

Bridging Visas Australia: A Guide to Staying Lawfully While Your Application is Processed

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Navigating the Australian visa system can feel like a complex journey, and one of the most crucial yet often misunderstood elements is the Bridging Visa. As an immigration lawyer with over 33 years of legal experience, I've seen how essential a bridging visa is to maintaining your lawful status in Australia while you await a decision on a substantive visa application. This guide is designed to demystify Bridging Visas, helping you understand what they are, which one might apply to you, and what you can and can't do while holding one.

What is a Bridging Visa?

A Bridging Visa is a temporary visa that allows you to remain lawfully in Australia in specific circumstances. The most common scenario is when you are in Australia, have applied for a new substantive visa (like a partner, skilled, or student visa), and your current substantive visa is about to expire. The bridging visa "bridges" the gap, ensuring you don't become an unlawful non-citizen while you wait for the Department of Home Affairs to process your application.

It's important to understand that a bridging visa is not a substantive visa. It doesn't provide you with any permanent residency rights, nor does it guarantee that your substantive visa application will be approved. Its sole purpose is to keep you lawful during a transitional period.

When is a Bridging Visa Granted?

A bridging visa is typically granted automatically when you lodge a valid application for a substantive visa while you are in Australia. However, the bridging visa will only become active once your current substantive visa expires. For example, if your current visa is valid until 1 August 2026 and you apply for a new visa in June 2026, the Bridging Visa A (BVA) that is granted to you will remain dormant until your current visa ceases on 1 August 2026.

The Alphabet of Bridging Visas: A Detailed Breakdown

There are several different types of bridging visas, each with its own specific purpose and conditions. Understanding the differences between them is crucial.

Bridging Visa A (BVA) - Subclass 010

The BVA is the most common type of bridging visa. It is granted when you apply for a substantive visa in Australia while you still hold a valid substantive visa. The BVA allows you to remain in Australia lawfully while your application is being processed.

- **Work Rights:** The work rights on your BVA will generally be the same as the visa you held when you applied for the new visa. For example, if you held a student visa with limited work rights, your BVA will have the same limitations. If your previous visa had no work restrictions, your BVA will also allow you to work without any limitations.
- **Travel:** A BVA does not allow you to travel outside of Australia and return. If you leave Australia on a BVA, it will cease, and you will not be able to re-enter the country on that visa.

Bridging Visa B (BVB) - Subclass 020

If you are on a BVA and need to travel outside of Australia for a compelling reason, you must apply for a Bridging Visa B (BVB). A BVB is the only bridging visa that allows you to leave and re-enter Australia while you await a decision on your substantive visa application.

- **Application:** You must apply for a BVB and provide evidence of your reasons for travel, such as a family emergency or an important business commitment. The Department will specify a travel period on the BVB, and you must return to Australia within this period.
- **Work Rights:** A BVB will carry the same work conditions as your BVA.

Bridging Visa C (BVC) - Subclass 030

A BVC is granted if you apply for a substantive visa in Australia when you do not hold a substantive visa. This might happen if your previous visa has already expired and you have become an unlawful non-citizen. A BVC allows you to remain lawfully in Australia while your application is processed.

- **Work Rights:** A BVC is generally granted without work rights. You can, however, apply for work rights if you can demonstrate that you are in financial hardship.
- **Travel:** A BVC does not allow you to travel outside of Australia.

Bridging Visa D (BVD) - Subclass 040 and 041

The BVD is a very short-term visa, typically granted for a period of five working days. It is for people who have become unlawful non-citizens and intend to apply for a substantive visa in the very near future, or for those who are unable to make a valid visa application but are willing to make arrangements to depart Australia.

- **Work Rights:** A BVD does not permit you to work.
- **Travel:** A BVD does not allow you to travel.

Bridging Visa E (BVE) - Subclass 050 and 051

A BVE is granted to individuals who are currently unlawful, are arranging to depart Australia, or are seeking to finalise their immigration status. This can occur after a visa

refusal or cancellation. A BVE allows you to remain lawfully in Australia while you make these arrangements.

- **Work Rights:** A BVE is generally granted without work rights. However, you can apply for work rights if you can demonstrate financial hardship.
- **Travel:** A BVE does not permit you to travel.

Work Rights on a Bridging Visa

As you can see, the ability to work on a bridging visa varies significantly. It is crucial to check the conditions of your specific bridging visa. You can do this through the Visa Entitlement Verification Online (VEVO) system. Working in breach of your visa conditions is a serious matter and can have severe consequences for your current and future visa applications.

What Happens When Your Substantive Visa Expires?

When your substantive visa expires, your bridging visa will automatically come into effect. You do not need to do anything to activate it. You must, however, comply with the conditions of your bridging visa from that point onwards.

Applying for a Bridging Visa E (BVE)

If you find yourself in a situation where you are an unlawful non-citizen, you will need to apply for a BVE to regularise your status. The application is made on Form 1008. You will need to explain how you became unlawful and what steps you are taking to resolve your immigration status. It is highly recommended that you seek professional legal advice before applying for a BVE, as it can be a complex process with significant implications.

Common Bridging Visa Issues and How to Navigate Them

- **Losing Work Rights:** If you were on a student visa and have now applied for a skilled visa, your BVA may have the same limited work rights as your student visa. If you need to work full-time, you may need to apply for a new BVA with different work conditions.
- **Needing to Travel:** As mentioned, if you need to travel, you must apply for a BVB before you leave Australia. Failing to do so can result in you being unable to return to Australia.
- **Visa Refusal:** If your substantive visa application is refused, your bridging visa will generally remain in effect for a specified period (usually 35 days) to allow you to depart Australia or to apply for a review of the decision at the Administrative Review Tribunal (ART). It is important to act quickly and seek advice if your visa is refused.

What Should You Do Next?

Bridging visas are a complex area of immigration law, and the information in this guide is general in nature. Your personal circumstances will determine which bridging visa you are eligible for and what conditions will apply to you. If you have any questions or concerns about your bridging visa, or if you are unsure about your immigration status, I strongly encourage you to seek professional advice.

With over 27 years of experience in Australian immigration law, I can provide you with the expert guidance you need to navigate the complexities of the visa system. I invite you to book a consultation with me to discuss your situation.

About the Author

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