



Character requirements for visas

You must be of good character to visit or live in Australia. This means you must meet the character requirements, and remain of good character.

Meeting the requirements

You may not meet the character requirements if:

you have a substantial criminal record

have been convicted of, had a charge proven for or have been found guilty of a sexually based crime involving a child

you have been convicted of escaping from immigration detention, or convicted for an offence that you committed:

while you were in immigration detention

during an escape from immigration detention

after an escape, but before you were taken into immigration detention again

you are or have been a member of a group or organisation, or had or have an association with a person, group or organisation that the Minister reasonably suspects of being involved in criminal conduct

the Minister reasonably suspects that you have been involved in people smuggling, people trafficking, genocide, a war crime, a crime against humanity, a crime involving torture or slavery, or a crime that is of serious international concern, whether or not you have been

convicted of such an offence

your past and present criminal or general conduct shows that you are not of good character

there is a risk that while you are in Australia you would:

engage in criminal conduct

harass, molest, intimidate or stalk another person

vilify a segment of the Australian community

incite discord in the Australian community or in a part of it

be a danger to the Australian community or a part of it

you are subject to an adverse security assessment by the Australian Security Intelligence Organisation

you are subject to an Interpol notice, from which it is reasonable to infer that you are a direct or indirect risk to the Australian community, or a segment of the Australian community

you are or have been convicted of a domestic violence offence or have ever been subject to a domestic violence order

When applying:

declare all criminal conduct you have engaged in

truthfully answer all questions

provide all requested information

We consider all circumstances of a case. Even if you do not meet the character requirements, we, or the Minister for Home Affairs can choose to grant your visa.

If you are not completely honest about your criminal history, we may refuse your application.

After you apply

We may ask you to:

provide a police certificate

complete Form 80 Personal particulars for character assessment
(596KB PDF)

complete a character statutory declaration (550KB PDF)

provide a military certificate

provide a letter of good conduct from an employer

Where a third party, such as a foreign government or law enforcement authority gives us details about you, we treat your details in accordance with privacy laws (168KB PDF).

If you are asked to provide a character statutory declaration, you are required to submit the English language version above. The translated versions below are provided for information only.

Arabic (744KB PDF)

Dari (590KB PDF)

Farsi (Persian) (592KB PDF)

Korean (564KB PDF)

Simplified Chinese (743KB PDF)

Spanish (583KB PDF)

Tamil (143KB PDF)

Traditional Chinese (894KB PDF)

Turkish (710KB PDF)

Vietnamese (527KB PDF)

Refusal or cancellation

If you do not meet character requirements, the Minister or a delegate can refuse your application or cancel your visa.

To decide if you meet character requirements, we consider a variety of matters, including:

the protection of the Australian community

the best interests of any children in Australia

Australia's international legal responsibilities

the impact of visa refusal or cancellation on your family in Australia

any impact on Australian business and community interests

Character decisions require consideration of a range of factors. When making a decision, departmental delegates refer to a Ministerial Direction. This sets out the considerations that must be balanced when deciding whether to refuse or cancel someone's visa on character grounds.

If you have had a visa refused or cancelled on character grounds since you last arrived in Australia the only visa you can apply for is a Protection visa.

If we remove you from Australia on character grounds, you may have

difficulty satisfying the character requirements when applying for another visa to re-enter Australia.

Mandatory cancellation

By law, we must cancel your visa if you are serving a sentence in a prison full-time for an Australian crime, and you have:

been sentenced to death, imprisonment for life or imprisonment for longer than a year.

been convicted of a sexually based crime involving a child by an Australian or foreign court.

had a charge proven for a sexually based crime involving a child, even if you were discharged without conviction.

been found guilty of a sexually based crime involving a child, even if you were discharged without conviction.

If we must cancel your visa, you have 28 days to request revocation of the cancellation. Revocation of the cancellation decision would have the effect of restoring your visa.

Appeal a refusal or cancellation

If we refuse or cancel your visa, you may be able to apply for a review of our decision. You cannot appeal a decision if it was made by the minister personally.

The independent Administrative Appeals Tribunal (AAT) is responsible for reviewing departmental decisions including visa cancellation decisions.

Appeals have strict time limits. You must apply in writing within the time specified by the Department in our decision notification letter.

It is available to you to seek judicial review if you believe the refusal or cancellation decision was not lawfully made.

You may wish to seek assistance with your immigration status from a registered migration agent, or engage independent legal advice.

Military certificates

You may need to provide a military certificate with your visa application. If we ask you for one, it will usually be when you served for more than 12 months in any country's military force.

A military certificate can be a letter from your commanding officer. It should say you have not been convicted of any criminal offence while in the military.

You may also need to provide a police certificate for every country you served in for over 12 months. This includes where you were stationed at a military base.

Police certificates

We may ask you to provide a police certificate (also called a penal clearance certificate) from every country you lived in. If we ask you

for one, it will usually be if you are over 17 and lived in any of the listed countries, including Australia, for at least 12 months in the past 10 years.

Police certificates are valid for 12 months from the issue date. They must cover:

the time you turned 16 up to the issue date

or

the whole time you were in the country

We may ask you to provide a new police certificate if you have returned to the country after your previous certificate has expired.

Apply for a police certificate

See how to apply for an overseas police certificate in the relevant countries.

Contact your nearest Australian immigration overseas office if a country you lived in is not listed or you cannot get a certificate.

To apply for an Australian police certificate you must submit an Australian Federal Police National Police Check application form.

You **MUST** select Code 33 - Immigration/Citizenship – for Supply to the Department of Home Affairs which includes all Commonwealth offences, and other state/territory offences as legislation permits.

You must include details of all names you have been known by.

We do not accept state- or territory-issued Australian police certificates.

Fingerprints are not needed for Australian police checks.

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