



Administrative Appeals Tribunal

ADMINISTRATIVE APPEALS TRIBUNAL

)

) No: 2022/7016

GENERAL DIVISION

)

Re: Mariam Ahmad
Applicant

And: Minister for Immigration, Citizenship and Multicultural Affairs
Respondent

DECISION

TRIBUNAL: Senior Member Theodore Tavoularis

DATE: 17 November 2022

PLACE: Brisbane

In accordance with subsection 42C(1) of the *Administrative Appeals Tribunal Act 1975*:

- A. the Applicant and the Respondent (the **parties**) have agreed on the terms of a decision of the Administrative Appeals Tribunal (the Tribunal) in these proceedings; and
- B. the terms of the agreement have been reduced to writing and signed on behalf of the parties and lodged with the Tribunal; and
- C. the Tribunal is satisfied that a decision consistent with those terms is within the powers of the Tribunal and is appropriate to make.

Pursuant to subsection 42C(2) of the *Administrative Appeals Tribunal Act 1975*, the Tribunal makes the following decision:

1. the decision of the respondent's delegate dated 3 June 2022 to refuse to grant the visa applicant, Mr Mohammad Zahra, a Partner (Temporary) (Class UF) visa under section 501(1) of the Migration Act 1958 (Cth) (the **Act**), is set aside; and
2. the combined application for a Partner (Temporary) (Class UF) and Partner (Residence) (Class BC) visa dated 13 March 2018 is remitted to the respondent for reconsideration.

The parties **NOTE** that the respondent has since been satisfied that Mr Zahra does not fail the character test for reason of section 501(6)(ba) of the Act.

.....[sgd].....
Senior Member Theodore Tavoularis

