

Subclass 300 - Prospective Marriage Visa FACT SHEET

The purpose of the 300 - Prospective Marriage visa is to allow the fiancé(e) of an Australian citizen, permanent resident, or eligible New Zealand citizen to travel to Australia in order to be married. The marriage must take place *within nine months* of the visa grant date, following which the applicant is eligible to apply for a Partner visa.

PROSPECTIVE MARRIAGE VISA REQUIREMENTS

Relationship

You and your fiancé(e) must:

- be at least 18 years old, and not be closely related
- be free to marry one another
- genuinely intend to get married within nine months of the visa grant date (the marriage may take place either in Australia or overseas)
- have physically met, and be personally known to each other
- genuinely intend to live together as a married couple

Sponsor

Your sponsor must:

- be an Australian citizen, permanent resident or eligible New Zealand citizen
- not have previously sponsored more than one other fiancé, partner or spouse for migration to Australia, and not have sponsored a fiancé, spouse or partner for migration to Australia within the last 5 years (unless there are compelling circumstances)
- not have been sponsored for a Spouse, Partner or Prospective Marriage visa by someone else within the last 5 years (unless there are compelling circumstances)
- provide police checks to the department when requested, and
- consent to the department disclosing any conviction for a “relevant offence” to the applicant(s) you are sponsoring.

Your sponsorship will not be approved if you have a conviction for a relevant offence and a substantial criminal history. A relevant offence includes, but is not limited to offences involving violence, intimidation, breaching a protection order, people smuggling, human trafficking and weapons. The family violence protection measures web page on the Department of Home Affairs (DOHA) site has more information: <https://www.homeaffairs.gov.au/Trav/Brin/sponsor-requirements>

APPLICATION PROCESS

This application is lodged with the Department of Home Affairs (DOHA) on behalf of you and your sponsor. The main criterion is that the relationship and your sponsor meet the requirements referred to above. In addition, you must meet the standard health and character checks.

This visa is valid for nine months and allows you to travel to Australia before being married to your fiancé(e). You must be outside Australia both when your application is lodged, and when your visa is granted. The marriage must occur during the validity period of your visa i.e. within nine months of the visa grant date. It may take place either in Australia or overseas.

Next Steps: Partner Visa

Once you have entered Australia and your marriage has taken place, you will be eligible to apply for a Partner visa. **This application must be lodged before your Prospective Marriage visa expires.** The main requirements for a Partner visa are that:

- you and your spouse are in a mutually exclusive relationship
 - your relationship is genuine and continuing
- you live together as a couple, or live apart only on a temporary basis

Provided you are able to meet the relevant criteria, you will be granted a temporary Partner visa, which is valid for a 'stand-down period' of approximately two years from the date of the application's lodgement. At the end of this two-year period, you will be eligible for a permanent Partner visa, provided your relationship continues to meet the requirements referred to above.

PLEASE NOTE: We estimate that it may take several weeks to prepare and lodge your application, with the time taken largely dependent on how promptly you (and your sponsor, if applicable) provide us with the necessary supporting information and documents.

The time that it takes the DOHA to process your application is dependent upon its processing time service standards, and may also vary due to a number of other factors, including the complexity of your case, perceived risk factors and processing priorities. Please contact us for current information regarding likely processing timeframes for this type of application.

THANK YOU!



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