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Ukrainians in Australia

The Australian Government remains committed to supporting Ukrainians and their family members who are temporarily in Australia as a result of the war in Ukraine.

The Government acknowledges that there will be some Ukrainian nationals who were unable to accept the offer of a temporary humanitarian stay before it ceased on 31 July 2022.

Ukrainian nationals who have arrived on a temporary visa and are unable to access any further visa options or cannot return to Ukraine, may apply for a Bridging E (subclass 050) visa or a Protection (subclass 866) visa.

Ukrainians and their families who wish to extend their stay in Australia can also continue to access visa pathways, including the skilled, family, student and visitor visa programs.

The Department encourages Ukrainians and their families to explore what visa options are suitable for them via the <u>Explore visa options</u> (homeaffairs.gov.au) page on the Department website.

If a 'no further stay' condition (8503, 8534, 8535 or 8540) applies to a Ukrainian's current visa, they can apply to have that condition waived by completing the No Further Stay waiver request form available on our website: 1447 - No Further Stay waiver request (homeaffairs.gov.au).

Ukrainians looking for further information on visa options should consider seeking independent legal advice from a registered migration agent or a lawyer in order to determine the pathway for your individual circumstances. See the Who can help you with your application? (homeaffairs.gov.au) page on the Department's website for more detail.

Pathways to other visas

Ukrainians and their families are not limited to one visa pathway.

Protection (subclass 866) visa

Ukrainians and their family members who fear harm if they were to return to Ukraine can apply for a Protection (subclass 866) visa via our website: Subclass 866 Protection visa (homeaffairs.gov.au).

The Protection visa is a permanent visa that, if granted, lets the holder stay in Australia indefinitely. Persons who apply while they hold a substantive visa are eligible to be granted a Bridging (subclass 010) visa A (BVA) while their application is assessed.

Protection visa applicants holding a BVA may apply for work rights in Australia, Medicare, publically funded schooling for children, and access to free translating and interpreting services.

Bridging E (subclass 050) visa (BVE)

Ukrainians and their family members who are unable to access any visa options and become unlawful in Australia, and cannot return to Ukraine, can apply for a BVE.

A BVE is a short term bridging visa that allows eligible individuals to stay in Australia lawfully while they seek to resolve their immigration status by obtaining a substantive visa or while they make arrangements to depart Australia.

In order to apply for a BVE, a person must not hold any other visa (i.e. they must be an unlawful non-citizen) or already hold a BVE. There is no application fee.

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Ukrainian nationals can find information about how to apply for a BVE through the Department of Home Affairs website: Bridging E Subclass (050) visa (BVE) (homeaffairs.gov.au).

Ukrainian nationals on a BVE will have full work rights and are eligible for free Translating and Interpreting Services. BVE holders may also be able get assistance to return home if they wish to do so voluntarily, depending on the individual's circumstances.

The onus is on individuals to maintain their lawful status in Australia by continuing to hold a valid visa. Information about what to do if a visa is about to expire is available on the Department's website.

The Status Resolution Service assists people in the community who need some assistance to resolve their immigration status by assisting them with their application for a BVE or assisting them with seeking alternative visa options. Further information about this service is available on the Department's website.

Ukrainians and their family members who meet the requirements for a departure BVE may remain in Australia lawfully as the holder of a BVE until they are able to make arrangements to depart Australia.

The BVE ceases if the holder departs Australia. This bridging visa does not provide a right of re-entry to Australia.