

This factsheet provides information about how COVID-19 might affect your client's humanitarian visa and citizenship application. It is general information only. If your client needs more specific advice, or they don't receive the payment they think they are eligible for, please contact us at refugeeservice@legalaid.nsw.gov.au or call us on 8713 6725.

Will there be the same number of humanitarian visas granted this year?

On 19 March 2020 the Department of Home Affairs suspended the granting of all offshore humanitarian visas. Its target for this financial year (from 1 July 2019 to 30 June 2020) was to grant 17,100 refugee and humanitarian visas to people outside of Australia. To date it has granted only 11,504 visas. It is not anticipated that any more visas will be granted this financial year. It is not known whether the shortfall of 5,596 visas will be carried over to the 2020/21 financial year.

While no visas have been granted since 19 March, the Department of Home Affairs is continuing to progress applications to prepare them for the time when the granting of visas resumes. Whilst processing does continue, it has likely slowed down.

If a person has been granted a refugee or humanitarian visa, can they still travel to Australia even during COVID-19?

No. if a person has been granted a refugee or humanitarian visa overseas, but has not yet entered Australia, they will not be able to come to Australia even though they hold a visa, unless they are the spouse or dependent child of an Australian citizen or permanent resident, or they have compassionate and compelling reasons to travel here.

If the date of entry on their visa will expire before the travel restrictions are lifted, the Department of Home Affairs should contact the visa holder to make other arrangements to ensure they can enter Australia once restrictions have ended.

Travel restrictions

Coming to Australia

From 20 March 2020 the only people who can enter Australia are:

- Australian citizens or the spouse or dependent child of a citizen
- Australian permanent residents or the spouse or dependent child of a permanent resident
- a New Zealand citizen who ordinarily lives in Australia
- people with a compassionate and compelling reason to travel to Australia

All travellers arriving in Australia must go into quarantine for two weeks after arrival. They will not be able to quarantine at their home but will be accommodated in a hotel.

Leaving Australia

From 25 March 2020, Australian citizens and Australian permanent residents are restricted from travelling overseas.

If you need to travel outside Australia, you need to apply for permission to leave. You will only get permission to leave Australia if:

- you have to travel for critical business reasons
- you need to go overseas to get urgent medical treatment, and that treatment is not available in Australia
- you have a need to travel for urgent and unavoidable personal business
- you have compassionate or humanitarian reasons to travel overseas
- your travel is in the national interest

It is not clear when these travel restrictions will end.

Changes to citizenship processing

Applying for citizenship

New applications for Australian citizenship are still able to be accepted during this period. You can still make an application for citizenship, and processing of new applications and those that have been lodged will continue. However, there will be no citizenship interviews or citizenship tests until restrictions are lifted.

Citizenship ceremonies

No face to face citizenship ceremonies will be held until social distancing restrictions are lifted. Instead people will be invited to have their ceremony via video link. The Department of Home Affairs will contact people to make these arrangements.

Usually a person has 12 months from the time they are approved for citizenship to attend a ceremony. Because of COVID-19 this period will be extended if necessary and citizenship approval will not be cancelled if a person has not been able to attend a ceremony.

How can clients get help?

For free legal help call 1300 888 529 or [call your local Legal Aid NSW office](#).

To contact the Legal Aid Refugee Service call 8713 6725 or email refugeeservice@legalaid.nsw.gov.au

If you need an interpreter, call the Translating and Interpreting Service on 131 450 and ask for LawAccess NSW. If you find it hard to hear or speak, call the National Relay Service on 133 677 and ask for LawAccess NSW or visit www.relayservice.gov.au.

This factsheet is intended as a general guide to the law. Do not rely on this information as legal advice. We recommend you talk to a lawyer about your situation. This information is correct at the time of writing; however, it may change.