

Refugee Legal:

IMPORTANT INFORMATION: CONVERSION OF TPVs/SHEVs TO A PERMANENT VISA

Key changes

The Federal Government has announced that from 14 February 2023 people who currently hold, previously held or have applied for a Temporary Protection Visa (TPV) or Safe Haven Enterprise Visa (SHEV) may be eligible for a permanent Resolution of Status Visa (RoS visa).

People granted a permanent RoS visa will have the same rights and benefits as all permanent residents, including access to family reunion.

It is essential that people seek legal assistance in relation to their rights to the RoS visa.

This information sheet explains:

- How you can be granted a permanent RoS visa; AND
- How you can get free legal help.

Who is eligible for a permanent RoS visa?

You may be eligible for a RoS visa if:

- You currently hold a TPV/SHEV; or
- You previously held a TPV/SHEV; or
- You applied for your first TPV/SHEV and are awaiting a final decision.

If your TPV or SHEV has expired, it will still be possible to apply for a RoS visa (but not if your visa was cancelled).

How to obtain a RoS visa

1. People who currently hold a TPV or SHEV who have not applied for subsequent TPV or SHEV

If you currently hold a TPV or SHEV and have not applied for a subsequent TPV or SHEV, you will need to apply for a RoS visa.

This will happen in two stages:

- **Stage 1: From February to late March**, some TPV/SHEV holders will get an invitation in writing from the Department of Home Affairs (**the Department**) to apply for a RoS visa. The Department will invite people whose visas are due to expire soon and other priority cases. Not everyone will be invited to apply at this stage. There is no application fee for this visa.
- **Stage 2: From late-March**, all other TPV/SHEV holders can apply online for a RoS visa. You will be able to apply without an invitation from Department.

2. People who have applied for a subsequent TPV or SHEV

If you have applied for a subsequent TPV or SHEV and the Department has not finalised your application, you do not need to apply for a RoS visa. Your current TPV/SHEV application will be automatically converted to an application for a RoS visa and you do not need to take any action. The Department will contact you if it requires any further information to finalise processing of your case.

3. People who are awaiting a final decision for their initial TPV or SHEV application

If you have applied for your first TPV or SHEV and not yet received a decision, the Department will continue to assess your case. If your case is approved, it will be automatically converted to the grant of a RoS visa. If your case was refused by the Department but your appeal to the IAA, AAT or the Courts is successful and is 'remitted' to the Department, you will be eligible for a RoS visa.

How to get legal help

It is essential that you seek legal help in relation to these changes. For free legal help in Victoria and South Australia, contact Refugee Legal at:

- Refugee Legal **TPV/SHEV Conversion Hotline** - Monday to Friday 9.00am to 5.00pm on (03) 9413 0133
- Email: RoSVisa@refugeelegal.org.au
- Website: www.refugeelegal.org.au