



This information form explains the return document requirements for:

- citizens returning to Australia;
- non-citizen permanent residents wishing to return to Australia as permanent residents; and
- permanent residents whose return visa label has been lost, stolen, mutilated or is in a passport no longer in use.

## **Australian citizens**

### **Must I use an Australian passport?**

Citizens must use an Australian passport to enter Australia.

A citizen travelling without an Australian passport may face difficulty getting an airline to carry them, and may be delayed on arrival while their claim to Australian citizenship is verified.

Applications for passports are available from any post office or passport office in Australia, or Australian mission overseas.

### **What if I have an existing visa?**

If you have become an Australian citizen and still hold a visa, you will not be able to travel on that visa. The acquisition of Australian citizenship ceases any visa you may hold, even if it has not yet expired.

### **What if I hold another passport?**

Even if you have dual citizenship and hold another country's passport, you should carry your Australian passport for use when returning to Australia.

The only exception is if you qualify for an Australian Declaratory visa (ADV).

### **Can I get an Australian Declaratory visa (ADV)?**

A citizen can only be issued with an ADV in their foreign passport if they are:

- under 18;
- a national of Hungary or Poland (because of a relevant consular agreement); or
- in an emergency or other compelling situation preventing travel on an Australian passport.

There is a non-refundable charge for processing ADV applications.

An ADV is valid for 5 years from the date of grant. If you cease to be an Australian citizen, the ADV becomes invalid and you will need a visa to return to Australia.

## **Non-citizen permanent residents**

### **Can I return to Australia as a permanent resident?**

If you migrated to Australia in 1987 or later, your initial visa gives permission to return to Australia for 3, 4 or 5 years. After that, if you wish to return to Australia as a permanent resident you must hold a valid Resident Return visa (RRV).

If you migrated to Australia before 1987, you may have been issued with an Authority to Return (ATR) or a Return Endorsement (RE). ATRs and REs remain valid so long as the holder has not stayed away from Australia for more than 3 years and has not become an Australian citizen. Holders may be eligible for a free initial evidence of their original visa. For more information see '*visa label evidence of Authorities to Return (ATRs) and Return Endorsements (REs)*'.

You must hold a valid visa to return to Australia.

### **What if I was an Australian citizen?**

If you were a citizen, lost your citizenship and wish to return to Australia as a permanent resident, you must get an RRV.

If you are currently an Australian citizen, you are not eligible for an RRV.

### **Should I apply for an RRV?**

In summary, you should get an RRV if:

- you are a non-citizen permanent resident (or were a permanent resident but have lost that status and your last permanent visa was not cancelled); or you were an Australian citizen when you last left Australia but have lost that status; and
- you want to leave and return to Australia as a permanent resident; and
- you might not return to Australia within the validity period of your current return visa; and
- you think you meet criteria for an RRV.

You need not wait for your visa to expire before applying for a new one. You should check your eligibility for a new visa well before your existing visa expires in case there have been changes to eligibility requirements.

If you think your current visa may expire while you are overseas, it is advisable to obtain a new RRV before you leave, although you may apply at an Australian mission overseas.

### **What if I hold a Business Skill visa?**

If you are the holder of a Business Skills subclass 127, 128, 129, 130, 131, 132, 840, 841, 842, 843 or 844 visa, you will not be eligible to apply for a resident return visa if you are subject to a notice of intention to cancel, or the Department of Immigration and Citizenship (the department) has made a decision to cancel, your Business Skills visa under section 134 of the Migration Act.

### **How do I apply for an RRV?**

If you are in Australia, you do not need to use a form if you present a valid passport and payment, either by:

- attending an office of the department; or
- mailing a written request for an RRV with your passport and payment.

Otherwise, you should complete form 1085 *Application for a resident return visa or replacement evidence of resident return visa*.

If more than one person is travelling on a passport only one application form and charge is required. Family members with separate passports must each apply and pay the charge.

### **What are the eligibility criteria for an RRV?**

An RRV allows a permanent resident to return to Australia within a period of either 3 months or 5 years.

The first requirement is:

- you have a valid permanent visa; or
- you have held a permanent visa in the past and your last permanent visa was not cancelled; or
- you were an Australian citizen but you are no longer an Australian citizen.

For a 5 year RRV you must also meet one of the following requirements:

- you have been in Australia as an Australian citizen or permanent resident for at least 2 out of the past 5 years; or
- you have substantial and beneficial ties with Australia and compelling reasons for absences in excess of 5 years (provide supporting evidence); or
- you are the immediate family member of an RRV holder.

#### **Onshore applicants:**

- you must have substantial business, cultural, employment, or personal ties of benefit to Australia and compelling reasons for any absence from Australia for a continuous period of 5 years or more since you ceased to be an Australian citizen or the date of grant of your last permanent visa.

#### **Offshore applicants:**

- you must have substantial business, cultural, employment or personal ties of benefit to Australia; and
  - if you currently hold a valid permanent visa or you last departed Australia as an Australian citizen or permanent visa holder, you have compelling reasons for any continuous absence from Australia of 5 years or more since last departing Australia as an Australian citizen or permanent resident; or
  - if you last departed Australia as a temporary visa holder, you last held Australian citizenship or permanent residence within 10 years and have compelling reasons for absences of 5 years or more cumulatively since you departed Australia as an Australian citizen or permanent resident.

If you are not eligible for a 5 year RRV you may be eligible for a 3 month RRV if:

- you have been in Australia as an Australian citizen or permanent resident for one day or more in the last 5 years; and
- you have compelling and compassionate reasons for your departure from Australia; and
- if you have been outside Australia for more than 3 months, you have compelling and compassionate reasons for the absence. (Provide supporting evidence.)

#### **What about families?**

Alternatively, you may be eligible for an RRV because you are the partner (spouse or de facto), dependent child/relative of a person who has been, or will be, granted an RRV (whether you apply at the same time or later than the family member).

If you are granted an RRV on the basis of being the family unit member of an RRV holder, your visa will have the same validity as that of the family head.

#### **What if I am unable to prove that I am a permanent resident?**

If you are overseas, unable to prove your status but need to return to Australia urgently, you may be eligible for a provisional RRV. On return to Australia you will need to apply to regain your permanent status within 3 months.

If you do not, you will become an unlawful non-citizen liable to detention and removal from Australia.

A provisional RRV may be granted if you meet all of the following requirements:

- you are outside Australia; and
- you are unable to prove that, when you last left Australia, you were an Australian citizen or permanent resident; and

- you are not currently an Australian citizen; and
- if you could prove your claims, you would meet the criteria for either the 3 month or 5 year RRV; and
- there are reasonable grounds for believing your claims can be proved; and
- you have urgent and compelling reasons to travel to Australia before you can substantiate your claims.

## **Replacing return visa labels**

### **Visa label evidence of Authorities to Return (ATRs) and Return Endorsements (REs)**

ATRs and REs were issued to people who migrated to Australia before 1987 and remain valid so long as the holder has not been away from Australia for more than 3 years and has not become an Australian citizen.

As these 'old style RRV's' were issued manually, they are not compatible with the department's electronic systems and holders may experience delays on entry while manual checks are made.

Holders are eligible to receive free initial evidence of their authorities with a new label at any office of the department. The new label is fully compatible with immigration and customs systems and does not alter the conditions of the original visa in any way.

#### **Can I obtain a re-evidence of a return visa label?**

Yes. For a charge you can obtain a new visa label to put in another passport providing you have not become an Australian citizen. For example, the passport containing your original documentation may have expired, been lost, stolen or mutilated, or no longer applies to you because you used to be on a family passport but now have your own.

#### **Should I obtain a replacement visa label?**

As there is a charge for this service, you should consider whether you need a replacement label. For example:

- you might prefer to apply for a new 5 year RRV rather than re-evidence the balance of your old RRV; or
- if your visa label is in a passport which has expired, you can continue to use the old visa label until it expires by carrying both your old and new passports when travelling.

#### **How do I apply for a replacement visa label?**

In Australia, you need not use a form 1085 if you present a valid passport and payment of the application charge either by:

- attending an office of the department; or
- mailing a written request explaining your need for a new visa label with your passport and payment.

#### **What if I find my lost passport after I have obtained a new visa label?**

Continue using the new visa label. After you have been issued with a replacement label the original becomes invalid.

*Home page*

**www.immi.gov.au**

*General enquiry line*

Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours). If you are outside Australia, please contact your nearest Australian mission.