

Visa options for Ukraine nationals

The Refugee and Immigration Legal Service (RAILS) stands in solidarity with the people of Ukraine.

The Department of Home Affairs (the Department) website has a [specific page of information](https://www.homeaffairs.gov.au/help-and-support/ukraine-visa-support) for those affected by the Ukrainian crisis, www.homeaffairs.gov.au/help-and-support/ukraine-visa-support. Always check this for updated information. The information below is based on the Department advice on their website.

Ukrainian temporary visa holders in Australia

Support for Ukrainian temporary visa holders in Australia

The Australian government [announced on 20 March 2022](#) that a subclass 786 Temporary Humanitarian Concern visa was available for all Ukrainian nationals who were in Australia on temporary visas, other than maritime crew visa holders.

The government's offer applied only till 31 July 2022.

See the Department of Home Affairs [Information for Ukrainian nationals who accepted the offer of temporary humanitarian stay before 31 July 2022](#).

What is a subclass 786 temporary humanitarian visa?

A Class UQ Subclass 786 -Temporary (Humanitarian Concern) visa can be granted to people who are displaced from their residence and cannot reasonably return and who are in grave fear for their personal safety. You must pass health and character test, not be involved in any threatening behaviour, and must notify the Department before any change of address.

There is no specific application form for a 786 visa. An application is made when the government offers a visa in an interview and they note it is accepted. As part of the process a visa 449 is first granted.

What can I do on a subclass 786 temporary humanitarian visa?

A subclass 786 visa is for a three years. It allows work, study and access Medicare, Special Benefits and full work rights. You may also be able to go to free English classes under the Adult Migrant English Program (AMEP).

The Department 786 visa grant letter gives details about how to get Medicare.

Ukrainian school students on the 786 visa can enrol in their local school and get the same Commonwealth school funding as other Australian students.

Ukrainian nationals on 786 visas may be eligible to receive a subsidy towards childcare expenses (find details from [Services Australia](#)).

You can also get settlement support under the government Humanitarian Settlement Program (HSP) through [Multicultural Australia](#) if you are in Queensland. This also includes support to try to find a job.

Can I leave Australia and return on a 786 visa?

A 786 visas ceases if you leave Australia. If you want to return you must get another visa. However if you have asked the Department before you leave for permission to re-enter, and they have agreed, then you can return on the 786 visa.

These travel requests can be sent to ukraine.humanitarian@homeaffairs.gov.au (only deals with travel requests). You need a strong case to get permission.

Can I apply for another visa if I'm on a 786 visa?

There is a bar on 786 visa holders lodging further applications while they remain in Australia.

The Department says that in exceptional cases it may lift the bar for Ukrainian 786 visa holders. They say 'exceptional cases' could include where getting a different visa:

- will contribute to the Australian economy or society, or
- will maintain family unity where Australian citizens are involved.

To request an application bar lift, contact the relevant visa processing area via the Department website at [Online forms](#).

What are the visa pathways if I didn't get a 786 visa

Some Ukrainian nationals were unable to accept the offer that ended on 31 July 2022 of a 786 temporary humanitarian stay visa.

For those without a 786 visa there are normal visa pathways such as the skilled, family, student and visitor visa programs.

If you have a 'no further stay' condition on your visa (8503, 8534, 8535 or 8540) you can make a '[No Further Stay waiver request](#)' to make an application.

Other visa pathways for Ukrainian nationals in Australia

If you arrived on a temporary visa and can't access normal visa pathways or cannot return to Ukraine, you can apply for a Bridging visa E (subclass 050) or a Protection visa (subclass 866). Get legal advice. See [Other pathways for Ukrainian nationals in Australia](#)

Automatic visa extensions for some Ukraine nationals in Australia

All Ukrainian nationals who were already in Australia on 23 February 2022, and who held a temporary visa ceasing before 30 June 2022, were provided with an automatic 6-month extension to the stay period of their visa.

If you had a baby

If a visa holder has a child you must tell the Department as soon as possible to sort out the child's visa status. Find more information at their website at [You had a baby](#).

Ukrainian nationals outside Australia

Applying for a visa

There may be options for humanitarian as well as temporary or permanent family and skilled visas to Australia. It is wise to get legal advice on all the visa categories that you may be eligible for because some may be quicker to obtain than others.

The Department has details about visa options on their website at [DHA visa options online](#).

[RAILS has a Fact Sheet about "Visa options to Australia"](#) at www.rails.org.au/education/legal-info

Visitor subclass 600 visa

The Department say on their '[Ukraine visa support](#)' webpage that applicants with a relative in Australia can apply for a [Visitor visa application in the Tourist stream](#). These are subclass 600 visas - for up to 12 months. Some of these visa applications can be processed very quickly. You don't need to lodge an application under the Sponsored Family Visitor stream.

A Visitor subclass 600 Tourist visa has these conditions: No work, 3 months study, health insurance, no further stay (unless this condition is waived)

Travel document

The Department website says that Ukrainian nationals wishing to lodge applications to travel to Australia need to hold either:

- a valid passport. (this may include: passports that have been extended by an Embassy or Consulate of Ukraine or the Ukraine State Migration Service with an inscription stating the extended validity date; and additional minors (under 16) inscribed in a parent/guardian's passport notated by an Embassy or Consulate of Ukraine or the Ukraine State Migration Service)

- a certified Certificate of Identity (Свідоцтво що засвідчує особу) issued by an Embassy or Consulate of Ukraine in a country neighbouring Ukraine, or
- an internal passport in the form of an ID-Card, that states in both Ukrainian and English the full name, date and place of birth.

The Department say if you are having difficulty lodging your application on-line, submit a [Ukraine online enquiry form](#) with a copy of your travel document. The Department will contact you and help.

The Department advise not to enter made-up passport details just so you can lodge online. They advise you contact them through a [online enquiry](#) if you have done this.

Note that giving false information to the Department can risk visa applications being refused or visas cancelled for applicants and sponsors.

If you can't get a valid travel document

The Department website states that Ukrainian nationals who do not hold a valid travel document should seek advice from the Ukraine State Migration Service or their nearest Ukraine Embassy or Consulate in a neighbouring country.

The Ukraine Government has advised that a Ukrainian Certificate of Identity can be issued by the Embassies and Consulates of Ukraine in states neighbouring Ukraine.

If you are unable to obtain a valid passport or a Ukrainian Certificate of Identity, you should provide details of efforts made to obtain these documents, along with all other available identity documents through a [online enquiry](#) .

Medical assessment

Visa applicants outside Ukraine should only make an appointment for an immigration medical assessment with a registered panel doctor if requested by the Department. A list

of panel doctors outside Australia is available on the Department website at [Offices outside Australia](#).

Travel Advice

For up-to-date Government travel advice [Ukraine Travel Advice & Safety | Smartraveller](#)

Where to get legal help in Australia

QLD: RAILS (Refugee and Immigration Legal Service)	SA: RASSA
NSW: RACS . IARC	TAS: TRSA
VIC: ASRC . Refugee Legal	WA: Circle Green

Legal help for a fee on immigration matters is available from private migration agents and some lawyers:

Search for registered migration agents at this link <https://portal.mara.gov.au/search-the-register-of-migration-agents/>. See www.mara.gov.au.

Search for a lawyer through Law Societies in each state. The Queensland Law Society link is: www.qls.com.au. Search at <https://www.qls.com.au/Find-a-Solicitor/Search#>.

If you have a problem with your lawyer or registered migration agent, try to resolve it with them first. You can also get information from, or make a complaint to, the Law Society or the Migration Agents Registration Authority.

Take care

People in Ukraine face dangerous and devastating times. Family and friends in Australia are also suffering trauma. People help each other in times of need. There are also free services that give assistance:

[Lifeline](#): 13 11 14. [Beyond Blue](#): 1300 22 4636 [Kids Helpline](#): 1800 55 1800.

**The is legal information only, not legal advice.
See a lawyer or migration agent for specific legal advice.**