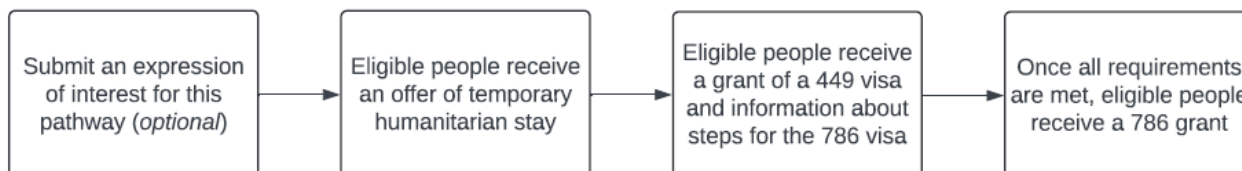


Temporary humanitarian stay for Palestinians

The Australian Government has announced a temporary visa pathway for some Palestinian nationals in Australia needing to extend their stay.

The pathway is a two-stage process that involves first the offer and grant of a Humanitarian Stay (Temporary) (Subclass 449) visa and then a three-year Temporary (Humanitarian Concern) (Subclass 786) visa, if all criteria are met (following character, security and other necessary checks).



Your individual circumstances may impact your eligibility and outcomes. It is important you receive independent legal advice before proceeding with any visa offer or opportunity.

The Minister decides who will receive an offer

If you are a Palestinian in Australia on a temporary visa who cannot return to your usual place of residence, the Minister can decide to make you this offer for temporary humanitarian stay.

The new process will apply on a 'case-by-case' basis to newly arrived Palestinians who are in Australia and may apply to those who can enter in the coming weeks or months. As it is unknown who will be made an offer and when, all Palestinians in Australia should seek legal advice before the expiry of their current visa to make sure they maintain lawful status in Australia.

You can put in an expression of interest to be considered for an offer for this visa via a [webform](#), but we understand that people who do not put in an expression of interest will also be considered.

Other visa options

If you are offered a Humanitarian Stay (Temporary) visa, even if you do not accept the offer, your future visa options in Australia are affected. This may change depending on government policy. We recommend you seek legal advice about your options.

It is important to know that the Minister can make an offer to those who have already lodged an application for a permanent Protection (Subclass 866) Visa. **If you receive an offer for temporary humanitarian stay, your existing permanent protection visa application must be refused, and you will not be able to apply for a Protection (Subclass 866) visa.** We understand this may be distressing to those affected in this way and we suggest speaking to a lawyer for further information.

About the Temporary Humanitarian Stay pathway

The Humanitarian Stay (Temporary) (Subclass 449) visa and the Temporary (Humanitarian Concern) (Subclass 786) visa allow you to work, study, access special benefit payments and supports provided under the

Humanitarian Settlement Program ([HSP](#)), the Settlement Engagement and Transition Support program ([SETS](#)), the Adult Migrant English Program ([AMEP](#)), and the Translating and Interpreting Service ([TIS](#)).

You will not be able to access Medicare while you hold the Humanitarian Stay (Temporary) (Subclass 449) visa. The Department has advised that they will endeavor to minimise any gap in processing the Temporary (Humanitarian Concern) (Subclass 786) visa, which will allow access to Medicare.

Can I travel overseas on the visa?

You can travel as the holder of a Humanitarian Stay (Temporary) (Subclass 449) visa, but you need permission to travel if you want to leave Australia and re-enter Australia on your Temporary Humanitarian Concern (Subclass 786) Visa. Permission is only likely to be considered in compassionate and compelling circumstances, and we recommend you seek legal advice in advance.

WHERE CAN I GET FREE LEGAL HELP AND ADVICE?

If you cannot access private legal advice, including from the services listed [here](#), you may be able to get free, independence assistance or advice from a community legal centre.

Organisation	Who can they assist?	Contact details
Asylum Seeker Resource Centre	If you live in the community in Victoria (note we only have capacity to assist Palestinian nationals who have already arrived in Australia)	<ul style="list-style-type: none">• Hours: Monday, Tuesday, Thursday and Friday from 10am – 12.30pm (closed on Wednesdays)• Phone: (03) 9274 9889
Refugee Advice Casework Service (RACS)	If you live in the community in New South Wales or the Northern Territory	<ul style="list-style-type: none">• Phone: (02) 8355 7227• Email: admin@racs.org.au
Refugee Legal	If you live in the community in Victoria, South Australia and the Northern Territory	<ul style="list-style-type: none">• Hours: Mon-Fri 9am-5pm• Phone: 03 9413 0107

Please note: This factsheet contains general information only. It does not constitute legal or migration advice.