

VISA PAK ISSUE 204 — 27 MARCH 2015

PPI DEADLINE DATES AND DECISION MAKING

To ensure a consistent approach is taken towards assessing applications, the following information outlines the process for making a decision on an application once an Immigration Officer (IO) has received a response to a Potentially Prejudicial Information (PPI) letter.

PPI letters must give applicants a reasonable deadline to address the issue(s) the IO has raised. If an IO receives the information from the applicant prior to the specified deadline and the information satisfies the issue(s) the IOs has raised then the IO may continue on to the next appropriate step.

However, when the information provided prior to the PPI deadline does not resolve the issue(s) raised then, in line with the principles of fairness and natural justice (refer to [A1.5](#)), the IO has two options:

1. Contact the applicant, informing them that the documents have been received and that unless they wish to provide further information then a decision will be made based on the information they have provided. If the applicant advises that no additional information will be provided then a decision can be made. If this is done via a phone call, make sure to record the conversation in AMS notes outlining that the applicant has confirmed that no further information is to be provided and they were advised that a decision would be made based on the information they provided. If this is done via email, then ensure you paste a copy of this email in AMS notes.
2. The IO can wait until the PPI deadline date has passed and then make a decision based on the information they received.

If a decline decision is made prior to the deadline outlined in the PPI letter without advising the applicant or their advisor then it could appear as though we are not abiding by the principles of fairness and natural justice, which stem from administrative law. This is because making the decision prior to the specified deadline has effectively altered the original PPI deadline without warning.