

Subclass 802 - Child Visa FACT SHEET

The purpose of the Child visa is to allow the child of an Australian citizen, permanent resident or eligible New Zealand citizen to migrate to or remain in Australia on a permanent basis. The child must be under 25 years old when the visa application is lodged. The minimum requirements for this visa are as follows.

CHILD VISA REQUIREMENTS

Applicant

As the visa applicant, you must:

- be the child of an Australian citizen, permanent resident or eligible New Zealand citizen
- be single (i.e. not married, engaged or in a de facto relationship)
- be under 25 years old at the time that your application is lodged

NOTE: If you are between 18 and 24 years old, you must be a full-time student AND financially dependent upon your sponsor, OR you must have a disability that prevents you from working. Additionally, you must NEVER have been married or had a de facto partner.

Parent Sponsor

The parent who is sponsoring your visa application must:

- be an Australian citizen, permanent resident or eligible New Zealand citizen
- be your biological parent (although an adoptive parent or step-parent MAY be eligible in certain circumstances)
- be 18 years or older at the time that your application is lodged (or have a spouse or de facto partner who is eligible to sponsor your application)
- if you are under 18 years old, have:
 - the sole legal right to decide where you can live **OR**
 - have a statutory declaration from any other person who has the legal right to decide where you can live, granting permission for you to migrate to Australia **OR**
 - a valid court order permitting your permanent removal from your home country
- NOT have been convicted of (or have an outstanding charge for) an offence against a child (this requirement also applies to your parent's spouse or de facto partner, if relevant)

APPLICATION PROCESS

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

Please note that eligible siblings must generally lodge SEPARATE applications for this visa. Each sibling who lodges an application must therefore pay the main applicant fee in his/her own right.

If the DOHA approves your application, you will be granted a permanent visa. If you are outside Australia when your application is lodged, you must be outside Australia when your visa is granted. Conversely, if you are in Australia when your application is lodged, you must be in Australia when your visa is granted.

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.

This Fact Sheet contains **general information only**. We strongly recommend that you seek specific guidance from us that is relevant to your circumstances before taking any further action.

Do you have additional questions regarding the Child visa? Please feel free to contact us by email at support@dojolegal.com.au, or by phone on **+61 02 9138 0688** to arrange a paid consultation.

THANK YOU!



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