

Choosing a TPV or a SHEV?

This information sheet explains the similarities and differences between a Temporary Protection Visa (TPV) and a Safe Haven Enterprise Visa (SHEV).

Similarities between TPV and SHEV

1. These visas can only be granted to you after you have had your protection claims assessed by the Australian government and you meet all the criteria for the visa.
2. Both visas allow you to work, study, get Medicare, access Centrelink benefits, counselling for torture and trauma, and job seeker assistance.
3. Both visas have the same conditions about family reunion, overseas travel and citizenship:
 - a. You are not allowed to sponsor your family members for migration to Australia;
 - b. You are not allowed to travel overseas, except if the Department grants you permission (you might be able to get permission to visit close relatives who you haven't seen for a long time, but you can never travel to the country you sought protection from);
 - c. You are not allowed to become an Australian citizen or get an Australian passport.
4. Both visas require you to tell the Department within 28 days if you change your address

Differences between TPV and SHEV

There are several differences between the TPV and the SHEV: how long the visa lasts for, whether you can get Centrelink, and whether you can apply for any further visas after the expiry of the visa.

	TPV	SHEV
Duration of visa	3 years	5 years
Can you obtain Centrelink?	Yes	Yes, but if you want to meet the ' pathway requirements ' listed below, you cannot access some payments.
What happens when your visa expires?	<p>You can apply for another TPV or a SHEV. If Australia still owes you protection obligations, you may be granted another TPV for 3 years or a SHEV for 5 years.</p> <p>You cannot apply for a permanent visa or any other visa.</p>	<p>If you have met the 'pathway requirements' listed below, you may be able to apply for other visas (both temporary and permanent visas).</p> <p>If you haven't met the 'pathway requirements', you can only apply for a SHEV or a TPV. If Australia still owes you protection obligations, you may be granted another TPV for 3 years or a SHEV for 5 years.</p>

What are the SHEV pathway requirements?

When you apply for a SHEV, you need to make a declaration that you have an intention (that is a willingness or commitment) to work and/or study in regional Australia while accessing minimal social security benefits.

If you are granted a SHEV and you want to meet the pathway requirements, you need to show that you have done either one of the following for at least 42 months (3 ½ years) of the five years whilst you hold your SHEV:

1. Employed in 'regional Australia' AND not received certain social security benefits (including Special Benefit). Please note that work means employed for payment with a written employment contract.

OR

2. Enrolled in full time study in 'regional Australia.' Please note that full time study means must study at a primary school, secondary school, or an educational institution that is authorised to issue AQF qualifications, in a course leading to the award of an AGF qualification of Level 1 or higher. You cannot complete the course wholly by distance or online.

You should also know:

- If you have a SHEV with other family members on the same visa, only one family member of your family needs to meet the pathway requirements
- You are not required to live in a regional area, just work or study in the regional area.
- Regional area means a place specified by the Australian Government. At the moment this includes parts of NSW, QLD, Victoria and WA; and the whole of the ACT and Tasmania. Other areas may be designated in the future. You can check which areas are included here:
<http://www.ima.border.gov.au/After-your-application-is-decided/Regional-Australia>
- You can also meet the pathway requirements by doing a combination of work and study (1 and 2 above).

What happens if you meet the pathway requirements?

If you meet the pathway requirements, you will be allowed to apply for another visa including work visas, study visas and family visas. You still need to meet the criteria for one of these visas and there is no guarantee you will be granted another visa.

More information about the type of visas which are available can be found here:

<http://www.border.gov.au/Trav/Refu/protection-application-information-and-guides-paig/visa-options-for-illegal-arrivals-seeking-protection>

You should get advice from a migration lawyer before you apply for any other visa as the rules can be complicated.

Should you choose a TPV or SHEV?

This choice will depend on your individual situation, but you can think about the following things:

- Whether you think you can meet the SHEV pathway requirements (including whether you can find work or afford the fees to study)
- Whether you think you can meet the criteria for another visa
- Whether you are willing and able to live, work and study in a regional area (including whether you need any special support services which might not be available outside of the city).

NOTE: This document contains general information only and not legal or migration advice. We recommend you obtain advice from a registered migration agent about the matters in this information sheet if they relate to you. For information about registered migration agents please