



Australian Government
**Department of Immigration
and Border Protection**

The Primary Application Information Service

The Primary Application Information Service (PAIS) is a Government-funded service to help eligible illegal arrivals apply for a protection visa. Funding for the programme is limited and, as such, PAIS will only be offered to a small percentage of protection visa applicants.

Who delivers PAIS and what services do they provide?

The Department has engaged two PAIS service providers to provide assistance at the primary stage. Unaccompanied minors (UAMs) for whom the Minister is guardian under the *Immigration (Guardianship of Children) (IGOC) Act 1946* will also receive PAIS assistance at review.

The services provided under PAIS are provided by a registered migration agent and include:

- meeting the applicant to:
 - explain the agent/client relationship
 - explain the protection claims process
 - gather claims and documentation to support an application for a protection visa
- lodging the visa application and supporting documentation
- attending the Department's protection claims interview with the applicant
- conveying and explaining the decision made on the visa application.

Can a PAIS provider help with merits review?

PAIS is not available for assistance at merits review, except for IGOC minors.

In recognition of the particular responsibilities accruing to him as Guardian, the Minister decided that PAIS will be available at review for unaccompanied IGOC minors who are found not to engage Australia's protection obligations during primary processing. Unaccompanied minors of whom the Minister is not guardian are not eligible for PAIS at review.

Who can receive PAIS?

The Department is assessing illegal maritime arrivals (IMAs) for their eligibility to receive PAIS, before inviting them to apply for a Temporary Protection visa (TPV) or a Safe Haven Enterprise visa (SHEV).

The Department also assesses unauthorised air arrivals (UAAs) for PAIS eligibility at the time they indicate their intention to apply for a TPV or SHEV.

UAAs who entered Australia on or after 13 April 2015 or IMAs (irrespective of their arrival date) might be eligible for assistance under PAIS if they satisfy criterion 4 **or** all of criteria 1-3.

1. At the time of the relevant PAIS assessment, they have not engaged a registered migration agent for assistance in relation to a temporary or permanent protection visa application.
2. They have not previously had a valid protection application considered in Australia.
3. They are, at the time of assessment, an adult in relation to whom the Department considers it to be **in the best interests of Government** to provide assistance to ensure their claims are presented and able to be considered, in particular, a person regarded as being **exceptionally vulnerable**.

OR

4. They are, at the time of assessment, an unaccompanied minor.

How does the Department assess PAIS eligibility?

The Department can identify and refer applicants for PAIS assistance at any time between:

- for IMAs: inviting them to apply for a TPV or SHEV and making a primary visa decision
- for UAAs: indication that the UAA is considering lodging a protection visa application and the Department making a primary visa decision.

An assessing officer could consider a person eligible for PAIS based on information held on departmental systems and/or after observing or being notified of certain vulnerabilities.

The Department has two assessment processes:

- an initial assessment: a departmentally-initiated assessment prior to an invitation to apply for IMAs or on indication that a UAA is considering lodging a protection visa application, which considers system information
- a subsequent assessment: a referral-based assessment whereby anyone can request a PAIS eligibility assessment for an individual and can submit supporting information for consideration.

There is no legislation that provides for merits review of a PAIS eligibility assessment.

Can I give the Department information that could inform a PAIS assessment?

Yes. If you have information about a person's circumstances that might inform their PAIS eligibility assessment and the person has not yet received an invitation to apply for a visa, please provide it to the Department. You can do this by providing the information to the person's case manager or Status Resolution Support Service (SRSS) provider, who will then include it in departmental systems. Seek the person's consent before submitting information.

How do I refer someone for a PAIS eligibility assessment?

If an IMA has been invited to apply and has not been offered PAIS assistance, or a UAA has lodged a visa application without being offered PAIS assistance, you can request a subsequent PAIS eligibility assessment at any time before the Department has made a decision on their visa application if:

- you have additional information which the Department did not consider in the initial assessment or
- you disagree with the outcome of the initial assessment.

You should closely consider the person's circumstances against the eligibility criteria before requesting an assessment.

You can send requests for a subsequent assessment of PAIS eligibility to PAIS@border.gov.au. In your request:

- outline why the person meets each relevant criterion
- explain why the person's situation impacts on their ability to understand or engage in the protection process
- include any supporting documentation.

Please seek consent from the person to liaise with the Department in relation to their PAIS assessment and advise the person that you have sent the request on their behalf.

Where can I find further information about PAIS?

More information about PAIS is available in the Protection Application Information and Guides (PAIG) at www.border.gov.au/paig.