



Fast Track scheme within the Administrative Review Tribunal – 2 year trial	
Party:	The Coalition
<p>Summary of proposal:</p> <p>The proposal would provide \$11.5 million over 3 years to the Administrative Review Tribunal (ART) to establish a two-year trial of a Fast-Track scheme for visa appeals.</p> <p>The funding profile would be \$2 million in 2025-26, \$5 million in 2026-27, and \$4.5 million in 2027-28.</p>	
<p>Additional information (based on further advice provided):</p> <p>The proposal would be based on the Immigration Assessment Authority model, for:</p> <ul style="list-style-type: none">• individuals disputing decisions relating to the student and tourist visa stream• individuals who arrived in Australia on a student or tourist visa, but who subsequently applied for another visa class. <p>Standard Administrative Review Tribunal fees would apply for cases processed through the Fast-Track scheme.</p> <p>The proposal would be non-ongoing and start from 1 March 2026.</p>	

Costing overview

The proposal would be expected to decrease the fiscal and underlying cash balances by around \$11.5 million over the 2025-26 Budget forward estimates period (see Table 1). This impact reflects an increase in departmental expenses, partially offset by an increase in administered revenue.

The proposal would be expected to have an impact beyond the 2025-26 Budget forward estimates period. A breakdown of the financial implications (including separate public debt interest (PDI) tables) over the period to 2035-36 is provided at Attachment A.

Table 1: Fast Track scheme within the Administrative Review Tribunal – 2 year trial – Financial implications (\$m)^{(a)(b)}

	2025-26	2026-27	2027-28	2028-29	Total to 2028-29
Fiscal balance	-2.0	-5.0	-4.5	-	-11.5
Underlying cash balance	-2.0	-5.0	-4.5	-	-11.5

(a) A positive number represents an increase in the relevant budget balance; a negative number represents a decrease.

(b) PDI impacts are not included in the totals.

- Indicates nil.

Sensitivities and uncertainties

The number of cases that would be eligible for the fast-track scheme is uncertain.

- The Parliamentary Budget Office (PBO) has assumed that the caseload of the fast-track scheme would have a capacity for around 2,500 finalisations per 12-month period. This is based on the capacity of the similar Immigration Assessment Authority (IAA).
- The fast-track scheme would be expected to assist the ART in reducing the backlog of cases on hand however the PBO has assumed there would not be an opportunity for the ART to reduce resourcing in other divisions of the tribunal as a result of the proposal. This assessment is based on the magnitude of cases on hand and the average number of cases lodged and finalised each year. In the 2023-24 financial year the ART finalised around 23,500 cases related to the migration and refugee jurisdictions and held a backlog of around 63,000 cases on hand.

The financial implications are highly sensitive to the following assumptions underpinning the costing:

- The number of individuals that would seek a review of their visa refusal or cancellation by the Administrative Review Tribunal.
- The proportion of the caseload of the ART that would be eligible for the fast-track process. A holder of a Student visa (Subclass 500) or a Visitor visa (Subclass 600) may be eligible to apply for other Australian visas, including a Student visa, a Partner visa, a Skilled visa or a Protection visa.
- The average timeframe from case lodgement to finalisation.
 - The PBO has assumed that the fast-track review system would finalise cases in a similar timeframe as achieved by the IAA.
 - The ART allows applicants to submit new evidence during the review process. Should the proposed fast-track review system be required to adopt a similar approach, it is expected that the timeframe for case finalisation would increase, and the annual number of cases finalised would decrease compared to the rate assumed in this costing.
 - The IAA finalised cases within a shorter timeframe by conducting process reviews, which involved reviewing matters based solely on the information available during the original assessment by the department at the time of the initial decision, without considering new evidence or documents. In contrast, the ART conducts merit reviews, allowing applicants to submit new evidence for consideration before making a final decision.
- The time it would take to enact any necessary legislative amendments.

Key assumptions

The PBO has made the following assumptions in costing this proposal.

- The fast-track review system would finalise 2,500 cases per 12-month period, 625 cases in 2025-26, 2,500 cases in 2026-27 and 1,875 cases in 2027-28.
- The number of visa cancellations and visa applications rejected by the Department of Home Affairs that flow through the ART for review would be consistent with historical averages.
- Fees for applications to the fast-track review system would be equivalent to fees currently payable to the ART.
 - Around 70% of the caseload would be related to migration and 30% related to protection visa matters.

- 10% of protection visa matters would be successful and fees would not be payable.
- 15% of migration matters would be eligible for the reduced fee in concessional circumstances.
- The number of matters related to character-related visa refusal or cancellation would not be significant and is assumed to be zero.
- Any legislative changes required to effect the changes would be completed with no impediments by the start date of the proposal.

Methodology

The financial implications of establishing a fast-track review system within the ART comprise the estimated cost of staff and overhead expenses over the proposed 2-year trial period, beginning in March 2026, offset by fee revenue.

Departmental expenses were based on the historical funding levels provided to the IAA.

- Non-staff overhead expenses were calculated based on the same proportion of funding as allocated to the IAA.
- The cost per full time equivalent (FTE) staff was calculated using the PBO's departmental cost calculator. Costs were indexed to the Wage Cost Index 6 and incorporate the impact of the efficiency dividend.
 - The assumed profile of staff was based on the historical staffing profile of the IAA.

Fee revenue was calculated based on an equivalent annual caseload of 1,250 per year and the current application fees for the ART. Fees were indexed to changes in the Consumer Price Index (CPI), consistent with rule 33 of the [Administrative Review Tribunal Rules 2024](#).

- The assumed proportion of the equivalent annual caseload related to migration and protection visa matters was based on the relative proportion of lodgements to the ART in 2023-24 and is detailed in *Key assumptions*.

Financial implications were rounded consistent with the PBO's rounding rules.¹

Data sources

The Attorney General's Department provided the fee revenue and the number of applications for each jurisdictional area of the Administrative Review Tribunal in 2023-24.

Administrative Appeals Tribunal (2016), [2015-16 Annual Report](#), accessed 19 May 2025.

Administrative Appeals Tribunal (2017), [2016-17 Annual Report](#), accessed 19 May 2025.

Administrative Appeals Tribunal (2018), [2017-18 Annual Report](#), accessed 19 May 2025.

Administrative Appeals Tribunal (2019), [2018-19 Annual Report](#), accessed 19 May 2025.

Administrative Appeals Tribunal (2020), [2019-20 Annual Report](#), accessed 19 May 2025.

Administrative Review Tribunal (2025), [Fees](#), accessed 19 May 2025.

Commonwealth of Australia (2020), 'Funding of the Immigration Assessment Authority', *2020-21 Budget, Budget Paper No. 2*, Commonwealth of Australia.

¹ <https://www.pbo.gov.au/for-parliamentarians/how-we-analyse/pbo-rounding-rules>

Commonwealth of Australia (2023), 'Continuation of the Immigration Assessment Authority', *2023-24 Budget, Budget Paper No. 2*, Commonwealth of Australia.

Commonwealth of Australia (2025) *Pre-election Economic and Fiscal Outlook 2025*, Commonwealth of Australia.

Attachment A – Fast Track scheme within the Administrative Review Tribunal – 2 year trial – Financial implications

Table A1: Fast Track scheme within the Administrative Review Tribunal – 2 year trial – Fiscal and underlying cash balances (\$m)^(a)

	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	Total to 2028-29	Total to 2035-36
Revenue													
<i>Administered non-tax</i>													
<i>Application fee revenue</i>	1.8	7.5	5.8	-	-	-	-	-	-	-	-	15.1	15.1
Total – revenue	1.8	7.5	5.8	-	-	-	-	-	-	-	-	15.1	15.1
Expenses													
<i>Departmental</i>													
<i>Departmental expenses</i>	-3.8	-12.5	-10.3	-	-	-	-	-	-	-	-	-26.6	-26.6
Total – expenses	-3.8	-12.5	-10.3	-	-	-	-	-	-	-	-	-26.6	-26.6
Total (excluding PDI)	-2.0	-5.0	-4.5	-	-	-	-	-	-	-	-	-11.5	-11.5

(a) A positive number for the fiscal balance indicates an increase in revenue or a decrease in expenses or net capital investment in accrual terms. A negative number for the fiscal balance indicates a decrease in revenue or an increase in expenses or net capital investment in accrual terms. A positive number for the underlying cash balance indicates an increase in receipts or a decrease in payments or net capital investment in cash terms. A negative number for the underlying cash balance indicates a decrease in receipts or an increase in payments or net capital investment in cash terms.

- Indicates nil.

Table A2: Fast Track scheme within the Administrative Review Tribunal – 2 year trial – Memorandum item: Public Debt Interest (PDI) impacts – Fiscal and underlying cash balances (\$m)^{(a)(b)}

	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	Total to 2028-29	Total to 2035-36
<i>Fiscal balance</i>	..	-0.2	-0.4	-0.5	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7	-0.7	-1.1	-5.6
<i>Underlying cash balance</i>	..	-0.2	-0.4	-0.5	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7	-0.7	-1.1	-5.6

- (a) As this table is presented as a memorandum item, these figures are not reflected in the totals above. This is consistent with the approach taken in the budget where the budget impact of most measures is presented excluding the impact on PDI. If the reader would like a complete picture of the total aggregate, then these figures would need to be added to the figures above. For further information on government borrowing and financing please refer to the PBO's online budget glossary.²
- (b) A positive number for the fiscal balance indicates an increase in revenue or a decrease in expenses or net capital investment in accrual terms. A negative number for the fiscal balance indicates a decrease in revenue or an increase in expenses or net capital investment in accrual terms. A positive number for the underlying cash balance indicates an increase in receipts or a decrease in payments or net capital investment in cash terms. A negative number for the underlying cash balance indicates a decrease in receipts or an increase in payments or net capital investment in cash terms.
- .. Not zero but rounded to zero.

² [Online budget glossary – Parliamentary Budget Office \(pbo.gov.au\)](https://pbo.gov.au/)