



RECENT CHANGES FOR PEOPLE SEEKING REFUGEE PROTECTION

Recent changes to the law

Recently, the Australian government introduced new laws for processing the claims of certain asylum seekers in Australia. Key changes include:

- Temporary Protection visas (**TPV**)
- Safe Haven Enterprise visas (**SHEV**)
- a new Fast Track Assessment system for processing of protection claims for some asylum seekers (**FTA**)

It is very important that you get legal advice if you think you might be affected by these changes.

Temporary Protection visas (TPV): If you are found to be in need of protection in Australia, you can no longer be granted a Permanent Protection visa if you arrived in Australia: (1) without a visa (for example, by boat); OR (2) with a visa but were refused entry to the Australian community (for example, if you arrived by plane).

A TPV lets you stay in Australia for up to 3 years. You can work, access Medicare and may be able to get Centrelink benefits. You cannot sponsor family, you cannot leave and re-enter Australia without the permission of the Department of Immigration and Border Protection, and you cannot go back to the country against which you claimed protection (see: RILC Information Sheet 'Temporary Protection visas').

Safe Haven Enterprise visas (SHEV): A SHEV is a temporary visa usually lasting up to 5 years for people who intend to live in a 'regional' area. Like a TPV, on a SHEV you cannot sponsor family, you cannot leave and re-enter Australia without the permission of the Minister, and you cannot go back to the country against which you claimed protection.

If you hold a TPV you can only apply for another TPV or SHEV. Your claims for protection will be re-assessed when you apply. If you hold a SHEV you may be able to apply for other visas in very limited circumstances (see: RILC Information Sheet 'Safe Haven Enterprise visas').

Fast Track Assessment (FTA) process: If you arrived by boat without a visa between 13 August 2012 and 1 January 2014, you will have your protection claims processed under the government's new Fast Track Assessment process. Under the FTA process you be required to lodge a Protection Visa application. If your case is refused by the Department, there will only be a limited form of review for some people. The Government have said they will tell you personally in writing when you should apply for a TPV. It is very important to keep your contact details up-to-date with the Department.

Legal assistance

The Refugee & Immigration Legal Centre (**RILC**) is an independent specialist community legal centre that provides free legal assistance to asylum seekers and disadvantaged migrants in Australia. The services we will be providing for people affected by these changes will include:

- Group information sessions
- Legal advice by telephone and/or face to face
- Special Clinics to provide assistance with preparation of TPV applications

For more information about these changes and getting legal help, please visit our website at www.rilc.org.au.