

Onshore Iranian Visa-Holders: Visa option to extend stay in Australia

On 22 May 2026, the Department of Home Affairs (**Department**) created a visa option for Iranian visa-holders to extend their stay in Australia, due to the uncertainty and escalating international conflict affecting Iran.

Does this fact sheet apply to you?

This fact sheet applies to you if you meet the following requirements:

- You are an Iranian National
- You are currently in Australia on a visa e.g. a student visa, tourist visa
- Your visa has expired/will expire soon and you would like to extend your stay in Australia.

New Visa Option - Humanitarian Stay (Temporary) Visa (449 Visa)

If you would like to stay in Australia, you have the option to see if you can apply for another visa, e.g., skilled visa, family visa, student visa, visitor (tourist) visa or protection visa.

If you cannot apply for another visa and you need to extend your stay in Australia, the Department may consider you for an offer of temporary humanitarian stay. This involves granting a Humanitarian Stay (Temporary) visa (subclass 449)(**449 visa**).

The 449 visa permits the visa holder to travel to, enter and remain in Australia until a date specified by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (**Minister**).

Once you apply for a 449 visa, you **cannot apply for a permanent protection visa** (866 visa). This applies even if you have lodged an application for a 449 visa but have not received a 449 visa grant.

Applying for a 449 visa

To be considered for a 449 visa, the Department may either invite you to apply for one **or** you can register for your interest in the 449 visa via the form here:

<https://www.homeaffairs.gov.au/help-and-support/iran-visa-support/requesting-consideration-of-temporary-humanitarian-stay-in-australia-form>

Please note registering your interest in the form above does not mean you have made a visa application. A valid visa application for the 449 visa is only made when all of the following apply:

- the Minister invites you to apply for the 449 visa
- you accept the offer by signing and dating the offer letter
- this letter is co-signed by a Department officer.

There is no time limit for accepting or refusing the offer of a 449 visa. You should take your time to consider this and **seek legal advice** before you decide whether you want to accept the offer and formally lodge a 449 visa application.

When you complete the 449 visa application, the Department will ask you for more information that you may not have provided to them when you applied for e.g. a student visa, tourist visa etc.

Criteria for 449 Visa

The Department may consider granting you a 449 visa if all of the following apply:

- You are in Australia
- You are an Iranian National or the spouse/de facto partner, dependent child or parent of an Iranian National
- You cannot return to Iran and have no right to reside in another country
- Your visa has expired or your current visa will expire within the next 3 months
- You have not applied for another visa
- You do not have any other visa options available to you
- You meet the health, character and security requirements

Important Information

If you intend to extend your stay in Australia, it is important that you apply for a new visa before your current visa expires. This ensures that you are lawfully in Australia and prevents any risk of being placed in immigration detention or any possible further complications with the Department.

If you are considering submitting your interest for a 449 visa or if you have been invited for a 449 visa, we recommend that **you first seek legal advice** on:

- what other visa options are available to you
- whether the 449 visa is a good option for you.

If you are in Victoria, you can get legal help here:

<https://asrc.org.au/wp-content/uploads/2026/03/ASRC-Legal-Referral-Sheet-Victoria-March-2026.docx.pdf>

If you are in other states, you can get legal help here:

<https://asrc.org.au/wp-content/uploads/2023/06/INFO-SHEET-Immigration-law-referral-sheet-Interstate.pdf>

You can also contact ASRC Legal by phone on Monday, Tuesday, Thursday and Friday between 10:00am-12:30pm on (03) 9274 9889 or ASRC at (03) 9326 6066.