



Temporary humanitarian concern visa

Information for people who arrive illegally by boat or plane and seek Australia's protection

The Australian Government is committed to only granting temporary visas to people who arrive illegally by boat or plane and need Australia's protection.

Illegal arrivals who have lodged a protection visa application will have their application refused because the law has changed and they cannot be granted a permanent protection visa. Those who are found to engage Australia's protection obligations and satisfy all other requirements will be offered access to a temporary humanitarian concern visa.

What is a temporary humanitarian concern visa?

A temporary humanitarian concern visa can only be granted where the minister decides a non-citizen has humanitarian concerns that should permit them to remain in Australia for a period of time.

How can I apply for a temporary humanitarian concern visa?

You cannot apply for a temporary humanitarian concern visa. You must be invited to accept grant of this visa by the minister.

If the minister decides to grant this visa to you, you will first be invited to accept a temporary humanitarian stay visa which will enable the immigration department to grant you a temporary humanitarian concern visa.

How long is a temporary humanitarian concern visa valid for?

The temporary humanitarian concern visa can be valid for up to three years. Your visa may be for a shorter amount of time as your circumstances are assessed on a case-by-case basis. Check your visa grant letter.

What happens when my visa expires?

Your claims will need to be reassessed before your visa expires to determine whether you still need Australia's protection.

If you are found to still need Australia's protection you will be granted another temporary visa. As you arrived illegally you cannot apply for a permanent visa. If you are found to no longer be in need of Australia's protection, you are expected to return home.

What conditions do I need to follow?

If you are granted a temporary humanitarian concern visa, you **must** follow these conditions. You:

- must not become involved in any disruptive activity, or violence, that may be a threat to the welfare of the Australian community or a group in the Australian community
- must tell the immigration department if you move and change address two days **before** moving.

Can I work on a temporary humanitarian concern visa?

Yes, you will have permission to work.

Can I get any support on a temporary humanitarian concern visa?

You will have access to Australia's healthcare system (Medicare) and social security benefits (Centrelink), job matching and short-term counselling for torture or trauma.

Will I get English lessons?

Adults are able to complete any departmental funded English as a Second Language (ESL) programmes that they were participating in at the time of being granted a temporary humanitarian concern visa.

Can my children attend school?

In Australia, school-aged children – usually between five and 17 years old – must go to school.

Any education fees and payment arrangements should be discussed with the school at the time of enrolling.

Can I study?

Yes. You can study as you do not have any study restrictions on your visa. You will need to check with your course provider regarding enrolment fees.

Can I bring my family from overseas to Australia on a temporary humanitarian concern visa?

No. If you hold a temporary humanitarian concern visa, you cannot bring family members through the Australian Humanitarian or Family Migration Programmes. If your family needs to seek protection they should apply through the United Nations refugee agency (UNHCR).

Can I go overseas?

Yes, but if you leave Australia, your visa will cease and you will not be permitted to re-enter Australia unless you have another valid visa.

Can I still apply for a permanent protection visa?

No. The government has stopped granting permanent protection visas to anyone who arrived illegally by boat or plane.

I arrived after 19 July 2013. Can I be granted this visa instead of being transferred to a offshore processing country?

No. Everyone arriving illegally by boat after 19 July 2013 will be transferred to a offshore processing country.

What are the Australian values I need to understand to live in the community?

Australian society values equal opportunity for everyone, regardless of their gender, race, religion or ethnic background. Australian law does not tolerate people who use words to abuse or threaten others, or who make inappropriate sexual comments. Any unacceptable and uninvited physical contact can be reported to the police.

It is important for you to learn about the laws in Australia, so that you understand your rights and duties and what actions may be against the law. It does not matter if you did not know the law, were intoxicated or made a mistake. You are responsible for your own actions and need to abide by Australian values and laws at all times.

What if I am an unaccompanied minor?

The immigration department has special arrangements in place for all unaccompanied minors who are granted a temporary humanitarian concern visa. Depending on your circumstances, the immigration department may provide you with support with accommodation, assistance to attend school and other assistance with day to day living. Please talk to your case manager about your circumstances.

Can I go home?

Yes. If you chose to return home permanently, you may be eligible for return support assistance through the International Organization for Migration. For more information phone **1300 116 986** or visit

www.iomaustralia.org