



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 01 Sep 2023 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: S28/2023
File Title: NZYQ v. Minister for Immigration, Citizenship and Multicultu
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Plaintiff
Date filed: 01 Sep 2023

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

**IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY**

BETWEEN:

NZYQ
Plaintiff

and

**MINISTER FOR IMMIGRATION, CITIZENSHIP AND
MULTICULTURAL AFFAIRS**

First Defendant

COMMONWEALTH OF AUSTRALIA

Second Defendant

PLAINTIFF'S CHRONOLOGY

PART I:

This chronology is in a form suitable for publication on the internet.

PART II:

Date	Event	Reference
1995 to 1997	The Plaintiff was born in Naya Fara sub-village in the Maungdaw Township of Rakhine State, in Myanmar.	SCB 33 [1]-[2]
17 September 2012	The Plaintiff arrived in Australia by boat.	SCB 34 [8]
6 July 2013	The Minister made a residence determination in respect of the Plaintiff pursuant to s 197AB of the <i>Migration Act 1958</i> (Cth) (the Act), allowing the Plaintiff to 'reside at a specified place' in Lakemba, NSW.	SCB 34 [10]
18 September 2014	The Plaintiff was granted a Bridging E (Class WE) Visa Subclass 050 (Bridging (General)) (bridging visa) and was released from immigration detention.	SCB 34 [11]
9 January 2015	The Plaintiff was arrested and charged with one count of sexual intercourse with a person aged between 10 and 14 years, contrary to s 66C(1) of the <i>Crimes Act 1900</i> (NSW), which had occurred earlier that day.	SCB 34 [12]

16 January 2015	The Plaintiff's bridging visa was cancelled pursuant to s 116(1)(g) of the Act and reg 2.43(1)(p)(ii) of the <i>Migration Regulations 1994</i> (Cth).	SCB 34 [13]
28 January 2016	The Plaintiff pleaded guilty to the offence with which he was charged on 9 January 2015.	SCB 34 [14]
31 August 2016	The Plaintiff was sentenced to 5 years' imprisonment with a non-parole period of 3 years and 4 months.	SCB 34 [15]
27 June 2017	The Plaintiff applied for a Subclass 790 (Safe Haven Enterprise) visa (protection visa).	SCB 35 [19]
8 May 2018	The Plaintiff was released on parole. An officer of the Department, reasonably suspecting the Plaintiff to be an unlawful non-citizen, detained him pursuant to s 189(1) of the Act.	SCB 34 [16] SCB 35 [17]
30 July 2020	The Plaintiff's application for the protection visa was refused by a delegate of the Minister.	SCB 35 [20]
4 March 2022	The Administrative Appeals Tribunal (Tribunal) affirmed the delegate's decision to refuse to grant the Plaintiff a protection visa.	SCB 36 [22]
9 May 2022	The Plaintiff wrote to the Department and requested that he be removed from Australia to another country.	SCB 36 [27]
20 May 2022	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
13 July 2022	The Plaintiff's legal representatives requested that the Minister consider exercising his power under s 195A of the Act to grant the Plaintiff a visa.	SCB 36 [23]
22 August 2022	The Federal Court dismissed the Plaintiff's application for judicial review of the Tribunal's decision.	SCB 36 [24]
12 October 2022	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
23 January 2023	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
1 February 2023	The Minister was briefed in relation to ss 195A and 197AB of the Act.	SCB 36 [25]

7 February 2023	The Minister personally decided that he did not wish to consider intervening under ss 195A or 197AB of the Act to grant a visa or to make a residence determination in respect of the Plaintiff, respectively.	SCB 36 [26]
23 February 2023	The Plaintiff's legal representatives were advised of the decision made on 7 February 2023.	SCB 36 [26]
24 February 2023	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
21 April 2023	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
1 May 2023	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]
23 May 2023	The Plaintiff was interviewed by officers of the Department.	SCB 37 [28]

Dated: 1 September 2023



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