

**REFUGEE STATUS APPEALS AUTHORITY**  
**NEW ZEALAND**

**REFUGEE APPEAL NO. 71075/98**

**AT AUCKLAND**

**Before:** D J Plunkett (Chairperson)  
G J X McCoy (Member)

**Counsel for Appellant:** J S Davidson

**Date of Hearing:** 10 November 1998

**Date of Decision:** 18 February 1999

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**DECISION**

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This is an appeal against the decision of the Refugee Status Branch of the New Zealand Immigration Service (RSB), declining the grant of refugee status to the appellant, a national of the Republic of Indonesia.

**INTRODUCTION**

The appellant is a 35 year-old married woman, whose husband and four children are in New Zealand. She is from the province of East Timor. She arrived in New Zealand on 2 August 1992 and applied for refugee status on 30 October 1995. Following an interview with the RSB on 10 April 1997, she was notified of the decline of her application in a letter to her solicitors from the RSB dated 18 August 1998, enclosing a decision of the same date. This prompted the appellant to appeal to this Authority.

The hearing of the appeal occurred on 10 November 1998. Following the hearing, the Authority issued a Minute concerning the possibility that the appellant had Portuguese nationality and the right to reside in that country. The appellant subsequently made an application to the Portuguese authorities for citizenship. This application was made on 3 December 1998.

On 1 February 1999, the appellant notified the Authority that she has been granted permanent residence in New Zealand and no longer wished to pursue her application for refugee status. She sought to withdraw the same.

**CONCLUSION**

In the light of the above, the Authority dismisses the appellant's appeal. Refugee status is declined.

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Chairperson