

Refugee Legal:

HEALTH REQUIREMENTS FOR PROTECTION VISAS and FAMILY STREAM VISAS

1. Health Requirements for Protection visas

Applicants for Protection visas, including the Resolution of Stay (**RoS visa**) are required to undergo medical examinations, however you will **not** be prevented from being granted a visa if you have a medical condition or are accessing any medical or disability services.

Which visas does this apply to?

This applies to:

- Subclass 866 Protection Visa (permanent);
- Subclass 785 Temporary Protection Visa (**TPV**);
- Subclass 790 Safe Haven Enterprise Visa (**SHEV**);
- Subclass 851 Resolution of Status Visa (**RoS**) (permanent); and
- Subclass 786 Temporary Humanitarian Concern visa.

What medical examinations are required for these visas?

Applicants for these visas will be invited by the Department of Home Affairs (**the Department**) to undertake specified medical examinations including a general medical examination, chest x-ray, HIV test, a serum creatinine (kidney function) test, hepatitis B and C tests, and a syphilis test. Minor children will be required to do some but not all of these tests depending on their ages.

These tests can only be undertaken through [Bupa Visa Medical Services](#). Applicants will be provided with an individualised HAP Identity number to use for their test. You can only do these tests once you have been requested to do so by the Department as part of the processing of your visa application.

If you have completed the tests as part of a previous visa application eg a SHEV then you may not be required to undertake further tests for the RoS visa.

What happens if I have a medical condition?

If you have a medical condition it will not prevent you from being granted your visa, however if you have a condition which may impact on the public health in Australia then you will be requested to sign a Health Undertaking (Form 815) before your visa can be granted.

A health undertaking is an agreement that you will attend the appropriate state or territory health clinic in Australia to follow up on the health condition for which the undertaking has been requested and that you will undergo any course of treatment or investigation the health authority directs.

2. Health Requirements for family stream visas

Once you are granted your permanent visa, permanent visa holders are then eligible to sponsor family through family stream visas, including Partner visas, Child visas, Orphan relative visas, Parent visas and Carer visas.

These visas are subject to health requirements that may prevent applicants from being granted a visa where applicants have tuberculosis; any disease or condition that is a threat to public health in Australia or a danger to the Australian community; or where they have a disease or condition where the care and services required result in a significant cost to the Australian community or prejudice the access of Australian citizens or permanent residents to health care or community services.

This is based on the health condition of the family member being sponsored overseas, not the RoS/Permanent protection holder in Australia (Australian citizen/permanent resident sponsor).

It may be possible to waive the requirements relating to the significant cost to the community or prejudice to access to services for certain visas, including family stream visas. It is important that you seek legal advice if you are in this situation.

3. How to get legal help

If you need further advice, please contact Refugee Legal for free legal assistance on (03) 9413 0101.

Website: www.refugeelegal.org.au