

Factsheet: Visa Information for Ukrainian Nationals fleeing Russia's invasion of Ukraine

This factsheet is for Ukrainian nationals fleeing Russia's invasion of Ukraine. It includes changes to immigration law and policies up to 19 April 2022.

I am a Ukrainian national in Australia and my visa is expiring soon. What can I do?

If you were already in Australia as of 23 February 2022 and your visa will expire before 30 June 2022, your stay period will be automatically extended for another 6 months. You do not need to do anything to receive the extension.

Is there a humanitarian visa for Ukrainians fleeing Ukraine?

Yes, the Australian government has a two-step process, which involves issuing a Humanitarian Stay (Temporary) (subclass 449) visa, followed by a three-year, Temporary (Humanitarian Concern) (subclass 786) visa. You **must** be granted a subclass 449 visa **before** you can be granted a subclass 786 visa.

How do I apply?

Before the Australian Government will offer you a subclass 449 visa, you must:

- complete this webform (<https://bit.ly/3KY6dlb>), and
- meet the eligibility requirements.

To be eligible for a subclass 449 visa, you must be:

- a Ukrainian national
- currently in Australia
- the holder of a temporary visa, other than a Maritime Crew (subclass 988) Visa.

Note: If you were granted a subclass 449 visa when you were outside of Australia, and have since travelled to Australia, you are also eligible for a subclass 786 visa.

You will be notified by email if you have been granted a 449 visa. This email will also outline if any additional information is needed from you to process your subclass 786 visa. This may include:

- completing health and character checks (some costs may be associated with these checks)

- **Note:** any health issues identified as part of your health check will **not** result in a visa refusal.
- completing a character declaration if the Government cannot rely on checks completed as part of another visa application.

You may or may not be asked for this information. You will be notified by email if you have been granted a 786 visa.

Can I stay permanently in Australia after my subclass 786 visa expires?

The Australian Government is working with the Ukrainian-Australian community to develop appropriate permanent visa options for subclass 786 visa holders, however there is no certainty on this issue at present.

I have family in Ukraine. Can I bring them to Australia?

If you are a close family member, you can apply on behalf of your family members in Ukraine.

You can explore your family's visa options by:

- reviewing the Department of Home Affairs' "Explore Visa Options" page
- obtaining advice Redfern Legal Centre if you are an international student, or
- speaking to a private immigration lawyer or registered migration agent.

The Department of Home Affairs has been prioritising all visa applications lodged by Ukrainian passport holders with urgency to travel, particularly those with Australian connections since Russia's invasion of Ukraine.

What can I do if my family members back in Ukraine do not have a currently valid Ukrainian passport?

Where possible, your family member[s] should try and seek advice from the Ukraine State Migration Service or their nearest Ukraine Embassy or Consulate in a neighbouring country.

If that is not possible in a particular location your family members:

- can submit their visa application without valid passports
- must provide all available identity documentation they have with the application, and
- must ensure the Department of Home Affairs will be able to contact them using the contact details they provide in their application.

Further help

Information for Ukrainians with an Australian visa to come to Australia. (<https://www.homeaffairs.gov.au/covid19>)

Up-to-date information on Ukraine Travel and Safety. (<https://www.smartraveller.gov.au/destinations/europe/ukraine>)

Free translating services for Ukraine arrivals and their families. (<https://translating.homeaffairs.gov.au/en>)

Ukraine arrivals may also call the free **Translating and Interpreting Service** on **131 450** and **The Migration Translators on 1800 962 100** for more information.

For tips about other legal issues affecting international students, you can also use My Legal Mate, a free multilanguage information resource created by Redfern Legal Centre (RLC).

Eligible NSW students can apply for free access to My Legal Mate here: <https://bit.ly/rlcmlm>

In addition, we have created RLC's Welcome Back guide, which includes key information on issues like employment, tenancy, and healthcare, and advice on how to access banking services and an Australian tax file number. It also includes tips on getting around by public transport. Access RLC's Welcome Back guide here: <https://bit.ly/3fMoBFX>

For further assistance with your visa, you may need to see an immigration lawyer or a registered migration agent.

You can contact RLC's International Student Legal Service NSW for free legal help for visa and general legal issues if you are an international student enrolled to study in NSW.

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This factsheet is not a substitute for legal advice or migration advice. Australian immigration law and policy are subject to constant change.

This factsheet may not reflect all of the most recent changes or developments. If you have a problem and require advice or referrals, please contact RLC's International Student Legal Service NSW.