit.

In this Infosheet, you will see this tick symbol: If you see this symbol, that section of the affidavit must be completed. Failing to correctly fill out the affidavit may result in the FCC refusing to accept the application. You do not need to complete any section not marked with this tick symbol.



(occupation) make oath and					
say / affirm:					
1.	e.g:	e.g: I am the Applicant in this proceeding.			
2.		I make this affidavit from my ow ss stated otherwise.	n knowledge and belief]	
	e.g: A copy of the written decision is annexed to this affidavit and marked "JA-1".]	
	Do not fill out the sections below the dotted line. section must be completed in the presence of the per witnesses the affidavit (such as an Australian lawyer, officer or some staff of Australian Courts). You can selist of who can be your witness here: https://www.justice.vic.gov.au/affidavits			olice	
at (place) .	firmed by the deponent	Signature of deponent		

Before me:

Signature of witness

Full name of witness:

Qualification of witness:

The numbered paragraphs are where you will write the text of the affidavit. These are the paragraphs you are affirming to be true and correct. You should include the following information in these spaces:

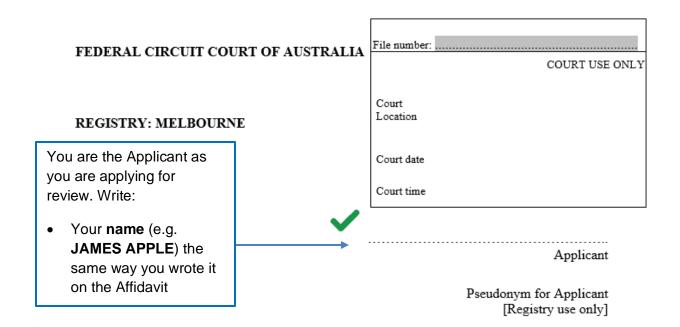
- Confirming that you are the Applicant in this proceeding.
- Stating that you are seeking judicial review of a decision (e.g visa refusal or cancellation by the AAT or IAA), and state the date the decision was made.
- Stating that you have attached the decision mentioned above and that you have named that document as "[YOUR INITIALS]-1" (e.g "EH-1").
- If you are seeking an extension of time because you did not apply for review within 35 days of the decision being made, state the reasons why you could not apply for review in time.

[Alternative jurat for non-English speaking affidavit]	
Sworn / Affirmed by the deponent through the interpretation of (name of interpreter) of (address of interpreter) (description of interpreter) the interpreter having first sworn that he / she had truly interpreted the contents of this affidavit to the deponent and that he or she would truly interpret to (name of deponent) at (place) on (date) Signature of deponent	If you completed the affidavit with the assistance of an interpreter, you must complete this section with your witness (i.e. a lawyer) and your interpreter.
Before me:	5
Signature of witness Full name of witness: Oualification of witness:	Do not sign the affidavit until you are with the witness and interpreter who will be signing it with you.
I (name of interpreter) certify that I understand the English language and the	
(name of language used) language, and that I have truly interpreted to the	
deponent the contents of this affidavit and the oath or affirmation which was administered.	
Signature of the interpreter (print name)	

Annexure Cover Sheet

Once you've filled out the affidavit, you will also need to **complete an annexure cover sheet** to go on the front of your affidavit. **You must complete the annexure cover sheet to validly submit your affidavit to the AAT**. Failing to include an annexure cover sheet may cause delays or problems in your case before the AAT.

The following page describes how to complete the annexure cover sheet.



MINISTER FOR IMMIGRATION, CITIZENSHIP, MIGRANT SERVICES AND MULTICULTURAL AFFAIRS

First Respondent

