



TPV/SHEV transition to permanent visas

The Australian Government has made Subclass 785 Temporary Protection visa (TPV) and Subclass 790 Safe Haven Enterprise visa (SHEV) holders eligible to apply for a permanent visa.

Eligibility

If you have held or applied for a Subclass 785 Temporary Protection visa (TPV) or a Subclass 790 Safe Haven Enterprise visa (SHEV) before **14 February 2023**, you may be eligible for a permanent Subclass 851 Resolution of Status (RoS) visa.

If you do not engage protection obligations, you are not awaiting a merits or judicial review outcome, and you have exhausted all avenues to remain in Australia, you are expected to depart Australia voluntarily and may be provided assistance to depart.

Irregular travel to Australia

The Government is committed to Operation Sovereign Borders. Australia's border protection policies have not, and will not, change. Any person who attempts to travel to Australia irregularly will not settle permanently here.

Anyone who attempts to travel to Australia by boat without a valid visa will be:

- turned back to their point of departure
- returned to their home country or
- transferred to a regional processing country for assessment of their protection claims.

Australia's tough border protection policies aim to protect Australia's borders, combat people smuggling and deter people from attempting dangerous boat voyages across the open ocean.

How to apply for a RoS visa

TPV/SHEV applicants (including subsequent applicants)

Application Process	If you lodged a TPV/SHEV application with the Department before 14 February 2023 (including a subsequent TPV/SHEV application), you do not need to do anything . The Department will convert your TPV/SHEV application to a RoS visa application.
How do I know my application has been converted?	The Department will automatically convert your TPV/SHEV application to a RoS visa application. If the Department has converted your application, you will not receive a notification, The Department will contact you if we need any further information, or when your RoS visa has been granted.

TPV/SHEV holders (who do not have a subsequent TPV/SHEV application with the Department)

Application Process	TPV/SHEV holders who arrived in Australia before 14 February 2023 (and do not have an application with the Department) can apply online for a RoS visa through ImmiAccount . You do not need notification of an application bar lift. This is included in the electronic form. More information on how to apply is available on the RoS visa page .
Timeframe	You must apply for a RoS visa before your current TPV/SHEV expires . If you do not, you will become unlawful and may lose access to government services.
How do I know my application has been received?	When you make a valid application, you will receive a letter acknowledging your application. If you have not made a valid application, you will be notified of the reason why it was not valid.

Former TPV/SHEV holders

Application Process	If you are a former TPV/SHEV holder and your visa expired before 14 February 2023, you can apply online for a RoS visa, through ImmiAccount . Your application will also be considered an application for a bridging visa.
How do I know my application has been received?	When you make a valid application, you will receive a letter acknowledging your application. If you have not made a valid application, you will be notified of the reason why it was not valid.

Important information for all RoS visa applicants

Cost	There is no visa application charge for a RoS visa.
Where to apply	You must apply online through ImmiAccount , unless you have been authorised by the Department to lodge a paper application form.
Visa Requirements	All RoS visa applicants must satisfy the requirements relating to health, national security and character. Applicants aged 18 and over must also sign the Australian Values Statement. RoS visa applicants do not need to undergo a further protection obligations assessment. Most applicants will not need to attend an interview.
Family	Family members may apply together on the same application form, however each applicant will be assessed in their own right.
Special Circumstances	If you have special or unique circumstances and require support, contact the specialist community refugee and immigration legal service provider in your state or territory (see list of service providers below).
Change in Circumstances	You can help progress your RoS visa application by responding to the Department's requests for information within the specified timeframes. Tell the Department promptly of changes to your circumstances or contact details (https://immi.homeaffairs.gov.au/change-in-situation/contact-details).
Processing Timeframe	The majority of the caseload will be processed within 12 months of commencement.

Free visa application assistance

The Government has committed \$9.4 million over two years for **free** visa application assistance for this process. Specialist community refugee and immigration legal service providers across Australia will provide this assistance for free.

While not mandatory, TPV/SHEV holders applying for a RoS visa to can contact the legal service provider in their state or territory if they need assistance.

Service Provider	States/Territories serviced	Website
Refugee Legal	Victoria	www.refugeelegal.org.au
Refugee Advice and Casework Service (RACS)	New South Wales	www.racs.org.au
Immigration Advice and Rights Centre (IARC) on referral from RACS NSW	New South Wales	www.iarc.org.au
Legal Aid	Australian Capital Territory	www.legalaidact.org.au
Refugee and Immigration Legal Service (RAILS)	Queensland	www.rails.org.au
Circle Green	Western Australia	www.circlegreen.org.au
Legal Services Commission	South Australia	www.lsc.sa.gov.au
Tasmanian Refugee Legal Service	Tasmania	www.trls.org.au
Legal Aid	Northern Territory	www.legalaid.nt.gov.au

* **Note:** The Department of Home Affairs does not charge a fee to fast-track a visa. If you get offered this service, it is a scam.

Services and benefits for RoS visa holders

People granted a permanent RoS visa will have the same rights and benefits as all permanent residents. This includes no waiting period and immediate eligibility for:

- **all social security payments** (www.servicesaustralia.gov.au),
- **the National Disability Insurance Scheme** (www.ndis.gov.au), and
- **higher education assistance** (www.studyassist.gov.au).

RoS visa holders will be eligible to:

- become Australian citizens once they meet residency and other requirements
- sponsor family to come to Australia under the family visa stream of the Migration Program.

Sponsors or proposers who entered Australia as an unauthorised maritime arrival (UMA) no longer receive the lowest processing priority in the Family visa stream of the Migration Program.

RoS visa holders will continue to have access to **Medicare** and free expert mental health support through the **Program of Assistance for Survivors of Torture and Trauma** (www.health.gov.au).

More information

More information is available on the Department's website:
<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/resolution-of-status-851>