

Special Category visa

The Special Category visa (SCV) is a visa type available to most New Zealand passport holders. It is not a form of permanent residence.

Entitlement to the Special Category visa

New Zealand citizens are eligible for the SCV unless they don't meet the character, health or disability requirements.

People may be refused entry on character grounds if they have criminal convictions (all criminal convictions are required to be declared before entry). The 5 conditions most identified as affecting visa applicants who have failed the health requirement are:

- intellectual impairment
- HIV infection
- functional impairment
- renal disease or failure
- cancer.

Limited support on SCV

Residents in Australia on an SCV are not eligible for the same services as permanent residents or citizens. If a pathway to secure residency or citizenship is not agreed, some services (such as disability support if over 16 years of age and student loans) only become available once a person has lived in Australia for 10 years.

Protected SCV

Some caregivers in Australia may be on a protected SCV. These caregivers have greater rights and access to supports not available to those who are on the unprotected SCV. To have this visa type, they must have moved to Australia before 26 February 2001, among other conditions.

Cancellation of the SCV

The SCV can be cancelled if te tamaiti or rangatahi fails the character, health or disability requirements in the future (for example, if they develop cancer or commit a crime after arriving in Australia). Cancellation of an SCV will mean that they will have to leave Australia.

Application for Australian citizenship

New Zealand citizens who are non-protected SCV (subclass 444) holders and long-term residents in Australia have the opportunity to apply for Australian citizenship.

To achieve this change, non-protected SCV holders will be included as permanent residents for the purposes of section 5(2) of the Australian Citizenship Act 2007 through an amendment to the Permanent Resident Status.

IN-CONFIDENCE

- This means that time spent in Australia holding a non-protected SCV will be counted towards the 12 months of permanent residence as part of the general residence requirement.
- The amendment also includes backdating the period of permanent residence to 1 July 2022 for SCV holders who were granted their SCV before 1 July 2022. This allows long-term residents to apply immediately for citizenship, subject to meeting other eligibility requirements. For SCV holders who were granted their first SCV on or after 1 July 2022, their period of permanent residence starts from the date of their first SCV grant.
- The amendment also means that children born in Australia on or after 1 July 2022 to non-protected SCV holders who were granted their SCV before 1 July 2022 are automatically taken to have acquired Australian citizenship at birth by operation of law with retrospective effect from 1 July 2023. Children born to SCV holders whose SCV was granted after 1 July 2022 automatically acquire Australian citizenship at birth by operation of law if their parent holds an SCV on the day of their birth. Where a New Zealand citizen parent is overseas on the day of their child's birth and held an SCV immediately before last leaving Australia, their child automatically acquires Australian citizenship at birth by operation of law.

More information

[Health requirements of SCV | Australian Department of Home Affairs](#)

[Eligibility requirements of SCV | Australian Department of Home Affairs](#)

[Orphan Relative visa | Australian Department of Home Affairs](#)