

## Top questions about the partner visa

### 1. What is partner visa?

A partner visa allows an Australian, permanent resident or eligible citizen of New Zealand sponsor their partner for Australian **permanent residency** as long as they are in a legitimate and exclusive relationship and see themselves sharing a future together.

There are 3 types of partner visa and it all depends on where the applicant (foreign national) is located at the time of application.

	Name	Where the visa applicant must be at the time of application
Subclass 820/801	Onshore partner visa	Must be inside Australia
Subclass 309/100	Offshore partner visa	Must be outside Australia
Subclass 300	Prospective marriage visa	Must be outside Australia

### 2. How long do my partner and I need to live together before we can apply for a partner visa?

There is **no defined minimum period** you and your partner must live together before you can apply. However, we suggest that you live together for at least 3 – 6 months before you apply because this:

- a. Gives the relationship legitimacy in the eyes of Immigration, and
- b. Gives you a chance to get to know your partner better before investing the time and effort into the partner visa.

### 3. Do we have to get married before applying?

It is not necessary to get married as long as you can either:

- a) Demonstrate that you have lived as a couple for 12 months under the same roof, **or**
- b) Register your relationship as 'de facto' with your state registry of births, deaths and marriages (this is not always possible in some states like Western Australia or Northern Territory)

### 4. What documents do we need to provide the visa officer?

There is **no definitive list** of documents. However, below is a list of some of the most common items:

Household	Financial	Social	Commitment
Joint rental agreement Joint bills Joint correspondence	Joint bank account Joint insurance Joint car ownership	Declarations from friends and family (forms 888) Photos together Invitations to events Social media posts	Letters of commitment to each other Marriage certificate or Relationship certificate

### 5. Does getting married mean my application will be processed faster?

This is not the case in our experience. Getting registered or just living together for 12 months as a couple have the same weight as being married.

*If you would like to know more about the legal implications of getting married or registering your relationship, we recommend that you consult a family lawyer.*

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#### 6. What happens to my application if my partner and I break up?

If you separate, you must inform us or inform the Department of Home Affairs **within 28 days** from the date of separation (**this is one of your obligations**). If you do not inform us or the Department after separation, you risk having your application refused and your visa cancelled.

After informing the Department of Home Affairs, you should consider applying another visa (if you can) or leave the country.

However, there are **3 scenarios** where the applicant can still get permanent residence after separation.

- a) If you have a child together, or
- b) If you have suffered domestic violence by the sponsor and you have evidence to prove this
- c) If the sponsor dies (as long as you were not responsible)

#### 7. If we apply as a registered couple, can we get married during the processing time?

Many migration agents have different opinions about this. At Gamba **we would advise to wait until you receive your 820 visa** before getting married. This is because getting married could cancel your initial registration.

#### 8. When can I get Medicare?

You can apply for Medicare immediately after applying for the 820 visa.

Visit this link for more information: <https://www.servicesaustralia.gov.au/enrolling-medicare?context=60092>

#### 9. When will I get permanent residence after applying?

There is no defined timeline but the process takes roughly 2 – 2.5 years from the date we lodge the application.

#### 10. Can my partner sponsor me if they already sponsored someone else for a partner visa?

If your sponsor has already sponsored someone for the partner visa, you would need to wait for **5 years** until you can make a valid application unless there are compelling circumstances in your case such as having a child with them.

#### 11. Can I travel outside Australia whilst my visa is being processed?

Yes. If you are still on a visa with travel rights such as a student visa, you can travel in and out of Australia on this visa.

However, if you have jumped on the Bridging Visa A, then you would need to get a **Bridging Visa B** to re-enter the country. This visa normally costs \$160 AUD and it usually takes 1 – 5 business days to be approved.

#### 12. Can I include children in my application?

It may be possible (but not always) to include your dependent children who are under 23 years old.

If you apply for the **820/801 partner visa**, you can include your dependent children as long as they are also **physically present in Australia** and you can demonstrate they are financially dependent on you.

#### 13. Where can I book an appointment?

Please visit [www.partnervisa820.com.au](http://www.partnervisa820.com.au) where you can book a **free** appointment,