

# Information about Bridging Visas for People in Detention

---

This fact sheet is for people who are already in detention. If you are living in the community and you think your Bridging Visa is going to be cancelled or it has been very recently cancelled, see [this](#) fact sheet from the Refugee Advice and Casework Service.

## Can I apply for a Bridging Visa?

Many people in immigration detention are allowed to apply for a Bridging Visa. However, you may not be able to make a valid application if:

- you came to Australia by boat and have never been released from detention; **OR**
- you have had a visa cancelled or refused on character or security grounds (s 501, 501A or 501B); **OR**
- you came to Australia by boat and released from detention but your visa was cancelled for a breach of the Code of Conduct or criminal behaviour.

If you have applied for a Bridging Visa before and the application was refused, you will usually need to wait 30 days from the date of decision, before you can apply again.

## What do I need to demonstrate to be granted a Bridging Visa?

Generally, in order to be granted a Bridging Visa, you must be making arrangements to depart Australia or have an application in progress. This includes applications for:

- substantive visas including permanent and temporary protection visas;
- Administrative Appeals Tribunal (**AAT**) review of visa application refusals;
- AAT review of visa cancellations;
- judicial review; and
- Ministerial intervention.

You must also satisfy the Department of Immigration and Border Protection (**Department**) that you will comply with the conditions of a Bridging Visa. When deciding this, the Department will consider things like:

- how you have behaved in immigration detention;
- whether you have complied with Australia's immigration laws in the past;
- whether you have breached visa conditions before;
- whether you have had visas refused or cancelled in the past; and
- family or other ties that you have to the Australian community.

[Community focused legal services for people new to Australia](#)

T 08 9227 7311 F 08 9227 7188 W [thehumanitariangroup.org.au](http://thehumanitariangroup.org.au) E [admin@thehumanitariangroup.org.au](mailto:admin@thehumanitariangroup.org.au)

A 16b Sunbury Road Victoria Park WA 6100

P PO Box 4387 Victoria Park WA 6979

ABN 90 649 933 494

If you came to Australia by boat, you must also sign the Code of Behaviour.

## How do I apply?

You can apply by completing [Form 1008](#) and giving it to a Department of Immigration officer.

In the space labelled 'additional information' at Question 15, you should try to explain why the Department should be confident that you will comply with the conditions of a Bridging Visa if you are granted one.

## What conditions will my Bridging Visa have?

If you are granted a Bridging Visa E, read carefully the letter that sets out the conditions on your visa. It is likely they will include:

- 8101: no work; and
- 8401: must report at time and place specified by the Minister; and
- 8506: must notify the department at least 2 days in advance of any change of address.

## What can I do if my application is refused?

If you think that you meet the requirements for grant of a Bridging Visa, you can ask the AAT to review the Department's decision. You can lodge your application to the AAT [online](#). You must lodge it before the time limit stated in your refusal letter (2 or 7 days depending on when you were detained).

## Where can I get more information?

Additional information about Bridging Visas is available on the [Department's website](#).

Unfortunately, The Humanitarian Group is unable to assist with Bridging Visa applications. However, our [fact sheets](#) may assist you with other aspects of your immigration process.

DISCLAIMER: This information sheet is current as at 17 August 2016. It is intended as a general guide only and should not be used as a substitute for legal advice. To the maximum extent permitted by law, The Humanitarian Group expressly disclaims liability for any direct or indirect loss or damage whatsoever suffered by the reader as a result of or in connection with any reliance by the reader of anything contained in this information sheet. The reader should obtain specific legal advice regarding his or her individual circumstances