

## How to Apply for Permission to Work in Australia

This fact sheet is for people who have applied for a Protection Visa and sets out the steps you need to check your Bridging visa conditions, work out your eligibility for a Bridging visa with work rights and apply for a Bridging visa with work rights.

Once you have been granted a Bridging Visa, you may be allowed to work in Australia. To check you will need to see if there are conditions on your Bridging Visa preventing you from working or limiting your ability to work. If you have condition '8101 No Work' on your Bridging Visa you cannot legally work in Australia. If you breach condition 8101 your Bridging Visa could be cancelled meaning you will be at risk of being detained and/or removed from Australia. In certain circumstances, where you have condition 8101 on your Bridging Visa, you can apply for a new Bridging visa which does not have this condition. More information on the steps you can take to check your eligibility and how to apply for work rights are set out below.

### Step One: Checking your visa conditions

To check the conditions on your Bridging Visa, you can:

- Check your bridging visa grant notice; or
- Conduct a search via the Department of Home Affairs 'Visa Entitlement Verification Online' (VEVO) service using your Immi Account.

If your visa does not have condition 8101 No Work, this means that you can legally work in Australia. If your visa has condition 8101, you may be able to apply for a new Bridging visa without this condition.

### Step Two: Finding your Eligibility to apply for permission to work

Whether you can apply for work rights depends on which Bridging visa you hold, what conditions are on that visa and where your case is up to.

If your case is being reviewed by a court, and you have a Bridging visa with no work rights, you will only have work rights if these were on the last Bridging visa you held.

If your case is being considered for the first time for Ministerial Intervention under sections 417 and/or 48B of the *Migration Act 1958*, and you have a Bridging visa with no work rights, there is no way to apply for work rights. You will only have work rights if these were on the last Bridging visa you held, and you have held a visa continuously between the refusal of your Protection Visa application and your Ministerial Intervention request.

If your case is being considered by the Department, the AAT or the IAA, you can apply for work rights if you are able to meet certain criteria. These criteria depend on whether your bridging visa is a Bridging Visa C, or a Bridging Visa E.

To be eligible:

- Bridging visa C holders need to demonstrate a 'compelling need to work', which requires you to demonstrate that you are suffering financial hardship.

- Bridging visa E holders need to demonstrate a 'compelling need to work', which requires you to demonstrate that you are suffering financial hardship, as well as satisfy the Department you have an 'acceptable reason for your delay' in applying for a Protection visa. This means you need to explain why you did not apply for a Protection visa earlier.

You may also be eligible for work rights if you are making arrangements to depart Australia but whether you are granted these is at the discretion of the Minister's delegate at the Department of Home Affairs.

## Step Three: Applying for a Bridging Visa with permission to work

Before lodging your application for work rights, you will need to include documentation which evidences financial hardship. This generally includes:

- 3 months' worth of bank statements/transaction lists printed from your online banking account for *each bank account you have*. Importantly, this is generally the **minimum** documentary evidence required. If you do not have bank statements, you are much less likely to be granted work rights.
- A rental agreement such as a lease or tenancy agreement or, if you have an informal arrangement, a letter from your landlord or person you staying with setting out the rent you pay, if any.
- Evidence of other ongoing expenses e.g. electricity, gas, internet, mobile phone bills, medical expenses, food shopping receipts etc. If these are in another person's name but you pay them, you can explain this in the Form 1005 application.
- Evidence of any debts you owe. This could be letters from friends who have loaned you money.
- Any other evidence of regular expenditures you have to spend.
- Evidence of any income you have.

If you are a Bridging visa E holder, you will also need to include any documentation which evidences the reason for your delay in applying for a Protection visa.

Remember the information you provide may be used for the assessment of your eligibility for other visas, including your application for protection. If you are concerned about what information to put in your application for a Bridging visa with work rights, you should seek migration advice.

### Lodging your Request for Work Rights

- If you applied for your Protection visa **by ImmiAccount:**

You **must** apply for work rights through your ImmiAccount by completing the online form.

- If you applied for your Protection visa **by post:**

You can apply for a bridging visa with permission to work by completing Form 1005 'Application for a Bridging Visa'.

When filling out the form, you will need to apply under Part A – Application Details by ticking the box 'To change the visa conditions on your bridging visa'.

If you hold a **Bridging Visa C**: The paper form 1005 and supporting documents must be uploaded and lodged by [webform](#) found on the Department's website.

If you hold a **Bridging Visa E**: The paper form 1005 and supporting documents must be posted to the following address:

Visa and Citizenship Office  
Department of Home Affairs  
GPO Box 9984  
Sydney NSW 2001

If your circumstances change after submitting the application, you must inform the Department of Home Affairs of the changes.

- To update your contact details : [929 Form](#)
- If your personal circumstances have changed : [1022 Form](#)
- If you have made a mistake on your previous application : [1023 Form](#)

Before submitting a 1022 or 1023 Form you should get legal advice.

It is strongly advised you keep a copy of your application, all attachments and a copy of any additional forms lodged for your records.

## Getting Help from RACS

RACS is entirely independent of the Department of Home Affairs. All assistance is confidential and free.

If you would like advice or assistance, RACS offers the following service options:

Service	Day	Time	Address/Number
<b>Client Line</b>	Monday to Friday	11AM to 1PM and 2PM to 4PM	(02) 8355 7227 or <a href="mailto:admin@racs.org.au">admin@racs.org.au</a>
<b>TPV/SHEV Hotline</b>	Monday to Friday	10AM to 1PM and 2PM to 4PM	(02) 8317 6505 or <a href="mailto:admin@racs.org.au">admin@racs.org.au</a>
<b>Auburn Drop-in</b>	Wednesday	Register in person from 10 AM to 12 PM	Visit 44A Macquarie Road, Auburn

**Please note:** This fact sheet contains general information only. It does not constitute legal or migration advice. RACS is independent of the Department of Home Affairs. All assistance is confidential and free. This factsheet was prepared in January 2023.