Administrative Review Tribunal (ART): A Complete Guide

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The Administrative Review Tribunal (ART) is the primary body that reviews immigration decisions made by the Department of Home Affairs. If your visa has been refused or cancelled, the ART is usually your first avenue of appeal.

What Is the ART?

The ART was established in 2024, replacing the former Administrative Appeals Tribunal (AAT) and the Migration Review Tribunal (MRT). It reviews decisions on their merits — meaning it considers the decision afresh and can substitute a different decision.

When Can You Apply to the ART?

You can apply to the ART if:

- Your visa application has been **refused** by the Department of Home Affairs
- Your visa has been **cancelled** by the Department
- You have received an **adverse decision** on a nomination or sponsorship

Not all decisions are reviewable. Some decisions — such as those made personally by the Minister — are not subject to ART review.

Time Limits for Lodging

Situation	Deadline
Visa refusal (applicant in Australia)	28 days from notification
Visa refusal (applicant outside Australia)	70 days from notification
Visa cancellation under s.501	9 days from notification
Sponsorship/nomination refusal	28 days from notification

These deadlines are strict and cannot be extended. If you miss the deadline, you lose your right to ART review.

[DEADLINE_WARNING]

How to Apply

1. **Lodge your application online** through the ART website or by paper form
2. **Pay the application fee** (currently $3,374 for migration matters — this is refundable if you win)
3. **Provide your contact details** and the decision you are seeking to have reviewed

What to Expect at a Hearing

Before the Hearing

- You will receive a **hearing invitation** with the date, time, and location
- You may submit **additional evidence and submissions** before the hearing
- You can request an **interpreter** if needed

At the Hearing

- The hearing is **relatively informal** — it is not like a court
- The Tribunal member will ask you questions about your case
- You can have a **legal representative** present (and I strongly recommend it)
- The hearing usually lasts **1 to 3 hours** depending on the complexity

After the Hearing

- The Tribunal will issue a **written decision** — this can take several weeks to months
- If the Tribunal **affirms** the original decision, you may be able to seek judicial review
- If the Tribunal **remits** the decision, it goes back to the Department for reconsideration
- If the Tribunal **sets aside** the decision, it substitutes its own decision

Tips for a Strong ART Case

1. **Lodge early** — do not wait until the last day
2. **Provide comprehensive submissions** — explain why the original decision was wrong
3. **Organise your evidence** — make it easy for the Tribunal to find what it needs
4. **Be honest and consistent** — inconsistencies will undermine your credibility
5. **Get legal representation** — the success rate is significantly higher with professional help

How I Can Help

I have represented hundreds of clients at the ART (and its predecessor tribunals). I know what the Tribunal looks for and how to present your case effectively. I will prepare your submissions, gather evidence, and represent you at the hearing.

Book a consultation today from $97.

About the Author

Nilesh Nandan is the Head of Practice at MyVisa Lawyers Pty Ltd, a specialist immigration law firm with offices across Australia. With 33 years of legal experience and 27 years specialising in immigration law, Nilesh is admitted as a solicitor in New South Wales and holds a practising certificate issued by the Law Society of New South Wales under the Legal Profession Uniform Law (NSW).

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