



**IN THE FEDERAL CIRCUIT COURT
OF AUSTRALIA
AT SYDNEY**

File No: SYG2641/2017

████████████████████
Applicant

MINISTER FOR IMMIGRATION AND BORDER PROTECTION
First Respondent

ADMINISTRATIVE APPEALS TRIBUNAL
Second Respondent

ORDER

BEFORE: JUDGE CAMERON
DATE: 24 November 2017
MADE AT: SYDNEY

BY CONSENT, THE COURT ORDERS THAT:

- 1 A writ in the nature of certiorari be issued to quash the decision of the Second Respondent, AAT reference 1616632, dated 1 August 2017.
- 2 A writ in the nature of mandamus be issued directing the Second Respondent to reconsider and determine the matter according to law.
- 3 The First Respondent is to pay the Applicant's costs fixed in the amount of \$1,467.00.

THE COURT NOTES THAT:

The First Respondent concedes that the decision of the Second Respondent is affected by jurisdictional error in that the Second Respondent failed to consider evidence before it,

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