**PLEASE NOTE THIS IS A SAMPLE LETTER ONLY**

**SAMPLE LETTER: “I AM SEEKING ADVICE ON MY PROTECTION VISA DECISION AND THE HSTV”**

Date:

DIBP

*Place address/fax number of DIBP in your State that this was received from.*

Dear DIBP,

I have made an application for a Protection (Class XA) subclass 866 (Protection) visa. At the time I made this application I was eligible for this visa. I believed and expected to be granted a protection visa, as I am a refugee who will face serious harm if returned to their country.

I have been notified of a decision by the Department of Immigration and Border Protection that my application has been refused because I do not satisfy clause 866.222 of the *Migration Regulations* 1994.

The notification letter advises further:

*“Initial assessments of your protection claims indicate that you may engage Australia’s protection obligations. Therefore you are eligible for a grant of a Humanitarian Stay (Temporary) Visa (HSTV). This will allow you to reside in the Australian community for a specified period of time while your protection assessment is finalised. The Department will contact you to schedule an appointment for you to be granted a HSTV. Please note that this appointment may be conducted by phone or in person at a DIBP office.”*

I am not currently in a position to properly consider any invitation or offer for a Humanitarian Stay (Temporary) Visa and wish to seek legal advice regarding the information contained in the letter. I will not be in a position to make any informed decision until the High Court has decided the validity of cl.866.222 in the proceedings of *Plaintiff M150 of 2013* and *Plaintiff S297 of 2013*.

I also intend to appeal the decision to refuse my protection visa to the Refugee Review Tribunal.

Kind Regards

Signature:

Name:

Date: