

WHAT IS VISA CANCELLATION?

When someone's visa is cancelled, it means that they no longer hold the visa that was cancelled and cannot remain in Australia or arrive in Australia on that visa. Cancellation of a visa can be discretionary, mandatory or by operation of law. Visa cancellation **may** result in a person becoming unlawful in Australia, affect any future applications or prevent a person from being granted certain visas.

It is important to keep your contact details updated with the Department of Home Affairs at all times so you do not miss any correspondence or letters from them.

Notice of Intention to Cancel

You may receive a Notice of Intention to Cancel from the Department of Home Affairs if they are considering cancelling your visa. Both temporary and permanent visas can be cancelled. The timeframe to respond to this notice is strict and can be as short as 5 working/business days. Not providing any response may result in the Department of Home Affairs deciding to cancel the visa. Reading the Notice is important to check what the exact required timeframe for your response is.

If you are given notice in person, your visa can be cancelled immediately. If this happens, ask for adequate time to respond.

Steps to take if you receive a Notice of Intention to Cancel

- 1 Read the notice thoroughly and take note of what the relevant timeframe for a response is.
- 2 Immediately contact an immigration lawyer or agent for advice.
- 3 With the help of your lawyer or agent, provide a response to the Department of Home Affairs by the NOICC deadline.



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