

IMPORTANT LEGAL CHANGE FOR PEOPLE SEEKING ASYLUM AFFECTED BY THE 'DATA BREACH'

The Government has just introduced new laws to allow some people affected by the 2014 'data breach' to have their claims assessed (or reassessed) under law.

What does the change mean?

The change means that 86 specified people will be permitted to apply (or reapply) for a protection visa. The new application will be processed under the existing Fast Track Assessment system.

Who does it apply to?

The change applies to some people seeking asylum in Australia who had their personal information inadvertently released into the public realm by the Department of Immigration on 11 February 2014 (**the data breach**). Some of these people have not yet had any claims for protection arising from the data breach assessed under law (i.e. through a protection visa application).

When was it introduced?

The change was introduced on 17 August 2017 by legislative instrument: [Migration \(IMMI 17/015: Person who is a Fast Track Applicant\) Instrument 2017](#).

What is the process?

The Department is writing to the 86 people who this change applies to. The letter states that people will receive a further letter shortly advising that they are eligible to apply for a protection visa. Critically, for people who have previously made an application for a protection visa (which was then refused), under law they will only have **7 working days** in which to lodge this new application.

What should people do?

It is essential that anyone who may be affected this change:

- Ensures that their contact details are up-to-date with the Department of Immigration and Border Protection;

AND

- Seeks urgent legal assistance.

For anyone needing free legal assistance, please contact [Refugee Legal](#) on (03) 9413 0101.

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