



## Appendix F: Bridging visa conditions and entitlements

Bridging visa	Visa conditions		Visa entitlements			Other comments
	Income assistance	Work rights	Health care	Housing assistance	Legal advice or application assistance	
<b>A (subclass 010)</b> <i>People who have applied for a substantive visa/or have an active appeal with a review tribunal or court</i>	Limited entitlement May be entitled to financial assistance through ASAS if criteria for eligibility is met	Some entitlement Generally yes, but BVA will reflect the conditions of the last substantive visa in most circumstances <sup>1</sup> . Where a person has applied for a protection visa, work rights are granted if an application is made within 45 days of entering Australia.	Some entitlement Medicare- access is granted if an application for a permanent residence visa has been lodged (except Parent visa), and where the person has rights to work on that temporary visa, or has a parent/spouse/child who is an Australian Citizen	Limited entitlement Assistance through ASAS if person meets specific eligibility criteria.	Limited entitlement Restricted- may be able to access assistance through the IAAAS	
<b>B (subclass 020)</b> <i>Granted to a BVA or BVB holder who needs to travel overseas</i>	Not applicable`	Some entitlement	Some entitlement Access to Medicare if an active application for a permanent visa is being considered	Not applicable	Not applicable	
<b>C (subclass 030)</b> <i>Granted to a person who voluntarily applied for a substantive visa/ or appealed to a review tribunal or court</i>	Limited entitlement May be entitled to financial assistance through ASAS if criteria for eligibility is met	No entitlement initially Work rights can only be obtained with a new application and demonstrated 'compelling need to work'.	Some entitlement Medicare access with application for a permanent visa or application for protection visa lodged within 45 days of arrival and has current work right.	Limited entitlement Assistance through ASAS if person meets specific eligibility criteria	Limited entitlement Restricted- may be able to access assistance through the IAAAS. Access to legal advice through NGO's such as ASRC.	Valid for duration of application or review process

1 Certain applicants for a graduate skilled, skilled independent overseas student, designated area-sponsored overseas student, skilled Australian sponsored overseas student will have full work rights on their BVA even if the former substantive visa had work restrictions.

<b>D (subclass 040) and (subclass 041)</b>	No	No	Not applicable Due to temporary nature of this category	Not applicable Due to temporary nature of this category	Not applicable In rare circumstances may be able to access legal advice assistance through the IAAAS	Strict reporting conditions are placed on this visa. Issued for a maximum of 5 days.
<b>E (subclass 050) and (subclass 051)</b>	<p>Limited entitlement</p> <p>Bridging visa holders awaiting a decision on a current on-shore Protection Visa (refugee status) application may eligible for the Asylum Seekers Assistance Scheme (ASAS)</p> <p>Income support to cover basic living expenses and rent (89% of Centrelink Special Benefit)</p> <p>Special payments in situations of extreme need.</p>	<p>Limited entitlement</p> <p>Generally no, but can apply for a new BVE with work rights.</p> <p>To be eligible to work a person must demonstrate a compelling need to work.<sup>2</sup></p>	<p>Some entitlement</p> <p>Yes, general health care and pharmaceutical assistance.</p> <p>Bridging visa holders with work rights have access to Medicare, but otherwise there is no access to health care other than through pro-bono medical professionals.</p> <p>In some instances a Health Care Card may be granted.</p>	<p>Some entitlement</p> <p>Some people are provided accommodation as part of the Community Care Pilot. The Red Cross sources appropriate rental properties and supports clients moving into them with community transition and orientation.</p>	<p>Limited entitlement</p> <p>Immigration information and counselling through the International Organization for Migration (IOM)</p> <p>Legal advice is restricted- may be able to access assistance through the IAAAS.</p>	<p>Referrals and short-term counselling</p> <p>Casework support</p> <p>Limited access to study. May have reporting conditions. May be requested to lodge a security bond (not less than \$5000/ and as high as \$45 000- \$50 000 for high risk immigration clients)</p> <p>Duration of visa will vary.</p>

<sup>2</sup> The term 'compelling need to work' is where (a) a person is severe financial hardship or (b) been nominated or sponsored by an employer for a substantive visa on skills grounds and appear to meet the requirements of the visa.

<b>F (subclass 050)</b>	No	No	Yes	Yes	Yes	A person identified as an alleged victim of sexual servitude offences will have access to intensive victim support administered by a case manager from the Office of the Status of Women.
	Holders of bridging visas do not meet the Social Security Act definition of an Australian resident.		Specialised support for victims program <sup>3</sup>	Specialised support for victims program	Specialised support for victims program	Some reintegration assistance for victims of trafficking who return to their countries of origin.
<b>R (subclass 070)</b>	Yes	Yes	Yes	Yes	Limited entitlement	May be eligible for Crisis payment, Family tax benefit and child care benefit.
	Entitled to Special benefits payment, waiting period does not apply.		Eligible for Health care card, and can be listed as a dependent on a Pensioner concession card	Assistance is provided through ASAS	Restricted- may be able to access assistance through the IAAAS. Immigration information and counselling through the International Organization for Migration (IOM)	A bridging visa R can be granted using the Minister's non delegable, non compellable public interest power, under section 195A of the Migration Act

*Source* Department of Immigration and Citizenship, supplementary submission 129f, pp 27-28; supplementary submission 129d, p 9; Migration Regulations 2.20A; Kamand S et al, Immigration Advice and Rights Centre, *The immigration kit (2008)*, 8<sup>th</sup> ed, The Federation Press, pp 172-201. Parliamentary Library, Millbank A, 'Asylum seekers on bridging visa E' (2007), research brief no. 13; Asylum Seekers Resource Centre, 'Guide to all visas', November 2005.

<sup>3</sup> The Support for Victims of People Trafficking Program provides individualised case management and a range of support to victim. The person is identified as eligible by the AFP. Recipients of the BVF are not permitted to undertake paid employment, however are able to access a range of services which include secure accommodation; a living allowance; a food allowance; an amount for the purchase of essentials such as clothing and toiletries; access to health care, including counselling; access to interpreters; and access to legal services. Viewed on 3 May 2009 at <http://www.fahcsia.gov.au/sa/women/progserv/violence/Pages/peopletrafficking.aspx#3>