

LAWS 7005 AUSTRALIA'S VISA SYSTEM 3, CANCELLATION AND REVIEW

Credit Points 10

Legacy Code 201005

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Description This subject addresses the balance of visas in the Australian immigration system, including those related to bringing family to Australia, former resident and resident return visas, humanitarian program (onshore and offshore), bridging visas and other miscellaneous visas (Act-based visas and resolution of status visas). This subject also addresses the regime for review of immigration decisions, including informal review, merits review and judicial review. This subject provides an overview of ministerial intervention and cancellation powers under Australian immigration law. This subject also provides a brief overview of Australian citizenship laws.

School Law

Student Contribution Band HECS Band 4 10cp

Check your fees via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 7 subject

Pre-requisite(s) LAWS 7007 AND LAWS 7003

Co-requisite(s) LAWS 7004

Incompatible Subjects LAWS 7034 - Visa Compliance Cancellation and Review 1

Restrictions

Students must be enrolled in 2803 Graduate Diploma in Australian Migration Law or 2810 Master of Laws (International Governance).

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Analyse the requirements, visa conditions and application procedures for key visa classes, including bringing family to Australia, resident return, humanitarian program, bridging visas and other miscellaneous Australian visas.
2. Assess the requirements and procedures relating to visa cancellations, refusals, compliance and other sanctions with migration law in Australia.
3. Analyse ethical and appropriate review pathways of an immigration decision, including informal review, merits review, judicial review and ministerial intervention.
4. Undertake appropriate research to prepare submissions, and effectively advocate for clients.
5. Execute communication strategies with the principal stakeholders, including clients and government to address migration law issues.
6. Critically apply ethical principles, the Code of Conduct and comply with relevant legislation required of a migration agent.

Subject Content

Family Visas
Former Resident and Resident Return Visas
Humanitarian Program
Bridging Visas
Other Miscellaneous Visas
Informal Review and Merits Review
Judicial Review
Ministerial Intervention
Cancellation Powers
Australian Citizenship

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/ Group Task	Mandatory
Critical Review (a written constructive criticism of mock decision of Department)	2,000 words	30	N	Individual	
Professional Task (preparation of a ministerial intervention application for Department)	1,000 words	30	N	Individual	
Take-home exam (2 case studies + 2 short answer questions)	2,000 words	40	N	Individual	