

**AUSTRALIAN GOVERNMENT**  
**HEALTH INSURANCE ACT 1973**

**Health Insurance (Eligible persons – Ukrainian nationals including their non-Ukrainian immediate family members) who are holders of Bridging Visa E (Subclass 050 and Subclass 051) Order 2022**

I, Nigel Murray, Assistant Secretary, Medical Benefits Division, Health Resourcing Group, delegate for the Minister for Health and Aged Care, pursuant to subsection 6(1) of the *Health Insurance Act 1973* (the Act) hereby DECLARE that:

- (1) Every person included in the specified class of persons to whom clause (2) applies, being a person who, but for this Order, would not be an eligible person for the purposes of the Act shall, during any period in which the person is in Australia, be treated as being an eligible person for the purposes of the Act.
- (2) This clause applies to a person who is:
  - (a) a Ukrainian national; or
  - (b) an immediate family member of a Ukrainian national; and
  - (c) is a holder of a Bridging Visa E (Subclass 050 and Subclass 051) that was granted on or after 1 August 2022; or
  - (d) the child of a person mentioned in subclause (1)(a) and who:
    - (i) was born in Australia; and
    - (ii) is taken to have been granted a Bridging Visa E (Subclass 050 and Subclass 051) because of section 78 of the *Migration Act 1958*.
- (3) This Order shall be taken to have commenced on 1 November 2022

Dated this        28th day of October 2022

Nigel Murray  
Assistant Secretary  
MBS Policy and Specialist Services Branch  
Department of Health

## ATTACHMENT - STATEMENT OF REASONS

*Health Insurance Act 1973*  
Class Order under Subsection 6(1)

**ORDER NO:** 819

**DATE OF ORDER:** 18 October 2022

**RELATED ORDER:** N/A

**NAME OF PERSON/GROUP:** Ukrainian nationals (including their non-Ukrainian immediate family members) who are holders of Bridging Visa E (Subclass 050 and Subclass 051) as part of the Australian Government's response to provide additional assistance to Ukraine following the invasion by Russia.

### REASON FOR APPROVAL:

The Bridging Visa E (Subclass 050) is a subclass of visa which allows the holder to stay in Australia lawfully while they finalise their immigration matter or make arrangements to leave Australia. The Bridging Visa (Subclass 051) is a subclass of visa which allows the holder to stay in Australia lawfully while their Protection visa application is being processed.

Under subsection 6(1) of the *Health Insurance Act 1973*, the Minister for Health and Aged Care has a discretionary power to declare certain people or classes of people eligible for Medicare in specified circumstances.

The *Health Insurance (Eligible persons – Ukrainian nationals including their non-Ukrainian immediate family members) who are holders of Bridging Visa E (Subclass 050 and Subclass 051) Order 2022* provides access to Medicare from 1 November 2022 for persons who have been granted Bridging Visa E (Subclass 050 and Subclass 051) by the Australian Government as part of its response to provide additional assistance to Ukraine following the invasion by Russia.

The *Health Insurance (Eligible persons – Ukrainian nationals including their non-Ukrainian immediate family members) who are holders of Bridging Visa E (Subclass 050 and Subclass 051) Order 2022* will take effect for people who applied for and are (or were) granted a Bridging Visa E (Subclass 050 and Subclass 051) since 1 August 2022. However, no person will have their rights, as existing at the time the order takes effect, affected so as to disadvantage them, or liabilities imposed on them, other than the Commonwealth.