A SHORT GUIDE FOR COUPLES

Getting married in Australia when one of you is on a visa

Getting married is exciting. If one of you is not an Australian citizen or permanent resident, a few visa steps matter too. This guide covers the basics in plain English.

> **Marriage does not give a visa on its own.** Getting married does not change anyone's visa. A partner visa is a separate application, with its own evidence and its own government fee.

1 Three common situations

Your partner came on a Prospective Marriage visa (subclass 300)

- You must marry before the 300 visa ends. It is granted for 9 to 15 months. The end date is on the grant letter and in VEVO.
- After the wedding, apply for the Partner visa (subclass 820/801) before the 300 visa ends.
- The 300 visa cannot be extended. Book your celebrant and give the Notice of Intended Marriage early.

Your partner is in Australia on another visa, for example a visitor visa

- Some visas have a "No Further Stay" condition. It can stop you from applying for another visa in Australia. In some cases it can be waived. Check the grant letter or VEVO before you plan.
- Once you are married or in a de facto relationship, your partner may be able to apply for the Partner visa (subclass 820/801) in Australia.

Your partner is overseas

- If you are married or in a de facto relationship, the offshore Partner visa (subclass 309/100) may fit.
- If you are engaged and plan to marry in Australia, the Prospective Marriage visa (subclass 300) may fit.

> **De facto?** You usually need to have been in the relationship for at least 12 months before you apply. A registered relationship can count instead.

2 Wedding timing

You must give your celebrant a **Notice of Intended Marriage** at least one month before the wedding. You can give it up to 18 months before. If one of you holds a 300 visa, count back from the visa end date and leave time to apply for the partner visa after the wedding.

3 Your wedding is also evidence

Home Affairs looks at four parts of your relationship: **money**, **your home**, **your social life** and **your commitment**. Your wedding can help show the last two.

- Keep photos with family and friends, not only photos of the two of you.
- Keep the invitation, the guest list and the receipts.
- Keep your marriage certificate safe.
- If a document is not in English, you will need an English translation. If the translation is done in Australia, use a NAATI certified translator.

4 Questions to ask before the wedding

- When does the current visa end, and does it have any conditions?
- Which partner visa fits us, and can we apply in Australia?
- Are our documents ready, and do any need a translation?
- Have we started saving evidence of our life together?

5 Get advice before you lodge

Government fees for partner visas are high. They are usually not refunded if the visa is refused. A short check before you lodge can save money and stress.

Only registered migration agents and Australian lawyers can give visa advice, with a few exceptions such as close family. You can check any agent on the official register.

Useful official links

- Visa information: **immi.homeaffairs.gov.au**
- Find a registered migration agent: **portal.mara.gov.au**
- Getting married in Australia: **ag.gov.au** (search "getting married")

Partner Visa Ready

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