RAILS
Refugee and Immigration

APPLYING FOR FURTHER TPV or SHEV

TELL DHA IF CONTACT DETAILS CHANGE. GET LEGAL ADVICE. APPLY BEFORE TPV/SHEV EXPIRES

Must apply before SHEV/TPV expires

People who have a 3-year Temporary Protection Visa (TPV) or a 5-year Safe Haven Enterprise Visa (SHEV) must apply for a further TPV or SHEV <u>BEFORE</u> their current visas expires to stay lawful.

A reminder will be sent by the Department of Home Affairs (DHA) to the visa holder's email or phone, about 3 months before the visa expires. The visa holder must tell DHA if their contact details change or they may not receive the reminder.

If a further application is made before the current TPV or SHEV expires, the current visa will continue until a decision is made. All benefits and work/study rights will continue, but before the current visa expires new forms will need to be lodged with Medicare (Form MS 004) and maybe Centrelink.

How to apply

First apply online for access to your DHA records (search online – link online)

Can apply for either a TPV or a SHEV - by post or online through ImmiAccount (where visa holder can check status of their application and correspondence sent).

Form 1505 - Application for a subsequent Temporary Protection visa or Safe Haven Enterprise visa

DHA suggests applying <u>at least</u> 3 months before the current TPV or SHEV expires. But if you want to change from a TPV to a SHEV you should get legal advice and apply as soon as possible. SHEV holders who complete the 3.5 years regional work/study requirement may apply for a 'pathway' visa as soon as they complete the requirement (see RAILS <u>SHEV Visas Factsheet</u>).

Assessing the further application

DHA say they will closely check these things:

*Has the situation in the home country changed? *Have there been any criminal charges or security issues? *Has there been overseas travel to the home country? *Are there changes to the family group? *Have the reasons for claiming protection changed?

DHA may interview people if the country situation has changed or about credibility or identity.

If the application is approved, a further TPV or SHEV is granted with the same conditions and benefits. If DHA refuses the application then merits review may be available.

Legal Help

Get legal advice before reapplying. RAILS (Refugee and Immigration Legal Service - phone 3846 9300 www.rails.org.au/contact) can give free legal help or point to other legal services that can help. There is also information on the DHA website – www.homeaffairs.gov.au/temporaryprotection