

## Offshore Humanitarian Visas

This fact sheet provides a general understanding of the way Australia's offshore humanitarian program operates.

### How Australia's Offshore Humanitarian scheme works

Each year, the Australian government allocates a maximum number of "humanitarian" visas that are granted in that year for people on various refugee/humanitarian grounds. These visas include:

- Visas for people who arrive in Australia by plane and then apply for protection;
- Visas for people who are referred by the United Nations High Commission for Refugees ('UNHCR') for Australia to resettle;
- Visas for people who are overseas and have applied on their own for resettlement to Australia; and
- Visas for people who are from a country that is unsafe and have been proposed by an Australian citizen, permanent resident or community group.

For the 2022-2023 financial year, there are 13,750 visas in total for the year. In addition, there are an additional 4125 places per year available for nationals of Afghanistan under the program. Because there is such a limited number of visas available and many people applying for sponsored offshore humanitarian visas, **typically only around 10% of these applications are successful.**

There are 5 main subclasses of visa that are considered Offshore Humanitarian Visas. These are:

- Refugee (Subclass 200);
- In-country Special Humanitarian (Subclass 201);
- Global Special humanitarian Visa (Subclass 202);
- Emergency Rescue (Subclass 203); and
- Women at Risk (Subclass 204).

An application for an XB-Offshore Humanitarian Visa will be assessed against all of these subclasses – you don't have to choose.

All visa applicants must pass health and character checks.

### Priority groups for OHVs

Any Australian citizen or permanent resident who is not considered an unauthorised maritime arrival can sponsor somebody under the humanitarian program. However, because of the limited number of visas available each year, if your application is seen as a low priority by the government it will probably be refused.

When considering whether to grant a humanitarian visa, the Australian government generally considers four main things:

- 1) The degree of persecution the person applying would face in their home country.
- 2) Whether there is any other country they could live safely.
- 3) Their connection to Australia.
- 4) Australia's capacity to assist the person.

Even if the person applying is in a very dangerous situation, their application may be refused if it is decided that Australia does not have capacity to assist the person.

There are many policies regarding which applications are high priority and which are low priority.

- 1) If you have been granted a Humanitarian Visa (Subclasses 200, 201, 202, 203 or 204), Protection Visa (Subclass 866) in the last five years and want to propose an immediate family member (husband, wife or children) and included details of the people you want to propose in your visa application, it will be considered a **Split Family** application and be given **higher** priority. However, if you hold a Protection Visa (Subclass 866), it will be given **lower** priority.
- 2) If you **live in a regional area** of Australia and you propose somebody for a humanitarian visa, the application will get **higher** priority.
- 3) The **closer the family relationship** between the applicant and the sponsor, the **higher** priority it will have. For example, applications sponsored by partners and children are given relatively high priority; applications sponsored by cousins, aunts and uncles are given much lower priority; and applications sponsored by second or third cousins will be given even lower priority.
- 4) The **more serious the persecution and/or discrimination** the applicant faces in their home country, the **higher** priority they will have.
- 5) The **more dangerous the applicant's situation where they are living**, the **higher** priority they will have.
- 6) The **less support the applicant is likely to need from the Australian government** if they come to Australia, the **higher** priority they will have.
- 7) The **more connection the applicant has with Australia** and the Australian community [such as through, for example, having a lot of family in Australia or having the support of community groups in Australia], the **higher** priority they will have.
- 8) Applications from **people who are still in their home country** are likely to be given **lower** priority than people who have had to leave their home country.
- 9) Applications from people who are **living in a third country in a secure situation** already will be assessed as **low** priority.

## How to apply

Form 681 should be completed by the proposer, and form 842 by the applicant.

A family group can be included on one 842 form where the additional applicants are 'dependent' on the main applicant.

The following types of people are often considered dependents:

1. Husband, wife, or de facto partner
2. Children under 18
3. Adult children who are not married or engaged to be married **and** wholly or substantially reliant on their parent(s) for physical, financial or psychological support
4. Other relatives who are under 18 **and** cared for by the main applicant
5. Other relatives who are over 18 **and** not married or engaged to be married **and** wholly or substantially reliant on the main applicant for physical, financial or psychological support.

Once the forms are completed there are two ways to lodge the application.

## 1. Online at:

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/special-humanitarian-visa-submission-form> You will need to scan and upload the forms and supporting documents. This includes the passport sized photographs of each applicant.

You can only lodge online if you have a passport sized photograph of each person included in the application because this option will prompt you to upload those photographs.

## 2. By post to:

Special Humanitarian Processing Centre  
Department of Home Affairs  
GPO Box 9984  
SYDNEY NSW 2001

Remember to keep a copy of all documents being posted.

It is also a good idea to send the documents by registered post with a tracking number to check that the application has been successfully delivered to the Processing Centre.

We recommend that the applications include:

- copies of identity documents,
- a statement by the Applicant explaining what they have been through in their home country, and their current situation
- a statement by the proposer explaining that you will be able to support them with housing, finances, settling into Australian life, etc. if they are granted the visa; and
- letters from Australian community groups to support the application.

## Identity documents

Applicant(s) should attach copies of their identity documents to their Form 842, such as:

- Passports (even if they are expired)
- Birth certificates
- Marriage certificates
- Divorce certificates
- National ID cards
- Family register book
- Citizenship certificates (if available)

If applicant(s) do not have any identity documents, the applicant(s) should provide a statement about why they do not have any identity documents. If they have lost their identity documents, they will need to explain how. If they have destroyed their identity documents, they will need to explain why.

All documents need to be in English or accompanied with an English translation.

Make sure the spelling of all names written in the application are consistent throughout the entire application.

If the applicant(s) have any type of identity document that has been translated into English, for example a passport, a family book, a national identity card, a drivers licence etc., adopt the spelling of the name that appears on the translation.

If the name is spelt differently on some of the documents, adopt the spelling of the name that is most accurate. Often this will be the spelling that appears on most of the translated documents.

## The Community Support Program

The Community Support Program (CSP) sets aside around 1000 visas in the humanitarian program to be given priority to people applying who meet additional criteria. If a person meets the criteria to be proposed by the CSP, they are likely to be granted the visa.

The CSP works through a group of organisations that the Australian government has allowed to privately arrange for the resettlement of refugees to Australia. These organisations are called “Approved Proposing Organisations” (APOs). Only APOs can bring a humanitarian migrant to Australia under the CSP.

If you want to bring somebody to Australia through the Community Support Program, you should approach one or more APOs yourself directly. The APO will be able to explain to you their requirements for the program, wait times, and the documents you need. Each APO will have their own requirements but they generally require the following:

- 1) The person applying for the visa needs to be between 18-50 years old;
- 2) The person applying for the visa needs to speak, read and write English reasonably well;
- 3) The person applying for the visa needs to be reasonably able to get a job and/or support themselves in Australia within 12 months after arriving in Australia; and
- 4) The Australian sponsor needs to pay very large fees, and often make significant financial and/or practical guarantees to support the applicant if they are granted an Australian visa.

Each APO has its own processes and costs. In most cases the fees generally start at around \$20,000. If you are considering sponsorship through the Community Support Program, you should look into the various APOs that can help and contact each APO for further information. The list of APOs and their websites is available [here](#).

## Things to remember when applying for a Humanitarian Visa

There are a few key issues that you should consider before you sponsor somebody for a humanitarian visa. The first is to remember to be careful to provide correct and accurate information in your application.

- ***If you were granted an Australian visa yourself***, you need to check whether any information in the humanitarian visa application is different to (contradicts) what you said in your own visa application. Sometimes these contradictions could mean the information in your application could be questioned and could even lead to them considering cancellation of your own visa. If you are worried about anything you might put in a sponsorship application, you should check everything carefully. You might also want to apply for a copy of your file from the Department of Home Affairs using the *Freedom of Information Act* to do this. We would strongly recommend you get legal advice about this.

- **If you are in danger because you worked with the Australian Defence Force or government agencies, you may be able to get additional assistance.** RACS can provide you with additional information about how to apply and what information you need.
- If you can provide **identity documents and evidence, this** will make it easier to assess your visa application quickly. If you cannot prove your identity, it might lead to your visa application being refused and significantly delayed. In some cases, you may not have been able to leave your or stay in your country safely with identity documents. If you can safely send copies of them to a person in Australia that could be very helpful later. If you do not have identity documents, you will need to explain why you do not have them.
- **The application process can be slow and the Department do not provide updates by email or by phone.** Processing Offshore Humanitarian Visas generally takes many months and normally more than a year. If you are in an emergency, you should not rely on being a granted visa to be safe. If you need to change your address or even the country you are living in after you have applied, you should contact the Department with your new details. Some details on how to do this can be found [here](#). Contact RACS if you require further information.

## What if the application is refused?

It is important to remember that even if you do everything right you can still have your application refused. Most humanitarian applications are refused every year, and if an application is refused there is no way to appeal. The only thing that can be done is to lodge a new application.

## Getting Help from RACS

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

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

Service	Day	Time	Address/Number
Client Line	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>
TPV/SHEV Hotline	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>

**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 free. This factsheet was prepared in October 2023.