

**OUR JOURNEY**  
**BRISBANE**  
**BANKING**  
**FINANCIAL**  
**DARWIN**  
**SYSTEMS**

06



# **FAMILY SPONSORSHIP VISAS**

<b>Introduction</b>	<b>88</b>
<b>What are the Partner Visa options?</b>	<b>89</b>
<b>What are the Child Visa options?</b>	<b>95</b>
<b>What are the Parent Visa options?</b>	<b>102</b>
<b>Are there other Family Visas available?</b>	<b>112</b>

*In this chapter you will find information on all of the visas available to family members of an Australian citizens, permanent residents or eligible New Zealand citizens. There are a number of migration options for people intending to get married, partners, children, parents and other family members.*

With a partner visa you can apply to enter and/or remain permanently in Australia with your partner. Partners include people intending to get married, are married, partners and de facto partners.

The child visa means you can migrate to Australia to join a parent/guardian. There are a number of visa options in this category which are summarised in this chapter.

Parents may be able to migrate to Australia if they have a child/children living in Australia. There are a number of visas available in the parent category which are summarised in this chapter.

The information in this chapter gives you an overview of the family visa options. For more detailed information on any of the family visas please refer to the website [www.immi.gov.au](http://www.immi.gov.au)

## What are the Partner Visa options?

- 1 Spouse Temporary Visa (Subclass 309) and Spouse Permanent Visa (Subclass 100)
- 2 Prospective Marriage Visa (Subclass 300)
- 3 Interdependency Temporary Visa (Subclass 310) and Permanent Visa (Subclass 110).

### 1 Spouse Temporary Visa and Spouse Permanent Visa

The Spouse Temporary and the Spouse Permanent Visa allows you to enter or remain in Australia on the basis of your marriage or de facto relationship with your partner on a:

- Temporary visa - Usually for a waiting period of about 2 years from the date you applied for the visa
- Permanent visa - If after the waiting period your relationship still exists and you are still eligible for this visa.

Your partner must provide sponsorship for you. You will have to meet the health and character requirements when you apply for any of the partner visas. For more information on the health and character requirements please see **Chapter 3 - General Information**.

## **Spouse Temporary Visa (Subclass 309)**

With this visa you are permitted to:

- Enter or remain in Australia with your spouse until a decision is made regarding your permanent visa
- Work in Australia while on this visa
- Entitled to study in Australia but you will not have access to government funding for tertiary study
- Enrol in Australia's medical benefits expenses and hospital care scheme Medicare (for more information on this please see section).

There is a non-refundable application fee of AUD \$1,390/€915 (2007 figure) payable when you apply for this visa.

## Spouse Permanent Visa (Subclass 100)

With this visa you are:

- Permitted to enter or remain permanently in Australia with your spouse. After 2 years you can apply for a permanent visa if the spousal relationship is still ongoing. You are entitled to:
- Work and study in Australia
- Enrol in Australia's medical benefits expenses and hospital care scheme, Medicare (for more information on Medicare please see **Chapter 8 - Healthcare**)
- Apply, in some cases, for certain social security payments, as you may be exempt from the 2 year newly arrived residents waiting period. For more information on this please see the Centrelink website [www.centrelink.gov.au](http://www.centrelink.gov.au)

There is a non-refundable application charge for this visa. The application charge covers you and all family members included in your application. The cost of this visa is AUD \$1,390/€915 (2007 figure).

Once you meet the required residency eligibility criteria you may be eligible to apply for Australian citizenship.

## 2 Prospective Marriage Visa (Subclass 300)

With this visa you:

- Must enter Australia before you marry your fiancé/e and prove that you intend to marry your fiancé/e within 9 months
- Can leave and re-enter Australia as many times as you wish before your visa expires, normally 9 months from the date the visa was granted
- Are permitted to work in Australia
- Can apply for a spousal visa in Australia after you marry your fiancé/e
- Are permitted to study, but you will not have access to government funding
- May use Australia's medical expenses and hospital care assistance scheme Medicare (only if you are in Australia and have already applied for a Spousal visa).

Once you are married you can apply for a spousal visa to remain permanently in Australia with your spouse.

There is a non-refundable application charge for this visa. The application charge covers you and all family members included in your application. The cost of this visa is \$1,390/€915 (2007 figure).

### **3 Interdependency Temporary Visa (Subclass 310) and Permanent Visa (Subclass 110)**

An interdependency visa allows you to enter or remain in Australia on the basis of your interdependent relationship with your partner (generally same sex) on a:

- Temporary visa - Usually for a waiting period of approximately 2 years from the date you applied for the visa
- Permanent visa - If after the waiting period your partner relationship still exists and you are still eligible for a Spouse visa.

#### **Interdependency Temporary Visa (Subclass 310)**

With this visa you are:

- Allowed to enter or remain in Australia with your spouse until a decision is made regarding your permanent visa
- Entitled to work in Australia

- Entitled to study in Australia but you will not have access to government funding for tertiary study
- Permitted to enrol in Australia's medical benefits expenses and hospital care scheme Medicare.

### **Interdependency Permanent Visa (Subclass 110)**

With this visa you are:

- Allowed to enter or remain in Australia with your spouse
- Entitled to work and study in Australia
- Permitted to enrol in Australia's medical benefits expenses and hospital care scheme, Medicare
- May be eligible to receive certain social security payments as you will be exempt from the 2-year newly arrived residents waiting period
- Eligible to apply for Australian citizenship (subject to the residency eligibility criteria).

There is a non-refundable visa application charge when you apply for any of these visas. The application charge covers you and all family members included in your application. The cost of this visa is AUD \$1,390/€915 (2007 figure).

## **What are the Child Visa options?**

- 1 Permanent Child Visa (Subclass 101)
- 2 Permanent Orphan Relative Visa (Subclass 117)
- 3 Permanent Adoption Visa (Subclass 102)
- 4 Dependent Child Visa (Subclass 445)

## 1 Permanent Child Visa (Subclass 101)

This is a permanent visa for any child 25 years of age or younger to travel to, and remain in Australia with their parent who is also their sponsor.

The parent acts as a sponsor for the child and can lodge the visa application on behalf of the child. This visa allows the visa holder to live permanently in Australia and travel to and from Australia for five years from the date the visa is granted.

### **If a child visa is granted the sponsor (parent) must:**

- Provide support for the child and any other family members included on the visa
- Provide accommodation and financial assistance required, meeting the child's and family members reasonable needs during their first two years in Australia.

The applicant (child) must lodge a complete application including all application forms, supporting documentation and application fees. Usually the sponsor does this on behalf of the child.

The child must be the natural, adopted or step child of their sponsor. Adopted children applying outside Australia must have been adopted

before their parent became an Australian citizen, permanent resident or an eligible New Zealand citizen.

If the child is 18 years of age or older they must also be a full-time student **and** financially dependent on their sponsoring parent.

**To be considered a full-time student the child must:**

- Be enrolled and actively participating in a full-time post-secondary course of study leading to a professional, trade or vocational qualification
- Have been undertaking that course since turning 18 years of age or have commenced studies within 6 months or a reasonable period of completing secondary education
- Not be in full-time employment.

There is only one exception to this age limit and full time student requirement. That is where the child has a disability that stops them from working. The child must be single, not in a de-facto relationship or engaged to be married. The applicant must meet the health and character requirements. For more information on the health and character requirements please see **Chapter 3 - General Information**.

There is a non-refundable application charge of AUD \$1,390/€915 (2007 figure) payable when you apply for the visa. The application

charge covers the applicant and any of their dependent family members included in the application.

The sponsor must complete **Form 40CH** Sponsorship for a Child to Migrate to Australia (This form must be lodged with **Form 47CH**). The applicant or sponsor on must complete **Form 47CH** (on behalf of the applicant), Application for Migration to Australia by A Child.

## **2 Permanent Orphan Relative Visa (Subclass 117)**

This visa is a permanent visa for children 18 years of age and under from overseas whose parents are unable to care for them. The visa allows the child to travel and live in Australia with an Australian relative. If you are granted this visa you can live permanently in Australia and travel to and from Australia for 5 years from the date the visa is granted.

The Australian relative sponsors the child and any family members also included in the application and who are migrating with the child. An orphan relative must be:

- The brother or sister
- Grandchild
- Niece or nephew or step equivalent of their sponsor.

The applicant (child) lodges the application including all forms and supporting documentation and application charges. The sponsor usually lodges the application on behalf of the child.

The child must be single and not in a de-facto relationship. The applicant must meet health and character requirements. For more information on the health and character requirements please see **Chapter 3 - General Information**.

Sponsors must satisfy certain custody requirements when applying to sponsor children less than 18 years of age.

There is a non-refundable application charge for this visa. The application charge covers the applicant and any of their dependent family members included in the application. The cost of this visa is AUD \$850/€560 approx. (2007 figure).

The sponsor must complete **Form 40CH** Sponsorship for a Child to Migrate to Australia (This form must be lodged with **Form 47CH**). The applicant or sponsor must complete **Form 47CH** (on behalf of the applicant), Application for Migration to Australia by A Child.

### 3 Adoption Visa (Subclass 102)

This is a permanent visa for children who have been adopted or are about to be adopted. An adoptive or prospective adoptive parent must meet certain conditions and criteria (for more information on this please see the website [www.immi.gov.au](http://www.immi.gov.au)). Adoptive or prospective adoptive parent sponsors the child.

This visa allows the child to live permanently in Australia with their adoptive parent/s and travel to and from Australia for 5 years from the date the visa is granted.

For adoptive parents living in Australia your relevant Australian State or Territory Adoption Authority known as STAA (for contacts details for each state/territory please see **Chapter 15 - Useful Contacts**) must be involved in managing the adoption process with the overseas country where the child is living.

The applicant must meet the health and character requirements. For more information on health and character requirements please see **Chapter 3 - General Information**.

There is a non-refundable application charge of AUD \$1,390/€915 (2007 figure) payable when you apply for this visa. The application charge covers the applicant and all family members included in the application.

The sponsor must complete **Form 40CH** Sponsorship for a Child to Migrate to Australia. The applicant or sponsor must complete **Form 47CH** Application for Migration to Australia by a Child.

#### **4 Dependent Child Visa (Subclass 445)**

This is a temporary visa for a natural, adopted or step-child of a parent who holds a temporary partner visa and has not yet been granted a permanent partner visa that does not include the child. This means that the child's parent must hold one of the following visas:

- Temporary Spouse Visa (Subclasses 309 or 820)
- Temporary Interdependency Visa (Subclasses 310 or 826).

Applicants for this visa will require sponsorship from the same person sponsoring the child's visa-holding parent.

This visa allows the visa holder to travel to and from, or remain in Australia for as long as their parent's temporary visa is valid or until the parent's permanent visa application is finalised.

The applicant must meet the health and character requirements required for the visa. For more information on the health and character requirements please see **Chapter 3 - General Information**.

The child and their sponsor must complete **Form 918** Application for a Subclass 445 (Temporary) Visa by a Dependent Child. If this visa is granted the child must lodge a separate application for the same permanent visa as their parent before a decision is made on the parent's permanent visa application.

They must complete **Form 1002** Application to add a dependent child to a partner visa application. There is a non-refundable application charge of AUD \$150/€100 (2007 figure) payable when you apply for this visa. The application charge covers the applicant and all family members included in your application.

### What are the parent visa options?

- 1 Parent (Permanent) Visa (Subclass 103)
- 2 Contributory Parent (Migrant) Visa (Subclass 143)
- 3 Contributory Parent (Temporary) Visa (Subclass 173)
- 4 Contributory Parent (Migrant) Visa (from Subclass 173 to Subclass 143)

## **1 Parent (Permanent) Visa (Subclass 103)**

This visa is available for parents to migrate to Australia permanently to join their children who are living in Australia. This visa requires that you be sponsored by your child or another eligible sponsor in Australia.

This visa is for you if you are a parent of a child (natural, adopted or step child) who is a settled Australian citizen, permanent resident or eligible New Zealand citizen and at least half of your children are permanently resident in Australia or you have more children living permanently in Australia than any other country.

Your spouse and other family members may be included in your application if they meet certain requirements. In some circumstances you may add dependent children or a spouse to your application after the application is lodged, but before a decision has been made.

This visa allows you and your accompanying spouse and dependent family members to live as permanent residents in Australia. You can:

- Work and study in Australia
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)

- Be eligible to apply for Australian citizenship (subject to the residency eligibility criteria)
- Sponsor people for permanent residence (subject to waiting periods).

Applicants for non-contributory parent visas may have to wait **many years** before being granted a visa as the Government limits the number of places available each program year.

You must pay a non-refundable visa application charge when you lodge your visa application. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment charge is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> Installment charge is AUD \$1,205/€795 (2007 figure).

The 2<sup>nd</sup> Installment charge for applicants under the age of 18 is AUD \$1,205/€795 (2007 figure).

## **2 Contributory Parent (Migrant) Visa (Subclass 143)**

This visa allows parents to migrate to Australia permanently to join their children who are living in Australia.

This visa requires that you be sponsored by an eligible sponsor in Australia. Normally your child will sponsor you, however if your child is under 18 years you may also be sponsored by your child's spouse, a close family relative or guardian of your child, a close family relative or guardian of your child's spouse or a community organisation.

You should consider this visa if you are a parent of a child (natural, adopted or step child) who is a settled Australian citizen, settled permanent resident or settled eligible New Zealand citizen and at least half of your children are permanently resident in Australia or you have more children living permanently in Australia than in any other country. Your spouse and other family members may be included in your application if they meet certain requirements.

You must pay a non-refundable application charge when you lodge your application. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment charge is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> installment charge is AUD \$31,555/€20,755 (2007 figure).

The 2<sup>nd</sup> installment charge for applicants under the age of 18 years is AUD \$1,365/€900 (2007 figure).

This visa allows you, your accompanying spouse and dependent family members to live as permanent residents in Australia. You can also:

- Work and study in Australia
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)
- Be eligible to apply for Australian citizenship (subject to the residency eligibility criteria) and
- Sponsor people for permanent residence (subject to waiting periods).

Your sponsor must give a written undertaking to provide support, accommodation and financial assistance for you the applicant and any family members for the first two years of your residency in Australia.

If you are granted this visa you will have a waiting period before you are eligible to receive most social security payments. Waiting periods are generally 2 years for most social security payments and 10 years for age pension payments (some exemption may apply). You must have a commitment by a person to provide you with an Assurance of Support.

To be eligible to provide an Assurance of Support the assurer will need to meet all Centrelink eligibility requirements. More information about the eligibility requirements is available from the Centrelink website [www.centrelink.gov.au](http://www.centrelink.gov.au)

You must meet the criteria for the balance of family test. The balance of family test requires that half your children must be permanently resident in Australia or you have more children permanently resident in Australia than any other single country.

You, your spouse and all dependent family members must meet certain health and character requirements. You may need to undergo a health examination. For more information on the health and character requirements please see **Chapter 3 - General Information**.

You will need to complete **Form 47PA** - Application for Migration to Australia by a Parent. You will need to complete **Form 47A** - Details of Child or Other Dependent Family Member (you will need to complete this form for each dependent relative aged 18 years or over, migrating or not). You will need to include your sponsors completed **Form 40**.

In some circumstances you may add dependent children or a spouse to your application after the application is lodged, but before a decision has been made.

### **3 Contributory Parent (Temporary) Visa (Subclass 173)**

This visa is for parents outside Australia who have children living in Australia to enter and live in Australia for 2 years. You cannot extend or renew this visa. This visa requires that you be sponsored by your child or another eligible sponsor in Australia.

If you are granted this visa and want to live in Australia permanently, you can apply for the Contributory Parent (Migrant) Visa (Subclass 143). You must apply for the permanent visa before your temporary visa expires.

You must pay a non-refundable visa application charge when you lodge your visa application. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment charge is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> installment charge is AUD \$18,935/€12,455 (2007 figure).

The 2<sup>nd</sup> installment charge for applicants under the age of 18 years is AUD \$1,365/€900 (2007 figure).

This visa allows you and your accompanying spouse and dependent family members to:

- Live as a temporary residents in Australia for 2 years
- Access Australia's medical expenses and hospital care assistance scheme Medicare
- Work and study in Australia.

Your sponsor must give a written undertaking to provide support, accommodation and financial assistance for you the applicant and any family members for the first 2 years of your residency in Australia.

You must meet the criteria for the balance of family test. The balance of family test requires that half your children must be permanently resident in Australia or you have more children permanently resident in Australia than any other single country.

You, your spouse and all dependent family members must meet the health and character requirements. You will need to undergo a health examination. For more information on the health and character requirements please see **Chapter 3 - General Information**.

You will need to complete **Form 47PA** -Application for Migration to Australia by a Parent. You will need to complete **Form 47A** - Details

of Child or Other Dependent Family Member (you must complete this form for each dependent relative aged 18 years or over migrating or not). You will need to include your sponsors completed **Form 40**.

In some circumstances you may add dependent children or a spouse to your application after the application is lodged, but before a decision has been made. This is a temporary visa valid for 2 years.

#### **4 Contributory Parent (Migrant) Visa (from Subclass 173 to Subclass 143)**

This visa is for you, if you hold a Contributory Parent (Temporary) Visa (Subclass 173) and want to apply for the permanent Contributory Parent (Migrant) Visa (Subclass 143). You can apply for this visa any time **before** your temporary Contributory Parent Visa expires.

You must pay a non-refundable visa application charge when you lodge your application. A second visa application charge is also required before the visa is granted.

The charge for the 1<sup>st</sup> installment is AUD \$190/€125 (2007 figure).

The 2<sup>nd</sup> installment charge is AUD \$12,625/€8,305 (2007 figure).

The 2<sup>nd</sup> installment for applicants under the age of 18 years is nil.

This visa allows you, your accompanying spouse and dependent family members to live as permanent residents in Australia.

You can also:

- Work and study in Australia
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)
- Be eligible to apply for Australian citizenship (subject to the residency eligibility criteria) and
- Sponsor people for permanent residence (subject to waiting periods).

You must complete and lodge the application including the application charge and all supporting documentation.

You must meet the criteria for the balance of family test. You, your spouse and all dependent family members must meet the health and character requirements. For more information on the health and character requirements please see **Chapter 3 - General Information**.

You will need to complete **Form 47PT** - Application for Migration to Australia by a Contributory Parent (Temporary) or Contributory Aged Parent (Temporary) Visa Holder. You will need to complete **Form 47A** - Details of child or other dependent family member. You will need to include your sponsors completed **Form 40**.

### Are there any other Family Visas available?

- 1 Remaining Relative Offshore Visa (Subclass 115)
- 2 Aged Dependent Relative (Subclass 114)
- 3 Carer Offshore Visa (Subclass 116)
- 4 New Zealand Citizen Family Relationship temporary Visa (Subclass 461)

#### 1 Remaining Relative Visa (Offshore) (Subclass 115)

This visa is for people whose only 'near relatives' are usually resident in Australia and are Australian citizens, Australian permanent residents or eligible New Zealand citizens.

This visa requires you to be sponsored by an eligible relative (or your relative's eligible spouse) in Australia.

This visa is for you if:

- You have a brother, sister, parent (or step-equivalent) who is an Australian citizen, Australian permanent resident or eligible New Zealand citizen usually resident in Australia and
- You and your spouse have no brothers, sisters, children, parents (or step-equivalents) other than those in Australia.

There is a non-refundable application charge when you apply for this visa. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment fee is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> installment fee is AUD \$1,205/€795 (2007 figure).

If you are granted this visa you and your eligible family members can live in Australia as Australian permanent residents. You can:

- Work and study
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)

- Be eligible for Australian citizenship (subject to the residency eligibility criteria) and
- Sponsor people for permanent residence (subject to waiting periods and visa specific restrictions).

This visa requires that you are sponsored by your relative or their spouse in Australia and you have someone to provide an Assurance of Support (an assurer). The sponsor must give a written undertaking to provide support, accommodation and financial assistance for the applicant and any accompanying family members for the first two years of your residency in Australia.

The Assuror of Support must be prepared to provide financial assistance to the applicant and any family members accompanying the applicant so they do not need to rely on any government forms of support for two years, as well as to repay any recoverable social security payments made to the applicant or their accompanying family members in the first two years of residency in Australia. You must not lodge an Assurance of Support until it is asked for.

You must meet the health and character requirements. For more information on the health and character requirements please see **Chapter 3 - General Information**.

The sponsor must complete **Form 40** - Sponsorship for Migration to Australia.

The Applicant must complete **Form 47OF** - Application for Migration to Australia by Other Family Members.

The applicant must complete **Form 47A** - Details of Child or Other Dependent Family Member Ages 18 Years or over (you must complete this form for each dependent relative aged 18 years or over migrating or not).

You must lodge your application **outside Australia** and you must be **outside Australia** when the visa is granted. The application must be lodged at the closest Australian mission. For information on the Australian High Commission please see **Chapter 15 - Useful Contacts**.

## 2 Aged Dependent Relative (Subclass 114)

This visa is a permanent visa for older people who rely on a relative in Australia for all, or most of their living costs. To apply for this visa you must be sponsored by your relative in Australia.

To be eligible to apply for this visa you must:

- Meet the age requirements (see page 118)
- Prove that you are financially dependent on a relative in Australia for a reasonable period of time
- Single, having never married, or is widowed, divorced or formally separated from their spouse.

You must pay a non-refundable visa application charge when you lodge your visa application. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment fee is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> installment fee is AUD \$1,205/€795 (2007 figure).

This visa allows you and your dependent family members to live as permanent residents in Australia. You can:

- Work and study in Australia
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)
- Be eligible to apply for Australian citizenship (subject to the residency eligibility criteria)
- Sponsor people for permanent residence (subject to waiting periods).

Your sponsor must give a written undertaking to provide support, accommodation and financial assistance for you and any accompanying dependent family members, for your first 2 years of residency in Australia.

## Age requirements

To meet the age requirements for this visa men must be 65 years or older and Women (see table below).

<b>Birth date</b>	<b>Minimum Age</b>
Before 1 <sup>st</sup> July 1935	60
Between 1 <sup>st</sup> July 1935 - 31 <sup>st</sup> December 1936	60.5
Between 1 <sup>st</sup> January 1937 - 30 <sup>th</sup> June 1938	61
Between 1 <sup>st</sup> July 1938 - 31 <sup>st</sup> December 1939	61.5
Between 1 <sup>st</sup> January 1940 - 30 <sup>th</sup> June 1941	62
Between 1 <sup>st</sup> July 1941 - 31 <sup>st</sup> December 1942	62.5
Between 1 <sup>st</sup> January 1943 - 30 <sup>th</sup> June 1944	63
Between 1 <sup>st</sup> July 1944 - 31 <sup>st</sup> December 1945	63.5
Between 1 <sup>st</sup> January 1946 - 30 <sup>th</sup> June 1947	64
Between 1 <sup>st</sup> July 1947 - 31 <sup>st</sup> December 1948	64.5
1 <sup>st</sup> January 1949 and later	65

## Dependency

You must demonstrate that you have been wholly or substantially dependent on your relative in Australia for financial support for your basic needs of food, shelter and clothing or because you have a disability which prevents you from working. This support must have been continuing for at least three years.

You must meet the health and character requirements. For more information on the health and character requirements please see **Chapter 3 - General Information**.

The Applicant must complete **Form 47OF** - Application for Migration to Australia by other Family Members. The applicant must complete **Form 47A** - Details of Child or Other Dependent Family Member Age 18 Years or Over (you must complete this form for each dependent relative aged 18 years or over migrating or not).

The sponsor must complete **Form 40** - Sponsorship for Migration to Australia and you must send it with your application.

You must lodge your application **outside Australia** and you must be **outside Australia** when the visa is granted. The application must be lodged at the closest Australian mission. For information on the Australian High Commission please see **Chapter 15 - Useful Contacts**.

### 3 Carer Visa (Subclass 116)

The medical condition must meet the following conditions:

- The medical condition must be causing physical, intellectual or sensory impairment of their ability to attend to the practical aspects of daily life
- The type of assistance required must be of a type which cannot reasonably be obtained from any other relative or from welfare, hospital, nursing or community services in Australia
- The need for assistance must be likely to continue for at least 2 years.

The medical condition must be assessed and verified by Health Services Australia. The relative with the medical condition must arrange for an assessment of their medical condition with Health Services Australia. For more information on this please see the website for Health Services Australia at [www.healthoz.com.au](http://www.healthoz.com.au)

This visa requires the applicant to be sponsored by their Australian relative or their Australian relative's spouse. This visa is for you if you have a relative living permanently in Australia and they or a member of their family require care for a medical condition.

There is a non-refundable application charge when you apply for this visa. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment fee is AUD \$1,390/€915 (2007 figure).

The 2<sup>nd</sup> installment fee is AUD \$1,205/€795 (2007 figure).

If you are granted this visa you and your family members can live in Australia as Australian permanent residents. You can:

- Work and study in Australia
- Receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Access certain social security payments (subject to waiting periods)
- Be eligible for Australian citizenship (subject to the residency eligibility criteria) and
- Sponsor people for permanent residence (subject to waiting periods and visa specific restrictions).

The Assuror of Support must be prepared to provide financial assistance to the applicant and any family members accompanying the applicant so they do not need to rely on any government forms

of support for 2 years and repay any recoverable social security payments made to the applicant or their accompanying family members in the first 2 years of residency in Australia.

To be eligible for this visa you must have a relative in Australia who is your:

- Spouse
- Child
- Parent
- Brother or sister
- Grandparent
- Grandchild
- Aunt or uncle
- Niece or nephew.

You must meet the health and character requirements. For more information please see **Chapter 3 - General Information**.

The sponsor must complete **Form 40** - Sponsorship for Migration to Australia. The Applicant must complete **Form 47OF** - Application for Migration to Australia by Other Family Members. The applicant

must complete **Form 47A** - Details of Child or Other Dependent Family Member aged 18 years or over. This form is completed by the applicant for each dependent relative aged 18 years or over migrating or not.

You must lodge your application **outside Australia** and you must be **outside Australia** when the visa is granted. The application must be lodged at the closest Australian mission in accordance with their advice. In some circumstances dependent children can be added to the application after it has been lodged. Under Australia's family reunion migration program, a high priority is given to child and partner visa applications. Other family applications have a lower processing priority and you should expect a substantial wait before your application is finalised. In the other family categories, carer is given priority over aged dependent relative and remaining relative.

#### **4 New Zealand Citizen Family Relationship (Temporary) Visa (Subclass 461)**

The purpose of this visa is to allow non-New Zealand citizens to travel to and live in Australia, with a New Zealand citizen family member who is a Special Category visa holder. The Special Category (Subclass 444) visa is a temporary visa automatically granted to New Zealand citizens who arrive in Australia, who do not hold a permanent visa. This visa is for family members of Special Category visa holders who are not eligible for a Special Category visa because they are not New Zealand citizens.

You must pay a non-refundable visa application charge of AUD \$190/€125 (2007 figure) when you lodge your application.

This visa allows you to live and work in Australia for a period of up to 5 years.

All family members must apply for their own visa as a family member of the Special Category visa holder. You cannot make a combined application on the 1 form.

You are eligible for this visa if you are a member of the family of a person who is either in Australia as the holder of a Special Category (Subclass 444) visa, outside Australia, and will be accompanying you to Australia on entry, will be the holder of a Special Category visa. You must be related to the Special Category visa holder as one of the following:

- Their spouse
- Their (or their spouse's) dependent child
- The dependent child of their (or their spouse's) dependent child

- Their (or their spouse's) relative who meets all of the following:
  - Is widowed, divorced, separated or has never married
  - Is usually resident in the Special Category visa holder's household
  - Is dependent on the Special Category visa holder.

You can be either be in Australia or outside Australia when you apply for this visa. If you lodge your application in Australia you must be in Australia at the time that a decision is made on your visa application.

If you lodge your application outside Australia you must be outside Australia at the time that a decision is made on your visa application.

You must be accompanied to Australia by the Special Category visa holder. You must meet health and character requirements for this visa. For more information on the health and character requirements please see **Chapter 3 - General Information**.

You are required to abide by all Australian laws as a temporary resident. You should not make travel arrangements to Australia until after you have been granted your visa.

## **Aged Parent (Residence) Visa (Subclass 804)**

This visa allows aged parents to remain in Australia permanently, with their children who are living in Australia. This visa requires that you be sponsored by your child, or another eligible sponsor, in Australia. This visa is for you if you are aged (age requirements apply) and a parent of a child (natural, adopted or step child) who is a settled Australian citizen, settled permanent resident or settled eligible New Zealand citizen and either:

- At least half of your children are permanently resident in Australia or
- You have more children living permanently in Australia than any other country.

Your spouse and other family members may be included in your application if they meet certain requirements.

You must pay a non-refundable visa application charge when you lodge your visa application. A second visa application charge is also required before the visa is granted.

The 1<sup>st</sup> installment fee is AUD \$2,060/€1,355 (2007 figure).

The 2<sup>nd</sup> installment fee is AUD \$1,205/€795 (2007 figure).

The 2<sup>nd</sup> installment fee for applicants under 18 years of age is AUD \$1,205/€795 (2007 figure).

The applicant must complete **Form 47PA** - Application for Migration to Australia by a Parent.

The applicant must complete **Form 47A** - Details of Child or Other Dependent Family Member Ages 18 Years or Over (you must complete this form for each dependent relative aged 18 years or over migrating or not).

The sponsor must complete **Form 40** - Sponsorship for Migration to Australia and you must send it with your application.

You must lodge your application **in Australia** and you must be **in Australia** when the visa is granted