

The Immigration Advisers Complaints and Disciplinary Tribunal

For more information visit www.justice.govt.nz/tribunals

IACDT Number _____

Which party are you? (Please tick one)

- Complainant
- Immigration Adviser

Section 55 Appeal

Appeal to Tribunal against determination by Registrar to cancel licence

A When to use this form

Use this form if you want to appeal against the Immigration Advisers Authority's decision to cancel your licence on the basis that:

- You were prohibited by section 12(6) or 15 from holding a licence;
- Your licence was granted on the basis of any false or fraudulent representation or declaration, made either orally or in writing;
- Your application for your licence or its renewal was accompanied by payment of an application fee that has subsequently been dishonoured; or
- Your payment of the immigration adviser's levy has subsequently been dishonoured.

B Timeframe for filing a Section 55 Appeal Form

You must file your appeal in writing and within 20 working days after the date you received notice of the Registrar's decision to cancel your licence. The 20 working days time limit runs from the date you receive notice of the cancellation, irrespective of when the cancellation is to take effect.

NOTE: The Tribunal must receive the form within the specified timeframe. Be sure to allow enough time for it to arrive at the Tribunals Unit in Wellington.

- A working day is defined as any day apart from a Saturday, Sunday, public holiday or a day in the period commencing on 25 December and ending with the close of 15 January the following year.

C What you need to file

- A completed copy of this form; and
- A copy of the notice of the Registrar's decision to cancel your licence; and
- Any other information that you want the Tribunal to consider in relation to the appeal

D How to complete this form

- You must complete this form in English.
- Use CAPITAL LETTERS if filling out by hand.
- Answer every question on the form unless instructed otherwise.
- Provide a copy of all relevant documents in support of your appeal (eg. correspondence, evidence, or any reports).
- All documents must be in English or translated into English by a certified translation service.

E Sending additional documentation and evidence

You should send additional documentation and evidence supporting any claim you may make in this form.

F Procedure following filing

Once you have filed a section 55 appeal and served it on the Immigration Adviser's Authority, the Tribunal will issue directions setting out a timeline for any additional submissions. Once all relevant time limits have expired, the Tribunal will issue a decision in writing.

G Filing and serving

You need to file this form with the Tribunal and serve it on the Registrar of the Immigration Advisers Authority. Information on how to do this is provided at the end of this form and in the Tribunal's Practice Notes.

Part 1 Identify the Decision

Please provide the following details:

Your name
Date appearing on notice cancelling licence

Part 2 Personal Contact Details

You are required to maintain current contact details with the Tribunal; you must notify the Tribunal and the Immigration Advisers Authority of any change of details. Failure to do so may mean you do not receive documents which are deemed to have been effectively served on you.

Who should we contact about matters involving this claim? (Please tick one)

- Contact me
- Contact my representative

Part 2A Personal Contact Details

Please fill in ALL fields with your contact details:

Surname(s)
First name(s)
Company name (if applicable)
Occupation

Address for service

Street
Suburb
City/town
Post code
Country

Daytime contact phone number
Mobile
Email address

Part 2B Representative's Contact Details (if applicable)

You are entitled to represent yourself or have a **lawyer** represent you. You need leave of the Tribunal to have a non-lawyer representative appear on your behalf; leave is not granted as a matter of course.

Please tick the appropriate box:

- I am representing myself (move on to Part 3).
- I am being represented by a practising lawyer (please provide your representative's contact details in the section below).
- The Tribunal has granted leave for me to be represented by non-lawyer (please provide your representative's contact details in the section below and attach a copy of the Tribunal's decision granting leave).

Please fill in ALL fields with your representative's contact details:

Representative's full name(s)
Company name (if applicable)

Address for service

Street
Suburb
City/town
Post code

Contact details

Daytime contact phone number ()
Mobile
Email address

Part 3 Reasons for Appeal

Set out the reasons why you disagree with the Immigration Advisers Authority's decision to cancel your licence.

Please also:

- Refer to the paragraph numbers (if any) used in the notice of decision when you are identifying the parts you disagree with.
- Attach any additional documentation and evidence which support any claims you make.

(If you need more space please attach a separate page)

Part 4 Signature

By signing this form, you are certifying that the information contained in this form is true and correct, to the best of your knowledge.

If you are completing this form electronically, you may type your full name in the 'Your Signature' box in lieu of providing a written signature.

Your Signature

Date / / (dd/mm/yyyy)

Part 5 Checklist

Before you file this form with the Tribunal, please check that you, or your representative, have:

- Answered every applicable question.
- Attached a copy of any additional evidence that supports your case (if applicable).
- Signed and dated this form.

Part 5A Filing and Serving your Section 55 Appeal

The easiest way to file and serve this form with the Tribunal is by email, addressed to: IACDT@justice.govt.nz

You must serve a copy of this form on the Immigration Advisers Authority.

If you are unsure, please check with the Tribunal to confirm that you have the correct email address for the Immigration Advisers Authority.

For information on how to file and serve this form, please refer to the Tribunal's Practice Notes which are available on its website.

NOTE: If the document you are filing and serving by email is larger than ten pages in length, you must also send or deliver a paper copy to the Tribunal and the Immigration Advisers Authority.

Tribunal Contact Details

Immigration Advisers Complaints and Disciplinary Tribunal
Tribunals Unit
Private Bag 32-001, Featherston Street, Wellington 6011

Ph: (04) 4626660

Fax: (04) 4626686

Email: IACDT@justice.govt.nz

www.justice.govt.nz/tribunals