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Ukrainians in Australia

Ukrainian subclass 786 visa holders – applying for another visa

Current or former holders of a subclass 449 (including all Ukrainians who accepted the Government offer of a temporary stay and granted a subclass 786 visa) are barred under section 91K of the Act and prevented from lodging any further visa applications while they remain in Australia.

Ukrainian subclass 786 visa holders who wish to apply for a further visa to remain in Australia can now do so. Where exceptional circumstances exist, the bar preventing any further visa applications being lodged while they remain in Australia can be lifted.

Ukrainian subclass 786 visa holders looking to apply for another visa should first check whether they meet the eligibility requirements for that visa.

What are exceptional circumstances?

Exceptional circumstances may include, but are not limited to, where an individual can demonstrate that by applying for and being granted another visa they are contributing to the Australian economy or society, or that the visa they are proposing to apply for will ensure that family unity can be maintained where Australian citizens are involved.

What is the process?

- Ukrainian subclass 786 visa holders intending to apply for another visa will contact the relevant visa processing area of the Department via Online forms ([homeaffairs.gov.au](https://www.homeaffairs.gov.au)) on the Department's website.
- Visa processing area to confirm whether exceptional circumstances exist and determine the individual's eligibility to apply for the visa.
- If eligible to apply, the visa processing area will send a bar lift notification to the individual, notifying them that they have seven days to lodge a valid application.
- Those who either, do not meet the exceptional circumstances or are not eligible to apply for a further visa, will be advised that these requirements are not met, noting that if their circumstances change the Department is open to reassessing their reasons and/or eligibility in the future.

What visas can I apply for?

Once the s91K application bar has been lifted and notification letter sent, the individual can apply for any visa they are eligible to apply for.

The Department encourages Ukrainians and their families to explore what visa options are suitable for them via the [Explore visa options \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au) page on the Department website.

Requesting the bar lift

If you intend to apply for a further visa to remain in Australia and want to request an application bar lift, please contact the relevant visa processing area of the Department via [Online forms \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au) on the Department's website. You must provide relevant information relating to your exceptional circumstances. You should also ensure you meet to eligibility requirements for that visa.

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Examples of Online Forms

If you intend to lodge a Parent visa application, you would submit an enquiry using the 'Parent visa processing centre form' via the online forms [Parent visa processing centre form \(homeaffairs.gov.au\)](#).

If you intend to lodge a Partner visa application, you would submit an enquiry using the 'Partner Processing Enquiry Form' via the online forms [Partner Processing Enquiry Form \(homeaffairs.gov.au\)](#).

If you cannot locate an appropriate form, you can submit an online enquiry form for 'Ukraine visa arrangements' clearly stating what visa you intend to apply for, so the enquiry can be directed to the relevant visa processing area. [Enquiry form for Ukraine visa arrangements \(homeaffairs.gov.au\)](#)

What documents are required?

No documents are required to request the bar lift, however you do need to provide relevant information relating to your exceptional circumstances. You should also ensure you meet to eligibility requirements for that visa.

If you are eligible to apply, the visa processing area will send a bar lift notification notifying that you have seven days to lodge a valid visa application. Given the short timeframe, if you are eligible to apply you need to ensure you have any applications forms and supporting documentation ready to lodged a valid visa application.

Who can assist me with my application?

Ukrainians looking for further information on visa options should consider seeking independent legal advice from a registered migration agent or a lawyer in order to determine the pathway for their individual circumstances. Visit: [Who can help you with your application? \(homeaffairs.gov.au\)](#)

Can I stay on my subclass 786 visa?

Ukrainians can remain on the subclass 786 visa for the length of its validity. The subclass 786 visa is valid for three years from the date it was granted. Ukrainians can continue to access the services and supports available to subclass 786 visa holders.

Can I apply for a Permanent Protection (subclass 866) visa

No. In addition to demonstrating that exceptional circumstances exist, Ukrainian subclass 786 visa holders looking to apply for another visa need to meet eligibility requirements for that visa.

To apply for a Permanent Protection (Subclass 866) visa a person needs to meet the eligibility requirements as provided in Schedule 1 of the Migration Regulations. One of the criteria is that an application by a person for a Subclass 866 Protection visa is valid only if the person does not hold, and has never held, a Temporary Humanitarian Stay (subclass 449). Please visit the Department's website for more information: [Subclass 866 Protection visa \(homeaffairs.gov.au\)](#)

Access to benefits and support services

All Ukrainian nationals on subclass 786 visas are eligible for Medicare, Special Benefit payments, free English language tuition under the Adult Migrant English Program, and full work rights. Additionally, they are eligible to access settlement support under the Government funded Humanitarian Settlement Program.

Eligibility for benefits and supports services is connected to the type of visa subclass an individual holds. If a subclass 786 visa holder applies for and is granted another visa subclass, they may no longer be eligible to access all the same benefits and services.

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What if I was unable to accept the Australian Government offer of a temporary humanitarian stay?

Ukrainian nationals who were unable to accept the offer to be granted a subclass 786 visa, are not subject to the s91K application bar.

The Australian Government offer of a temporary humanitarian stay to Ukrainians ended on 31 July 2022. Ukrainian nationals who were unable to accept the offer can access other visa options. Ukrainians and their families who wish to extend their stay in Australia or explore migration options can continue to access visa pathways including the skilled, family, student and visitor visa programs. The Department encourages Ukrainians to explore what visa options are suitable for them via the [Explore visa options \(homeaffairs.gov.au\)](#) page on the Department's website.

Ukrainians who are unable to access any further visa options or cannot return to Ukraine may apply for a Bridging E (subclass 050) visa (BVE) or a Protection (subclass 866) visa. [Other pathways for Ukrainian nationals in Australia \(homeaffairs.gov.au\)](#)