

# AUSTRALIA SPOUSE PR VISA DECODED

Subclass **309/100** — The Offshore Partner Visa

The Complete 2026 Guide for  
Indian Spouses and Their  
Australian Sponsors


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15 MAY 2026  
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## MANOJ PALWE

SENIOR IMMIGRATION CONSULTANT

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# AUSTRALIA SPOUSE PR VISA

# DECODED

*Subclass 309/100 — The Offshore Partner Visa*

The Complete 2026 Guide for Indian Spouses and Their Australian Sponsors

*How to Build a Decision-Ready Application Across the Four Pillars  
of Financial, Household, Social, and Commitment Evidence  
Without Triggering a Refusal That Costs You AUD \$9,365 and Two Years*

**MANOJ PALWE**

RCIC R422575 | CAPIC Fellow R11592 | MIA Examination Qualified

25+ Years | 10,000+ Families Served

Second Edition — May 2026

## About the Author

Manoj Palwe is a Regulated Canadian Immigration Consultant (RCIC R422575), CAPIC Fellow (R11592), and MIA Examination Qualified. As President of Taurus Infotek operating under the Dreamvisas brand — with offices in Ajax, Ontario and Pune — he has spent 25+ years guiding families through the world's most complex immigration systems.

In that time, Manoj has assisted more than 10,000 families immigrating to Canada, Australia, Germany, the UK, New Zealand, and other destinations. His YouTube channel has grown to 20,000+ subscribers across 600+ educational videos, and he holds 600+ LinkedIn recommendations.

Manoj's mission is to provide transparent, reliable, and professional immigration services while educating clients about their options and rights. He believes that informed clients make better decisions and has dedicated his career to helping families navigate the complex world of immigration.

### Professional Credentials

- Regulated Canadian Immigration Consultant (RCIC) — R422575, active and in good standing with the CICC
- CAPIC Fellow — R11592
- MIA Examination Qualified (Australian Immigration)
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All case studies in this book are based on real Federal Court decisions, publicly available information, and composite scenarios from practice. Names of individual clients have been changed or omitted for privacy.

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### Important Notice — Non-MARA Educational Publication

The author of this book is a Regulated Canadian Immigration Consultant (RCIC R422575), licensed by the College of Immigration and Citizenship Consultants (CICC) to provide Canadian immigration advice. The author is MIA Examination Qualified but is not a MARA-registered migration agent. This guide is not Australian legal advice and does not constitute “immigration assistance” within the meaning of the Migration Act 1958 (Cth). Always consult a MARA-registered migration agent or an Australian lawyer with immigration practising rights before acting on any matter in this book.

All references to fees, processing times, regulations, and policies in this book reflect publicly available information as at February 2026. The Australian Department of Home Affairs revises fees annually (typically 1 July) and revises processing-time data quarterly. Always verify current figures at [immi.homeaffairs.gov.au](https://immi.homeaffairs.gov.au) before lodging your application.

## Important Notice to Readers

### **WARNING — This Is Not Australian Legal Advice**

This guide is not Australian legal advice or “immigration assistance” under the Migration Act 1958 (Cth). The author is a Regulated Canadian Immigration Consultant (RCIC R422575) and MIA Examination Qualified, but is not a MARA-registered migration agent. Always consult a MARA-registered migration agent or Australian lawyer before lodging, responding to a Departmental request, or appealing a refusal. Use this book to prepare; let a licensed Australian practitioner advise on your specific case.

### **Jurisdiction Crossover Disclosure**

The author’s professional licence is Canadian. References to Australian practice in this book are based on publicly available Australian migration law, MIA examination study, and twenty-five years of Indian-context case preparation — not Australian licensure. The framework, evidence strategy, and India-specific guidance are drawn from extensive client work; the operational Australian advice in any individual case must come from a MARA-registered agent or Australian lawyer.

### **Working With A MARA-Registered Agent Or Australian Lawyer**

If you are already working with a MARA-registered migration agent or an Australian lawyer with immigration practising rights, use this book as your preparation workbook. Complete the checklists, fill out the templates, and read the case studies before your meetings. This frees your professional adviser to focus on case strategy and complications, rather than basic education. The book is designed to make you a better client — not to replace your adviser.

### **Language Convention In This Book**

Where this book gives clearly strategic suggestions (RFI responses, appeal strategy, evidence pillars), the language is intentionally framed in general educational terms — “many applicants and their Australian advisers consider...” rather than “you must...” — because individual cases vary and only a MARA agent can give you advice specific to your circumstances. Where this book states factual matters (current fees, statutory provisions, processing time ranges published by the Department), the language is direct.

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## Reader Journeys — If You Are X, Read These Chapters First

This book is comprehensive by design, but you do not need to read it cover-to-cover before lodging. The journeys below tell you which chapters to read first based on your situation. Read those, build your application, then return for the rest.

### **Newly Married Arranged Couple**

*Wedding within the last six months; minimal post-wedding cohabitation; mostly long-distance.*

Ch. 1–2, 4 (Married path), 5–7 (Four Pillars), 10 (Decision-Ready), 18 (Pre-Lodgement Workbook). Then Case Studies 1 (“Arranged Marriage Lodged Too Soon”) and 9. Appendix A (Timeline Template) and Appendix C (Form 888 Prep).

### **De Facto Couple Without Formal Cohabitation Records**

*Lived together but no joint lease, no joint accounts, informal arrangements.*

Ch. 2–4, 5–7. Then Case Study 2 (“De Facto Couple Without Cohabitation Records”). Strongly consider state Relationships Register — see Chapter 4 and Glossary.

### **Long-Term Relationship (3+ Years) With Or Without Children**

*Together many years; possibly with children; want to skip the two-year temporary stage.*

Ch. 1 (read carefully about simultaneous 100 grant), 5–8, 11 (309 to 100), 13 (Special Situations). Case Studies 3 and 10. Request long-term relationship consideration explicitly in your application.

### **Same-Sex Couple From Conservative Background**

*Relationship hidden from family; building social pillar through chosen family.*

Ch. 2 (eligibility), 5 (Four Pillars), 7 (Social pillar strategy), 13. Case Study 5. Read also the safety note in Chapter 22 before generating evidence in India.

### **Sponsor Has Prior Sponsorship Or Conviction**

*Australian-side partner has been married before and sponsored someone, or has a criminal record.*

Ch. 3 (full chapter, especially the 5-year cooldown and 2-sponsorship rules), 9 (Character), 20 (Sponsor’s Guide). Case Study 4.

## **Applicant Has Health Condition Above Threshold**

*HIV, cancer history, organ disease, or other significant medical condition.*

Ch. 9 (PIC 4005/4007 in detail), 13 (Health Waivers). Case Study 6. Engage a MARA-registered agent from the start.

## **Previously Refused Application**

*You have already received a refusal letter and are deciding what to do next.*

Ch. 12 (Refusals and ART), 29 (Troubleshooting). Appendix G (Refusal-or-RFI Decision Tree). Case Studies 1 and 9.

## **Relationship In Trouble Or Family Violence**

*Relationship breakdown during processing, or you are experiencing abuse from your sponsor.*

Ch. 13 (Special Situations — read first), then 11 (309 to 100). Case Study 8. Call 1800RESPECT (1800 737 732) immediately if you are in an unsafe situation.

## **Already In Australia On Another Visa**

*Student, work, or visitor visa holder considering whether to apply onshore or offshore.*

Ch. 4 (subclass choice — critical), 10 (Decision-Ready Rule and Schedule 3 trap), 23 (Comparison with other pathways).

## **Sponsor In India With The Applicant**

*Australian citizen/PR sponsor currently living in India; planning to return together.*

Ch. 3 (cross-border sponsor note), 5–7 (Four Pillars), 14 (First 90 Days), 19 (Banking and Tax).

### **Whichever Journey You Are On**

Read Chapter 5 (The Four Pillars) early. It is the lens through which the case officer reads your entire file. Everything else — forms, declarations, evidence — exists to populate the four pillars. If you understand the framework, every chapter that follows makes sense in context.

## Introduction — Why This Book, Why Now

Pinky was twenty-eight when she met Rohan. He was an Australian permanent resident, born in Mumbai, working as a software engineer in Brisbane. They met at her cousin's wedding in Pune in October 2023. By March 2024 they were engaged. By December 2024 they were married, in a four-day ceremony attended by both families. They thought the hard part was over.

It was not. In January 2025 they began assembling their Subclass 309/100 partner visa application. They had heard the headlines — partner visa fees were now over nine thousand Australian dollars, processing times were stretching past two years, and the Department of Home Affairs had begun enforcing what migration agents in Sydney were calling the "decision-ready at lodgement" rule. One bad application, one missing document, one Form 888 statement that contradicted Pinky's own statutory declaration, and they would be looking at a refusal letter, no refund of the AUD \$9,365 fee, and a return to square one — except now with a black mark on her immigration history that would haunt every future visa application.

They are not unusual. Every year, thousands of Indian, Sri Lankan, Bangladeshi, Filipino, and Pakistani spouses lodge offshore partner visa applications. Many do so without proper preparation. Many spend their entire honeymoon savings on a single combined application that lives or dies on the strength of their relationship evidence. And many, frankly, get it wrong — not because they are not in genuine relationships, but because nobody told them what "genuine" looks like on paper to a Departmental case officer in Berlin or Manila who has never met them, will never meet them, and has been instructed to decide their application on the documents alone.

This book exists because I have walked too many couples through refusals that should never have happened. As an RCIC R422575 — a Regulated Canadian Immigration Consultant — my licensed practice is Canadian immigration. But my MIA examination qualification, my twenty-five years in this business, and the thousands of Indian families I have counselled about Australia have given me an unusually clear view of where Indian-context partner visa applications go wrong. This book is not Australian legal advice. It is a structured, plain-language map of the offshore partner visa terrain, written for people who cannot afford to learn by trial and error because the fee is non-refundable and the wait is two to four years.

### What This Book Is

- A plain-English explanation of how the Subclass 309 (temporary) and Subclass 100 (permanent) visas actually work as a single combined application.
- A pillar-by-pillar guide to building relationship evidence that will survive a sceptical case officer's review — financial, household, social, and commitment.
- Specific guidance for Indian-context applicants on issues that generic Australian guides skip — joint NRE/NRO accounts, parental opposition documentation, dowry-context evidence pitfalls, INR-AUD financial co-mingling.

- A walkthrough of every key form — Form 47SP, Form 40SP, Form 888, Form 80, Form 1221 — with the questions that quietly cause refusals if answered wrong.
- Refusal recovery: what to do if you are already in that situation, how the AAT/ART review process works, and when an appeal is worth pursuing.
- A 90-day post-arrival settlement guide so the visa is actually the start of a life, not just the end of paperwork.

### **What This Book Is Not**

- Australian legal advice. Only a MARA-registered migration agent or an Australian legal practitioner with immigration practising rights can give that. Where the stakes warrant it, engage one — and this book will help you understand what they are doing.
- A guarantee of any outcome. Every application is decided on its own facts. Even a perfectly prepared application can be refused if the case officer is not satisfied the relationship is genuine and continuing.
- A shortcut. There is no shortcut. The reason this visa works as a permanent migration pathway is precisely because the Department investigates carefully. What this book offers is preparation, not bypass.

### **How To Use This Book**

Read Chapters 1 through 4 first, in order. They establish the framework — what the visa is, who is eligible, who can sponsor, and which subclass fits your situation. Chapters 5 through 8 are the operational heart of the book — the four pillars of evidence and the paperwork that translates them onto the file. Chapter 9 is health and character; do not skip it because you assume you are fine. Chapters 10 and 11 cover lodgement strategy and the two-stage progression. Chapters 12 and 13 are insurance — what to do if things go wrong, and what to do in special situations like family violence or the sponsor's death. Chapter 14 is the part everyone forgets — landing well.

If you are in the middle of an application right now, jump to Chapter 5 first, audit your evidence file against the four-pillar framework, then come back to the start.

If you have already been refused, jump to Chapter 12. Then read the rest. The recovery is harder than the original application, but it is not hopeless.

If you are the Australian sponsor reading this on behalf of your offshore partner, read Chapter 3 first. You are not a passive party in this process. The Department will assess you, your finances, your character history, your statutory declaration, and your capacity to support your partner. This application is half yours.

## Chapter 1 — The 309/100 Pathway in Plain English

Before we talk about evidence, eligibility, or forms, you need to understand the architecture of what you are applying for. Most refusals start not with a missing document but with a fundamental misunderstanding of how this visa actually operates.

### One Application, Two Visas, Two Decisions

The Subclass 309 (Partner Visa Provisional) and the Subclass 100 (Partner Visa Permanent) are administered as a single combined application. You pay one government fee — currently AUD \$9,365 for the FY 2025-26 — and you submit one application package containing the evidence and the forms. But the Department of Home Affairs decides your case twice, at two different points in time, against two different tests.

The first decision, on the Subclass 309 stage, happens roughly fourteen to twenty-six months after you lodge — that is the current range of processing times reported by the Department in early 2026 for the offshore provisional partner visa. At that point, the case officer asks a single question: do I accept that this couple is in a genuine and continuing spouse or de facto relationship as defined by the Migration Regulations 1994? If yes, the 309 is granted, the applicant can travel to Australia, live, work, and study indefinitely while waiting for the second stage.

The second decision, on the Subclass 100 stage, happens roughly two years after the original lodgement date — not two years after the 309 grant. So if your case took eighteen months to decide on the 309, you may become eligible for the 100 only six months later. The Department then assesses whether the relationship is still genuine and continuing. Most well-prepared applicants who progress from 309 to 100 have a smoother permanent stage because the relationship test has already been satisfied once — the Department's question on the 100 is essentially whether anything has changed.

#### Why Two Stages?

The two-stage structure exists because the Australian Parliament considers permanent residence on the basis of a relationship to be a privilege that should be tested against time. A relationship that has held together for two additional years of long-distance separation, paperwork, separation anxiety, and post-arrival settlement stress is a more credible relationship than one that existed only on the day the application was lodged. The two-year waiting period filters out applications where the relationship was constructed or has since dissolved.

### Why The Two Fees Are Already Paid

The combined fee covers both stages. When you pay AUD \$9,365 at lodgement, you have already paid for the assessment of both the 309 and the 100. There is no additional government charge

for the second stage. This is an important point because applicants sometimes assume the 100 will require a fresh application and a fresh fee, and structure their finances accordingly. They do not.

However, you may incur additional non-government costs in the second stage — fresh police certificates if requested, fresh health examinations if the Department decides to require them, translation costs for any new evidence, and migration agent fees if you engage one for the permanent stage. Budget for these. We will return to costs in Chapter 6.

## The Offshore Requirement And Its One Exception

To apply for the Subclass 309, you must be outside Australia at the moment of application lodgement. This is a hard rule in the Regulations and there is no work-around. If you are physically in Australia when you click submit, your application is invalid — the system will return your fee, but you will have wasted your time.

More importantly, you generally must remain outside Australia at the moment the Subclass 309 visa is granted. This historically meant that applicants could not visit their Australian partner during the long processing wait without risking complications. The Department's case officers would grant the 309 only when they could verify the applicant was offshore, and an applicant who happened to be in Australia on a visitor visa when the case officer reached for the file would face complications.

However, a recent rule update has softened this. Under the current 2026 framework, the Subclass 309 can be granted while the applicant is either inside or outside Australia, depending on the circumstances. This has made it more feasible for applicants to visit their partner on a Subclass 600 visitor visa during the processing wait. Three important cautions apply:

- If you visit Australia during processing, you must strictly comply with your visitor visa conditions. You cannot work, and you must respect the No Further Stay condition (8503) if it is imposed.
- You cannot use the visitor visa pathway to relocate to Australia and wait there. Visitor visas are short-stay. If you overstay, you compromise your partner visa application.
- Verify the current rule at the time you plan your trip. The Department has been adjusting partner visa onshore-presence rules through 2025 and 2026, and a migration agent should confirm the up-to-date position before you book flights.

## What The Subclass 309 Lets You Do

Once your 309 is granted and you have arrived in Australia, the visa gives you:

- Permission to live in Australia indefinitely until your Subclass 100 is decided.
- Unrestricted work rights — you can take any job, change jobs, work full-time or part-time, or be self-employed.

- Unrestricted study rights — you can enrol in any course at any institution. You will generally pay domestic-student fees rather than international fees, though some institutions still charge international fees during the temporary stage. Check with the specific institution before you enrol.
- Access to Medicare — Australia's public health insurance system. This is one of the most valuable benefits of the 309. As soon as your visa is granted, you can enrol with Services Australia and obtain a Medicare card.
- Travel rights — you can leave and re-enter Australia as many times as you want during the 309 period, subject to the visa remaining valid.
- Access to Centrelink — limited, with waiting periods, but you can apply for certain payments after meeting residency thresholds.

## What The Subclass 100 Lets You Do Beyond That

The Subclass 100 is permanent residence. It gives you everything the 309 gave you, plus:

- Indefinite right to remain in Australia, not tied to your relationship continuing.
- Access to the full range of Centrelink payments once you meet the standard waiting periods that apply to all permanent residents.
- Eligibility to apply for Australian citizenship once you have met the residency requirements — generally four years of lawful Australian residence, including at least twelve months as a permanent resident.
- Eligibility to sponsor your own family members for various visas — for example, parent visas, child visas, or even another partner visa if your relationship to your current sponsor were to end.
- Right to be issued a Resident Return Visa (RRV, Subclass 155 or 157) once your initial five-year travel facility on the 100 expires, so you can continue to travel internationally without losing your PR.

In short: the 309 gets you into the country and lets you build a life. The 100 makes that life permanent. The two-year gap between them is not bureaucratic spite — it is the price of a permanent migration outcome.

## Chapter 2 — Are You Eligible? The Five Threshold Tests

There are five threshold questions every prospective Subclass 309/100 applicant must answer honestly before spending a single dollar on this application. If you cannot pass all five, you are either applying for the wrong visa or applying too early. Either way, the diagnosis matters more than the cure.

### Threshold One — Is Your Partner An Eligible Sponsor?

To sponsor a partner visa, your Australian-side partner must be one of three things:

1. An Australian citizen — either by birth or by naturalisation.
2. An Australian permanent resident — someone who holds, or has held, a permanent visa under the Migration Act.
3. An eligible New Zealand citizen — that is, a New Zealand citizen who was in Australia on 26 February 2001 and held a Special Category Visa (Subclass 444), or who arrived later and has subsequently obtained an SCV under specific transitional arrangements.

If your partner does not fit one of these three categories, they cannot sponsor you for a 309/100. A New Zealand citizen who arrived in Australia recently and holds a current Subclass 444 is not automatically an eligible sponsor — the SCV alone does not confer sponsorship rights. They must meet the "eligible" definition. This is a frequent source of confusion.

Permanent residents who hold a permanent visa but have spent extended time outside Australia and may have lapsed Resident Return Visa rights are still eligible sponsors as long as their underlying permanent visa has not been cancelled. We will return to sponsor eligibility in detail in Chapter 3.

### Threshold Two — Is The Relationship Of A Type The Department Recognises?

The Department recognises three relationship types under the partner visa programme:

- Married couples — legally married under Australian law. Your overseas marriage must be valid both in the country where it was performed and under Australian law. Most Indian Hindu, Muslim, Christian, and registered civil marriages are recognised. Marriages by proxy, polygamous marriages, and marriages where one party was under eighteen at the time of marriage are generally not recognised.
- De facto couples — a relationship between two people who live together on a genuine domestic basis but who are not married. To qualify, you must generally have lived together as a couple for at least twelve months before the application is lodged. There are two ways to bypass the twelve-month requirement: register your relationship in an Australian state that maintains a Relationships Register (Victoria, New South Wales,

Queensland, Tasmania, and the ACT all have one), or demonstrate that compelling and compassionate circumstances exist, such as having a child together.

- Same-sex couples — Australian migration law recognises same-sex marriages and de facto relationships on the same terms as opposite-sex relationships. This has been the case since 2009, and the recognition was strengthened in 2017 when same-sex marriage became legal in Australia.

### **The Indian Same-Sex Reality**

If you are in a same-sex relationship and one of you is in India, this is one of the situations where the Australian partner visa pathway is more accommodating than the Indian regulatory environment. The Department will recognise a same-sex de facto relationship even if it was not legally recognisable in India. The challenge for same-sex Indian applicants is usually not the legal framework but the evidence — same-sex couples in India often have to hide their relationship from family, which means the social pillar of evidence (Form 888 statements, photographs at family events, social acknowledgement) is harder to build. We will discuss strategies in Chapter 7.

## **Threshold Three — Is The Relationship Genuine And Continuing?**

This is the test the Department spends most of its time on, and it is the test that causes most refusals. The Migration Regulations require that a relationship be "genuine and continuing" and that the couple have a "mutual commitment to a shared life as a married couple or de facto partners to the exclusion of all others".

In practice, the Department assesses this through four pillars:

4. Financial aspects — how the couple share their money, assets, and expenses.
5. Nature of the household — how the couple share their day-to-day domestic life.
6. Social aspects — how the relationship is presented to and recognised by others.
7. Nature of the commitment — the couple's knowledge of each other, their plans for the future, and the longevity of their relationship.

Chapters 5, 6, and 7 are dedicated to building evidence under each pillar. For now, the threshold question is: do you actually have a genuine relationship, or are you applying because someone has told you partner visas are an easier route to Australian PR than the skilled migration programme? If the latter, stop. The Department's case officers are highly experienced at detecting non-genuine relationships, and the penalty for a refusal on misrepresentation grounds under Section 4020 is a three-year exclusion period during which you cannot lodge any further partner visa application.

## Threshold Four — Are You Free To Marry Each Other?

Both partners must be at least eighteen years old at the time of application. Both must be legally free to marry, meaning any previous marriages have been formally dissolved by divorce, annulment, or death of the previous spouse. If either of you has been previously married:

- You must provide a divorce decree, annulment order, or death certificate.
- Indian divorce decrees are generally accepted, but the case officer may scrutinise them if the divorce occurred shortly before your current relationship began.
- If you are in a de facto relationship and one of you is still legally married to a previous spouse who you are separated from but not divorced, you can still apply — but you must provide separation evidence and the case officer will assess whether your prior marriage has ended in substance even if not in form.

## Threshold Five — Have You Got The Time And The Money?

This is the practical threshold most applicants underestimate. The current FY 2025-26 base application fee is AUD \$9,365. This is non-refundable if the application is refused or withdrawn. On top of that, expect the following additional costs:

Cost Item	Typical Range (AUD)	Notes
Department base fee	\$9,365	FY 2025-26. Reviewed annually 1 July. Non-refundable.
Health examinations	\$300 - \$600 per adult	Bumrungrad, Apollo, Fortis-empanelled clinics in India.
Police certificates (Indian PCC)	₹500 - ₹2,000	Passport Seva Kendra. Add ₹500 if delivered by post.
Additional country police certs	\$50 - \$200 each	Required for any country lived 12+ months since 16.
Translation of non-English docs	\$30 - \$150 per doc	NAATI-certified translator strongly preferred.
Sworn statutory declarations	₹200 - ₹500 per declaration	Notarised in India; minimum two Form 888s.
Relationship register fee (if used)	\$70 - \$250	State-specific. Victoria, NSW, QLD, TAS, ACT only.
MARA agent fees (optional)	\$3,000 - \$7,000	Sydney/Melbourne pricing for full representation.
Dependent child add-on fee	\$2,345 - \$4,685 per child	Per Department schedule, varies by child age.

Add up everything except the optional agent fee, and your realistic out-of-pocket cost for a married couple with no children is around AUD \$10,000 to \$10,500 — roughly ₹5.5 to ₹5.8 lakh at current exchange rates. If you cannot afford this without taking on debt, wait. A loan-funded application that gets refused is far more painful than a delayed application that gets approved.

Time-wise, plan for the following realistic timeline:

Phase	Duration (typical)	What's Happening
Pre-lodgement preparation	3 to 6 months	Gathering evidence, drafting statutory declarations, securing Form 888s, organising translations.
Lodgement to case officer assignment	6 to 12 months	Application sits in queue. Department may issue Acknowledgement of Receipt.
Case officer assessment	2 to 8 months	Officer reviews file, may request further info. Most refusals happen here.
Subclass 309 grant	14 to 26 months from lodgement	Decision communicated by email. Visa label not printed; eVisa system.
Subclass 309 to Subclass 100 wait	~6 to 12 months	Becomes eligible for 100 around 2 years after original lodgement.
Subclass 100 grant	23 to 32+ months from original lodgement	Officer confirms relationship still genuine; usually a confirmation rather than fresh assessment.

In total: budget for a two-and-a-half to four-year journey from the day you start preparing your application to the day your Subclass 100 is granted.

## Chapter 3 — The Sponsor: Who Qualifies, Who Doesn't, and What They Sign

The sponsor is not a witness to your application. The sponsor is a party. The Department assesses the sponsor's eligibility, character, history, and capacity, and it requires the sponsor to make a legally binding undertaking to the Australian government. Many refusals trace back to sponsor problems that the couple either did not know about or chose to ignore. This chapter is for the Australian-side partner. Read it carefully.

### Who Can Sponsor

To sponsor a partner under Subclass 309/100, you must be:

- An Australian citizen, an Australian permanent resident, or an eligible New Zealand citizen as defined in Chapter 2.
- At least eighteen years old.
- Free from sponsorship restrictions — see the sponsorship limitations section below.
- Of good character — no significant criminal history that would trigger a refusal on character grounds.

### Sponsorship Limitations — The Five-Year And Two-Sponsorship Rules

The Australian government, conscious that some sponsors abuse the partner visa system serially, has imposed two key limitations:

#### The Two-Sponsorship Limit

You cannot sponsor more than two partners across your lifetime for a partner visa. If you have already sponsored two previous partners — whether or not those visas were granted — you are barred from sponsoring a third, except in compelling and compassionate circumstances which the Minister will assess case-by-case. Compelling circumstances are interpreted narrowly. Death of the previous sponsored partner is generally compelling. Divorce or separation is generally not.

#### The Five-Year Cooldown

You cannot lodge a new partner sponsorship within five years of having sponsored a previous partner. So if you sponsored a partner in 2022 and that relationship ended, you generally cannot sponsor a new partner until 2027. Again, exceptions exist for compelling circumstances, but they are exceptions, not entitlements.

### **WARNING — Tell Your New Partner Before You Apply**

If you have sponsored a previous partner and have not disclosed this to your current partner, you have a problem. The Department will check your sponsorship history, find the prior sponsorship, and your current partner will discover it during the application process — when they read your Form 40SP, where you must declare it. Couples have broken up over this disclosure happening at the wrong moment. Tell your partner the full history before you lodge.

## **Character — The Sponsor's Past That Becomes The Applicant's Problem**

Since 2016, sponsors of partner visas must consent to disclosure of certain offences to the visa applicant. If you have been convicted of a "registrable offence" — broadly, sexual offences, violent offences, child offences, or other relevant offences — the Department will disclose this to your partner during the application process and may refuse to approve your sponsorship altogether.

The character test for sponsors is not as strict as for visa applicants, but a sponsor with a significant criminal history can derail the application. Specific concerns:

- Convictions involving violence, particularly domestic violence, against any partner — current or previous.
- Sexual offences, particularly involving minors.
- Drug trafficking or similar serious offences.
- A pattern of immigration offences — for example, multiple previous sponsorships that ended in suspicious circumstances.

If you, as the sponsor, have any criminal history, disclose it to your partner and obtain a migration agent's advice before lodging. Concealment is worse than disclosure. If the Department discovers undeclared criminal history mid-application, the consequences are severe.

## **Financial Capacity — Not A Threshold, But A Factor**

Unlike some other countries' partner visa programmes, Australia does not impose a minimum income threshold on partner sponsors. There is no equivalent of the UK's minimum income requirement. However, the Department considers the sponsor's ability to provide financial support to the applicant as part of the four-pillar assessment, particularly under the financial pillar.

If you are a sponsor on a low income, on Centrelink payments, or unemployed, your application is not automatically weaker — but you should:

- Document the household's financial arrangements honestly. Joint resources, shared assets, partner's overseas income that will continue, family financial support.

- Show that you have a plan to support yourselves once your partner arrives. This might be evidence that the applicant has skills to find work in Australia, or that family will assist with rent.
- Avoid the impression that the marriage is calculated to secure migration in exchange for financial support flowing the other way.

## The Sponsorship Undertaking

As sponsor, you are required to make a formal undertaking to the Australian government. The undertaking commits you to:

8. Provide financial support and accommodation to your partner for the first two years of their lawful residence in Australia.
9. Provide reasonable financial support, accommodation, and other relevant support to any dependent children included in the application.
10. Notify the Department of any change in your circumstances that might affect your ability to support your partner.
11. Comply with all Australian laws.

The undertaking is signed on Form 40SP. It is not a contract enforceable in the courts in the way a debt is, but it does establish a legal obligation, and breach of the undertaking can affect your future sponsorship rights and your character assessment if you ever need to deal with the Department again.

## Sponsor's Form 40SP — What You Are Signing

Form 40SP is the sponsorship application. It is a long form — currently around twenty pages — that asks the sponsor to declare:

- Their identity, address, and contact details.
- Their citizenship or PR status and how they acquired it.
- Their previous sponsorships, if any.
- Their criminal history.
- Their employment and financial status.
- The history and nature of their relationship with the applicant.
- Their consent to the disclosure provisions described earlier.

Take the time to fill out Form 40SP carefully. Read every question. Where the form asks for dates, get the dates right — small inconsistencies between the sponsor's Form 40SP and the applicant's Form 47SP raise flags that case officers love to follow up on. We will return to form preparation in Chapter 8.

### **A Note On Cross-Border Sponsors**

If the sponsor is an Australian citizen but currently living in India — for example, a returning expatriate who is in India to be with their new spouse — sponsorship is still valid. You do not need to be physically in Australia at the time of sponsorship. However, the application is significantly stronger if the sponsor can demonstrate a clear plan to return to Australia with the applicant once the visa is granted. Show airline bookings, a rental property, a job offer, or family connections that establish the household will be Australian, not Indian.

## Chapter 4 — Married, De Facto, or Engaged? Choosing the Right Subclass

This chapter resolves a question many couples spend months agonising over: should we get married before applying, apply as de facto, or use the Prospective Marriage visa pathway? The answer depends on your specific circumstances, but the underlying logic is consistent — choose the subclass that fits your actual situation, do not engineer your situation to fit a perceived easier subclass.

### The Three Pathways At A Glance

Pathway	Subclass	When to Use
Offshore Partner — Married/De Facto	309 then 100	You are outside Australia, already married or in a 12+ month de facto relationship.
Onshore Partner — Married/De Facto	820 then 801	You are inside Australia on a valid visa, already married or in a 12+ month de facto relationship.
Prospective Marriage (Fiancé)	300 then 820/801	You are engaged but not yet married, plan to marry in Australia within 9-15 months of grant.

This book focuses on the offshore 309/100 pathway, but understanding when one of the other pathways is more appropriate is part of choosing well. Below we examine each option in detail.

### Option One — Apply As A Married Couple Under 309

If you are legally married — Hindu ceremony with marriage registration, Muslim Nikah with civil registration, Christian church wedding with state registration, or any other legally recognised form — the Department considers you a married couple, and the twelve-month de facto cohabitation rule does not apply to you. Your marriage certificate is the threshold proof.

Married applicants face two evidentiary advantages over de facto applicants:

12. You do not have to prove twelve months of cohabitation. A couple married three months ago can apply immediately.
13. Marriage is socially and legally recognised in a way that de facto is not, so building the social pillar (family acknowledgement, wedding photographs, witnesses) is straightforward.

But married applicants face one disadvantage:

- The Department scrutinises arranged marriages with greater intensity than love marriages. Not because arranged marriages are inherently suspicious — they are not — but because the documentation of how the relationship developed is different. A love marriage often has years of dating photographs, chat logs, joint travel records, and so

on, before the wedding. An arranged marriage may have only a few weeks of communication before the engagement and a few months before the wedding. The Department asks: is this a genuine relationship that just happened quickly, or is this a marriage of convenience dressed up as an arranged marriage?

### **Documenting An Arranged Marriage**

Arranged marriages are absolutely recognised and approved every day. The key is to document the arrangement process itself. Keep records of: the introduction (matrimonial site contact, family introductions, biodata exchange), the courtship period after introduction (calls, video chats, in-person meetings), the engagement ceremony with family photographs, and the wedding. Then build the post-wedding evidence from the day of the marriage — joint accounts, shared communication, family integration. The Department is not anti-arranged-marriage; it is anti-fictional-marriage.

## **Option Two — Apply As A De Facto Couple Under 309**

If you are not married but have lived together for at least twelve months in a genuine domestic relationship, you can apply as de facto partners. De facto applicants must provide much stronger cohabitation evidence than married applicants:

- Lease agreements with both names, ideally signed twelve months before lodgement.
- Utility bills, insurance policies, and other domestic services addressed to both partners at the same address.
- Joint bank accounts or evidence of pooled household finances over the twelve-month period.
- Statutory declarations from at least two Australian citizens or permanent residents who can attest, from their own observation, that the couple has lived together as a couple for at least twelve months.

For Indian-context applicants, de facto relationships present specific challenges. Cohabitation between unmarried partners is culturally and sometimes legally restricted in India. If you have cohabited in India for twelve months without being married, you may struggle to produce a formal lease agreement — many Indian landlords will not lease to unmarried couples. In this situation, alternative evidence becomes essential:

- Statutory declarations from family members who knew you were living together.
- Photographs dated and located at the shared residence.
- Communication records (calls from the same Wi-Fi network, GPS-tagged photographs).
- Joint bills under one partner's name with the other partner's name added as occupant where possible.

The cleaner alternative, if it suits your relationship, is to register the relationship under an Australian state Relationships Register before applying. Registration immediately satisfies the

twelve-month requirement, even if you have lived together for less than twelve months. The states with registers are Victoria, New South Wales, Queensland, Tasmania, and the Australian Capital Territory. Registration generally costs AUD \$70 to \$250, and you can register remotely in some states if the Australian partner is in Australia and consents. Check the specific state's requirements; some require both partners to attend in person, others do not.

## Option Three — The Prospective Marriage Visa (Subclass 300)

If you are engaged but not yet married, the Subclass 300 fiancé visa is an alternative pathway. Key features:

- You apply offshore, while engaged. Both partners must have met in person; online-only relationships do not qualify.
- If granted, the Subclass 300 gives you nine to fifteen months to enter Australia, marry your fiancé, and lodge an onshore Subclass 820/801 at a reduced fee.
- Subclass 300 currently has a higher refusal rate than the 309 — around 22% based on the most recent Freedom of Information data published — primarily because of weaker relationship evidence at the application stage.
- Total cost is higher than 309/100 because you pay both the 300 fee and the subsequent 820/801 fee (at a discount).
- You cannot access Medicare on the Subclass 300 — budget for private health insurance for the fiancé period.

The Subclass 300 makes sense if:

14. You want to marry your partner in Australia, with their family and friends present, rather than in India or the applicant's home country.
15. The applicant cannot easily travel to Australia on a visitor visa to marry there because of visitor visa refusal history or other complications.
16. You are not yet ready to commit to a marriage but want to begin the visa process — though this is the weakest reason and the Department is alert to it.

The Subclass 300 does not make sense if you are already married. Once married, you must use the 309/100 (offshore) or 820/801 (onshore) pathway.

## Onshore vs Offshore — Why You Are Probably Better Off Offshore

If the applicant is currently in Australia on a temporary visa — student visa, work visa, visitor visa with no further stay condition removed — they have a choice between applying onshore (820/801) and applying offshore (309/100). For Indian applicants, the offshore pathway is usually the better choice for these reasons:

- Lower complexity. Onshore applicants on certain visa types must satisfy Schedule 3 criteria, which are extra hurdles imposed on applicants whose current visa is about to expire or has expired. Offshore applicants never face Schedule 3.

- Cleaner bridging visa position. Onshore applicants live on a bridging visa during processing. Offshore applicants either remain in India or visit Australia on a separate visitor visa, with cleaner immigration status.
- Same eventual outcome. Both pathways lead to permanent residence, with broadly the same total processing time and the same combined fee.

Onshore makes sense if the applicant is already established in Australia on a substantive visa, has work or study commitments that cannot be interrupted, and wants Medicare access from the lodgement date rather than waiting for grant. Offshore makes sense if the applicant is in India, can wait out the processing time at home with occasional visitor visa trips, and wants the cleaner regulatory pathway.

### **The Strategic Honesty Test**

Some couples ask whether they should apply for an Australian visitor visa, fly to Australia, and then lodge an onshore application from there to access the bridging visa. The answer is almost always no. The Department's processing teams have become highly attuned to this strategy. If your visitor visa application says you intend to visit for two weeks and you instead stay and apply onshore, you may face questions about misrepresentation. The safer and stronger course is to lodge offshore, where your intentions are transparent and your immigration status is clean.

## Chapter 5 — The Four Pillars of Relationship Evidence

Everything about your partner visa application — every form you fill, every statement you draft, every document you upload — exists to answer one question: is this a genuine and continuing relationship? The Department answers that question by assessing four pillars. This chapter explains the framework. Chapters 6 and 7 show you how to build evidence under each pillar in the Indian context.

### Where The Four Pillars Come From

The four-pillar framework derives from Regulation 1.15A of the Migration Regulations 1994, which defines a "spouse" relationship, and Regulation 1.09A, which defines a "de facto partner" relationship. Both definitions require the Department to consider four matters when assessing whether a relationship exists:

17. The financial aspects of the relationship.
18. The nature of the household.
19. The social aspects of the relationship.
20. The nature of the persons' commitment to each other.

These four matters are not optional considerations. The Regulations require the case officer to consider all four. An application that is strong on three pillars and weak on the fourth is still vulnerable — case officers will mention the weak pillar in any decision.

### Pillar One — Financial Aspects

The financial pillar asks: do you share your money like a couple, or do you live as two financially separate individuals who happen to be in a relationship? The Regulations specifically direct case officers to consider:

- Joint ownership of real estate or major assets.
- Joint liabilities — mortgages, loans, hire purchase agreements, debts.
- Pooling of financial resources, especially for significant purchases or long-term commitments.
- Sharing of day-to-day household expenses.
- Joint bank accounts, joint utility connections, joint insurance.
- Legal commitments such as wills naming the partner as beneficiary.

Strong financial evidence in the Indian context typically includes:

- Joint Indian bank account statements showing both partners' contributions over twelve months.
- NRE/NRO joint accounts where the Australian partner has deposited Australian-source funds for shared household use.

- International remittance records showing the Australian partner sending money to the Indian partner regularly.
- Shared expense receipts — wedding expenses split, jewellery purchases for the wife funded by the husband, joint travel bookings.
- Insurance policies (LIC, private health) naming the partner as beneficiary.
- Wills, succession documents, or formal nominations naming the partner.

Weak financial evidence includes:

- A joint account opened the week before lodgement with no transaction history.
- One large transfer with no recurring pattern.
- Bank statements with no co-mingling — each partner's salary going into separate accounts with no joint transactions.
- Receipts that do not name both partners.

## Pillar Two — Nature Of The Household

The household pillar asks: how do you actually live together as a couple? Because most Subclass 309 applicants are still in long-distance relationships — that is the nature of the offshore visa — this pillar is the hardest to demonstrate. The Department recognises this and adjusts expectations, but you cannot ignore the pillar. Specifically, the Regulations consider:

- Joint responsibility for the care and support of children.
- Living arrangements — past, present, or planned.
- Sharing of housework and domestic responsibilities.
- Sharing of household possessions.

For long-distance applicants who have not yet cohabited, the strongest household evidence is documentation of cohabitation during in-person visits — the Australian partner visiting India for three months, the Indian partner visiting Australia for two months on a visitor visa, joint travel together to a third country with shared accommodation. Specific evidence:

- Hotel bookings, Airbnb confirmations, and apartment rentals with both names where possible.
- Joint travel itineraries — air tickets, train tickets, sightseeing receipts.
- Photographs of the shared accommodation showing both partners' belongings — clothes, toiletries, books, personal items.
- Statements describing the household routines maintained during cohabitation periods.

Plan for the future also counts. A signed lease agreement for an Australian apartment that you will move into once the visa is granted, or a property purchase contract, demonstrates intended household. So does a wedding registry, joint ownership of furniture purchased in anticipation of the move, or an Australian house being prepared with a room for the spouse.

## Pillar Three — Social Aspects

The social pillar asks: do other people know about and acknowledge your relationship? A relationship that is hidden from family, undeclared at work, and absent from social media is not necessarily not genuine, but it is much harder to prove. The Regulations direct consideration of:

- Whether you represent yourselves as a couple to others.
- Joint social activities — events attended together, social circles.
- Acceptance by family and friends of the relationship.
- Knowledge of and contact with each other's family and friends.

Strong social evidence in the Indian context:

- Wedding photographs with extended family from both sides.
- Wedding video where parents bless the union and speeches reference the couple.
- Wedding invitations sent to friends and family, with the couple's joint names.
- Engagement and roka photographs.
- Statutory declarations from at least two Form 888 declarants who have observed the relationship firsthand.
- Social media — Facebook, Instagram, WhatsApp status updates showing the relationship publicly acknowledged. Use sparingly; the Department gives social media moderate weight.
- Joint participation in family events — birthdays, religious festivals, funerals.
- Photographs at major events spanning multiple months and locations, not just the wedding day.

### The Form 888 Decision

Form 888 is a statutory declaration by an Australian citizen or permanent resident who personally knows the couple and can attest to the genuineness of the relationship. You must include at least two Form 888 declarations. Most strong applications include three or four. The declarants must be Australian citizens or permanent residents, must have known both partners (or at least the sponsor and have met the applicant), and must give specific factual evidence — not generic praise. Chapter 8 covers Form 888 in detail.

## Pillar Four — Nature Of The Commitment

The commitment pillar asks: how serious are you, and how long-lasting? The Regulations consider:

- The duration of the relationship — including any period of cohabitation.
- The length of time you have lived apart, and the reasons.
- The degree of companionship and emotional support you provide each other.

- Each partner's knowledge of the other's personal background, history, and family circumstances.
- Plans for the future, including whether you intend to have children and how you intend to settle.

The commitment pillar is uniquely vulnerable to inconsistency between the two partners' statements. If you say in your statutory declaration that you plan to have two children within five years and your sponsor's statutory declaration says you plan to wait at least seven years, the case officer notices. If you describe your sponsor's mother as Anita and your sponsor describes her as Anjali, the case officer notices. Coordinate your statements without scripting them. The detail must come from genuine knowledge, not memorisation.

Specific commitment evidence:

- The couple's statutory declarations — both written, signed, and notarised — that tell the story of the relationship in parallel detail.
- Joint plans documented in writing — emails about house hunting, school research for future children, retirement savings discussions.
- Engagement ring purchase receipts, wedding ring receipts.
- Long-term financial commitments — joint investment accounts, joint mortgage applications, joint insurance policies with long maturity dates.
- Evidence of contact during separation — call logs, video call records, message archives. Quantity matters here. A couple averaging three video calls per week and twenty messages per day looks committed; a couple averaging one call per month does not.

## Why The Four Pillars Are Not A Checklist

The temptation, when reading this framework, is to treat the pillars as a checklist: tick four boxes, get the visa. The Department's framework is more sophisticated. Case officers look for coherence and corroboration across pillars. Strong evidence in one pillar that contradicts weak evidence in another is worse than moderate evidence everywhere.

Example: a couple claims to have lived together for fourteen months (household pillar — strong) but provides no joint financial evidence from that period (financial pillar — weak) and the social pillar shows only the couple, never with friends or family (social pillar — weak). The case officer concludes the cohabitation evidence is suspect.

Build evidence across all four pillars, in parallel, with internal coherence. The next two chapters show you how.

## Chapter 6 — Building Financial Pillar Evidence Across India and Australia

Cross-border financial co-mingling is genuinely difficult. Australia and India have different banking systems, different regulatory regimes for foreign exchange, and different documentation conventions. A case officer in Berlin or Manila looking at your application has no obligation to understand the Indian banking landscape, and you cannot afford to assume they will. Your job is to make the financial picture so clear that any reasonable case officer can see two people sharing one financial life.

### The NRE And NRO Account Framework

If your sponsor is an Australian citizen or PR with Indian heritage — formerly resident in India — they may have NRE (Non-Resident External) and NRO (Non-Resident Ordinary) accounts in India. If your sponsor was born in Australia and has never lived in India, they generally cannot open an NRE/NRO account, and any joint account must be opened in your name with them added as a secondary holder where the bank permits this.

For sponsors with NRE/NRO accounts:

- NRE accounts hold Australian-source funds repatriated to India. These accounts are tax-free in India and the principal and interest are fully repatriable. They are ideal for demonstrating that the Australian sponsor is funding the Indian household.
- NRO accounts hold Indian-source income for non-residents — for example, rental income from property held in India by the sponsor. These accounts are subject to Indian tax.
- Joint NRE accounts can be held with a resident Indian partner only on a former or survivor basis under specific RBI rules — verify with your bank. The applicable RBI guidelines have evolved and the bank's compliance officer is your best source.

Use NRE statements to show twelve months of regular deposits by the Australian sponsor and joint usage by the couple. Annotate the statements — circle relevant transactions, attach a one-page summary explaining the financial relationship.

### Remittance Records As Financial Evidence

If a joint account is not feasible, regular remittances from the Australian sponsor to the Indian partner are the next-best evidence. The remittance pattern matters more than any single transfer:

- Monthly or quarterly transfers over twelve months are stronger than one large transfer.
- Use formal banking channels — SWIFT transfers, Wise, Revolut, Western Union, MoneyGram — not informal hawala. The Department will follow the money trail and informal channels look bad.

- Annotate the purpose of each transfer. "Monthly support for household and wife's expenses" is clear; an unlabelled transfer is ambiguous.
- Keep both the sender's bank statements and the receiver's bank statements. Show the money leaving Australia and arriving in India.

### **Wedding Expenses As Financial Evidence**

Indian weddings are expensive. If the Australian sponsor contributed financially to the wedding, document this carefully. Receipts for jewellery, venue, catering, hotel bookings — all in the sponsor's name or paid through the sponsor's card — establish a financial flow that is hard to fake. Wedding albums often include the budget; if the sponsor's family covered a significant portion of expenses, photographs of cheque presentations, hotel bills, and vendor receipts are all useful.

## **Joint Liabilities**

Joint debts are persuasive financial evidence because debts are not casually undertaken. If the couple has any of the following, include the documentation:

- Joint home loan — applied for an Australian property even if not yet purchased.
- Joint car loan in India.
- Joint education loan, particularly if one partner is funding the other's education.
- Joint credit card with both names on the card.
- Joint personal loan from an Indian bank.

If a joint loan is not feasible, an Indian bank may be willing to issue a letter confirming a sole loan was taken "for the purpose of family" with the other partner as informal guarantor. This is weaker than a true joint loan but is still useful evidence.

## **Insurance, Wills, And Long-Term Commitments**

Insurance policies and wills are strong commitment evidence because they look beyond the application to long-term life planning. Specific items to include:

- Life insurance policies where the partner is named as the primary beneficiary. LIC of India policies routinely allow this; new policies can be taken specifically for the application, though they should be done at least six months before lodgement to look organic.
- Health insurance policies covering both partners.
- Pension nominations — EPF, NPS, gratuity — where the partner is named.
- Wills, both partners', naming each other as primary beneficiary.
- Power of attorney documents giving one partner authority over the other's affairs in case of incapacity.

## Reading Your Financial Pillar Backwards

After you have assembled all your financial evidence, do the following exercise. Imagine you are the case officer. Pull out your shoebox of financial documents. Can you, in five minutes, answer these three questions?

21. Are these two people sharing their money?
22. Has this sharing pattern lasted long enough to be meaningful?
23. Is the sharing consistent with what the couple says in their statutory declarations?

If you cannot answer all three with a confident yes, your financial pillar needs more work. Add documents. Re-organise. Write a one-page financial summary that walks the case officer through the picture. Number the documents. Submit them in chronological order. Make their job easy.

## Chapter 7 — Building Household, Social, and Commitment Evidence

The financial pillar has the advantage of being relatively objective — bank statements either show co-mingling or they do not. The other three pillars are softer. Household, social, and commitment evidence requires storytelling alongside documentation. This chapter walks you through how to build it.

### Documenting Cohabitation When You Live On Different Continents

The Department understands that 309 applicants are usually offshore and that physical cohabitation has often been intermittent. What the Department wants to see is that, when you have been in the same country, you have lived as a couple — and that you have specific plans to do so on an ongoing basis.

#### Visits Before Lodgement

Document every visit either partner has made to the other. For each visit:

- Air ticket showing arrival and departure dates.
- Hotel or accommodation booking, ideally with both names.
- Photographs from the visit — multiple locations, dated where possible.
- Receipts and tickets from joint activities — restaurants, sightseeing, transport.
- Visa entry and exit stamps from the relevant passport.

If both partners have visited each other multiple times — say, the Australian sponsor has been to India four times in two years and the Indian applicant has visited Australia twice on visitor visas — create a one-page timeline showing all visits in chronological order, with total days of cohabitation calculated. Some couples have cumulatively cohabited for six to ten months across visits, even though they have never lived in the same country continuously.

#### Cohabitation Plans After Grant

Show the case officer where you intend to live once the visa is granted. Strong evidence:

- Lease agreement on an Australian apartment, signed and dated.
- Australian property purchase contract or mortgage application.
- Spare bedroom evidence — photographs of the sponsor's current accommodation showing space prepared for the applicant.
- School inquiries for any children who will accompany the applicant.
- Bank account opened in advance with the applicant as joint holder.
- Vehicle registered in both names, even if currently in the sponsor's sole use.

## The Form 888 Strategy

Form 888 is the central social pillar document. You must include at least two. Most strong applications include three or four. Choose your declarants carefully:

- All declarants must be Australian citizens or permanent residents. Aged 18 or older. Indian citizens are not eligible — even close family members in India cannot complete a Form 888 (though their evidence can be submitted in other formats).
- Each declarant must have personally observed the couple's relationship. Someone who has only ever met the sponsor and seen photographs of the applicant cannot truthfully declare that the relationship is genuine.
- Diversity helps. Three declarants who are all the sponsor's siblings look less credible than three declarants who are a sibling, a workplace colleague, and a long-term friend.
- Specificity helps. A Form 888 that says "I have known the couple for two years and believe their relationship is genuine" is weak. A Form 888 that says "I attended their wedding in Pune on 15 December 2024 with my wife and two children, met the applicant's parents who told me about the courtship period, and have spoken to the couple at least monthly since" is strong.

### Drafting Form 888 Statements

It is appropriate for you to provide your Form 888 declarants with the form and to explain what you need. It is not appropriate to write the statement for them. Case officers can tell when four Form 888 statements use identical phrasing — and that is a red flag. Brief the declarants on the four pillars, give them the relevant dates and facts, and let them write in their own voice. Provide examples but not scripts.

## Social Media As Evidence — Use With Care

Social media is moderately useful evidence. Case officers expect couples in 2026 to have some social media presence acknowledging the relationship — couples who have zero public acknowledgement may face questions about why. But social media is also widely manipulated, so case officers do not give it heavy weight. Reasonable practices:

- Have your relationship status set on Facebook if you use it.
- Tag each other in photographs from significant events.
- Public birthday wishes, anniversary posts, festival greetings.
- Public family events where both partners are present in the comments or are tagged by other family members.
- Avoid creating social media accounts purely for the application — case officers can usually spot timestamps that show the account was created weeks before lodgement.

## The Couple's Statutory Declarations

Each partner must write and sign a statutory declaration telling the story of the relationship. These are critical documents. The case officer will read them carefully. They should be:

24. Coherent with each other but not identical. If two declarations read like the same person wrote both, the case officer assumes the same person did.
25. Specific. Dates, places, names of people present, names of restaurants, names of cities visited. Generic narratives "we met online and fell in love" are weak.
26. Chronologically structured. Start with how you met. Move through the relationship development. End with current plans.
27. Honest about complications. If you separated for a period and got back together, say so and explain. If you have an age difference, religious difference, or family opposition, address it. Case officers value honesty over polish.

A strong statutory declaration is typically 2,000 to 4,000 words. Less than 1,500 words and you have not given the case officer enough to work with. More than 5,000 words and you have probably included irrelevant detail.

## Knowledge Of Each Other's Family

In the commitment pillar, knowledge of each other's family is given heavy weight. The Department asks the case officer to consider whether each partner knows the other's personal background. Demonstrate this by:

- Naming both sets of parents and siblings in the statutory declarations.
- Describing significant family events you have attended on each other's behalf.
- Photographs with extended family from both sides.
- Communication records — WhatsApp groups including family members from both sides, video calls with each other's parents.
- Family financial contributions documented — if your sponsor's parents contributed to the wedding, or if the applicant's parents gifted property to the couple, include the documentation.

## The Volume Vs Quality Trade-Off

There is a temptation to submit everything — every photograph, every restaurant receipt, every chat message from twelve months of WhatsApp history. Resist it. Case officers are time-constrained. A 2,000-page application file makes them less likely to find your strongest evidence, not more. Instead:

28. Curate. Pick the strongest twenty photographs, not five hundred. Pick the most representative two weeks of chat history, not eighteen months.

29. Index. Provide a table of contents. Number every document. Reference the documents by number in your statutory declarations.
30. Annotate. Add captions. "Photograph dated 12 March 2025, at applicant's cousin's wedding in Pune; sponsor pictured with applicant's parents and uncle."
31. Summarise. Provide a one-page financial summary, a one-page social summary, a one-page commitment summary. The case officer reads the summary first, then dives into the evidence.

A 200-page well-curated application beats a 2,000-page dump every time.

## Chapter 8 — Form 47SP, Form 40SP, and Form 888 — The Paperwork Decoded

The forms are the legal skeleton of your application. Everything you have built — your four pillars, your statutory declarations, your evidence portfolio — has to pass through the funnel of three forms: Form 47SP (the applicant's form), Form 40SP (the sponsor's form), and Form 888 (the supporting witnesses' statutory declarations). Most lodgement-stage refusals trace back to errors on these forms. This chapter walks through them.

### Form 47SP — The Applicant's Application

Form 47SP is the applicant's application for both the temporary 309 and the permanent 100. It is a long form — currently around forty pages depending on how many dependents are included — and it asks the applicant to declare their personal history, their relationship history, and their intentions.

#### Personal Details Section

Standard data — name, date of birth, place of birth, nationality, passport details, current address. Be precise. Use the name exactly as it appears on your passport. If your passport uses Devanagari or another non-Roman script, the form uses the Roman transliteration printed on the passport's machine-readable zone.

#### Family Composition Section

List your parents, siblings, and dependents. The Department uses this to verify family relationships, particularly if your sponsor's family overlap with your family (which can happen in some Indian communities).

#### Address History Section

List every address you have lived at for the past ten years. Errors here cause delays. Be precise about dates. If you cannot remember the exact dates, give your best estimate and note it as approximate.

#### Travel History Section

List every country you have visited in the past ten years, with arrival and departure dates. Cross-check against your passport stamps. If you are missing entry stamps from a country you visited, attach a note explaining.

#### Education And Employment Section

List your education and employment for the past ten years. This is used in part to assess the genuineness of your character and your settlement intentions in Australia.

## Relationship History Section

This is the heart of Form 47SP. Questions include:

- How did you meet your sponsor? Be specific. "At my cousin's wedding in Pune in October 2023" is better than "Through family".
- When did your relationship begin? Define this carefully. Most couples date it from the formal commitment (engagement) rather than the first meeting.
- When did you begin living together, if at all? Be honest. Saying you have cohabited when you have not is misrepresentation.
- Are you married? Provide marriage details — date, place, registration number, officiant if relevant.
- Are you in a de facto relationship? Provide cohabitation evidence.
- Plans for the future — where will you live in Australia, what will you do for work.

## Previous Relationships Section

Declare all previous spouses and any previous serious relationships if asked. If you have been previously married and divorced, provide the divorce decree. If you have children from a previous relationship who are not part of this application, declare them — they may still need to be included even if they are not migrating, for the Department to understand your family structure.

### **WARNING — Section 4020 Misrepresentation**

Migration Regulation 4020 imposes a three-year exclusion period on applicants who provide bogus documents or false information in their visa application. The exclusion applies to all visa classes, not just the partner visa. Misrepresentation can occur even unintentionally — an honest mistake on a date that contradicts your passport stamps can be classified as misrepresentation. Triple-check every date, every name, every fact on the form. When in doubt, declare more rather than less.

## Form 40SP — The Sponsor's Sponsorship

Form 40SP is the sponsor's parallel form. Many sections mirror Form 47SP — the sponsor's relationship narrative, their address history, their employment. But three sections of Form 40SP are unique to the sponsor and need careful attention:

### Previous Sponsorships

The sponsor must declare any previous sponsorships of partners or family members. Two prior partner sponsorships generally bar a third under the lifetime limit. Failure to declare prior sponsorships is itself misrepresentation.

## Criminal History

The sponsor must declare any convictions in Australia or overseas. As discussed in Chapter 3, certain offences trigger mandatory disclosure to the applicant and may lead to refusal of the sponsorship. Concealment is worse than disclosure.

## Financial Capacity

The sponsor describes their employment, income, savings, and assets. They also confirm they have read and accept the sponsorship undertakings.

## Form 888 — Statutory Declarations Of Support

Form 888 is a one-page statutory declaration form. The structure is:

- Declarant's identity — name, address, occupation, citizenship status, signature.
- Statement of the declarant's knowledge of the couple — how long they have known them, the nature of the relationship.
- Specific factual evidence of the relationship being genuine.
- Witnessing — the declaration must be witnessed by an authorised witness (in Australia: a Justice of the Peace, a pharmacist, a police officer, certain professionals; the full list is on the Australian Government's website).

A strong Form 888 is typically 400 to 800 words. Less than 200 words is unconvincing. More than 1,000 words is unnecessary and may dilute the declarant's credibility. Each Form 888 should:

32. Establish the declarant's relationship to the couple — how they know them, for how long, in what context.
33. State at least three specific factual observations — a particular event attended together, a particular conversation overheard, a particular pattern of behaviour observed.
34. Address the four pillars at least briefly — the declarant has seen the couple manage money together, has seen them at social events, knows their household plans, observes their commitment.
35. Close with the declarant's belief that the relationship is genuine.

## Form 80 — The Character Form

Form 80 is required for most applicants. It is the personal particulars form for character assessment. The form asks for:

- Detailed address history for the past ten years.
- Detailed employment history for the past ten years.
- All international travel for the past ten years.
- Family details — parents, siblings, children, partners.
- Any military service.

- Any involvement with security agencies, police, courts, or intelligence services in any capacity.

Form 80 takes most applicants several hours to complete properly. Block out a weekend for it. The form is cross-referenced with your passport, with your other declarations, and with the Department's external databases.

## Form 1221 — Additional Personal Particulars

Form 1221 is sometimes requested for applicants from certain countries or with certain risk profiles. It is similar to Form 80 but with additional questions about military service, weapons training, and security involvement. Indian applicants are sometimes asked to complete Form 1221 alongside Form 80. If asked, complete it. If not asked, you do not need to submit it proactively.

## The Document Checklist For Lodgement

At minimum, your application should include the following:

Document Category	Items
Identity (applicant)	Passport bio page; passport stamps; national ID; birth certificate.
Identity (sponsor)	Australian passport or PR visa grant letter; driver's licence; Medicare card.
Marriage	Marriage certificate (Indian and apostilled); wedding photographs; wedding invitation.
De facto (if applicable)	Relationship registration certificate OR cohabitation evidence covering 12+ months.
Form 47SP	Completed by applicant; signed; every section answered.
Form 40SP	Completed by sponsor; signed; every section answered.
Form 888	Minimum 2, ideally 3-4; signed and witnessed by authorised witness.
Form 80	Completed by applicant; signed.
Statutory declarations	One from each partner; 2,000-4,000 words each; notarised in country of signing.
Financial evidence	Joint accounts, remittances, joint debts, insurance, wills.
Household evidence	Lease agreements, utility bills, joint travel, post-grant housing plans.
Social evidence	Wedding photographs, family event photographs, social media exhibits.
Commitment evidence	Communication logs, joint financial planning, future plans documentation.

Document Category	Items
Police certificates	Indian PCC and certificates for any country lived 12+ months since age 16.
Health examinations	Done after Department invitation; through approved panel doctor.
Translations	NAATI-certified translations of all non-English documents.

## Chapter 9 — Health, Character, and the Public Interest Criteria

The Public Interest Criteria are the gatekeepers that sit alongside the relationship test. You can have a perfectly genuine relationship and a perfect four-pillar application and still be refused if you do not meet the health or character requirements. This chapter explains what is being tested and what to do if you have a complication.

### PIC 4005 And PIC 4007 — The Health Requirement

Public Interest Criterion 4005 (and the alternative 4007, which allows health waivers in limited cases) requires the applicant to undergo health examinations and to not have a disease or condition that would:

- Be a threat to public health or public safety in Australia.
- Be likely to result in significant Australian government health expenditure.
- Be likely to prejudice the access of Australian citizens or PRs to health care or community services.

### The Health Examination Process

After your application is lodged, the Department will issue HAP IDs — Health Assessment Programme identifiers — for each applicant. The applicant takes these IDs to a panel doctor approved by the Department. In India, the major approved panel clinics include Bumrungrad, Apollo, Fortis, and Max Healthcare facilities in metropolitan centres. The full list of approved clinics is on the Department's website.

Standard health examinations include:

36. Medical examination by a panel physician — general health check.
37. Chest X-ray to screen for tuberculosis (mandatory for all applicants aged 11 and older from countries with high TB prevalence, which includes India).
38. HIV test for applicants aged 15 and older.
39. Hepatitis B test for pregnant applicants and applicants intending to work in healthcare.
40. Syphilis test in some cases.

Costs in India typically run AUD \$300 to \$600 per adult — INR 18,000 to 36,000 — and the examination takes one to three days depending on the clinic. Results are uploaded directly to the Department by the panel doctor; you do not need to forward them yourself.

### Health Conditions That Cause Concern

The Department uses a notional cost threshold to assess significant health expenditure — currently around AUD \$86,000 over the relevant evaluation period. Conditions that may exceed this threshold include:

- HIV infection — but with modern treatment, this is increasingly waived for partner visa applicants who have an Australian sponsor and can demonstrate access to private health support.
- Advanced cancer requiring ongoing treatment.
- End-stage organ disease.
- Significant intellectual disability requiring extensive support services.
- Active tuberculosis — must be treated before grant.

The PIC 4007 alternative health requirement, which applies to most partner visa applicants, allows the case officer to grant a health waiver if refusing the visa would cause undue hardship to the Australian sponsor. The waiver is discretionary and is granted in cases where the relationship is clearly genuine and the health concern, while above threshold, is manageable. If the applicant has a health condition above the threshold, get professional advice — this is one situation where a MARA agent is genuinely valuable.

## **PIC 4001, 4002, 4003 — The Character Requirement**

The character test is largely about criminal history. The applicant must provide police certificates for every country they have lived in for 12 or more months since age 16. The Indian Police Clearance Certificate is the primary requirement for Indian applicants and is obtained through:

- Passport Seva Kendra — your local passport office. Apply online at [passportindia.gov.in](https://passportindia.gov.in), book an appointment, attend with documents. Standard fee is INR 500 (current as of February 2026).
- Indian Embassy/Consulate if you are currently outside India and have an Indian passport.
- Police verification through the local police station for older PCC requirements.

Indian PCC validity is generally six months. Time your application so the PCC is valid when the case officer reviews your file — if the case officer requests fresh certificates, you will need to obtain new ones.

## **Convictions And The Character Test**

Section 501 of the Migration Act sets the character test. An applicant fails the character test if:

41. They have a substantial criminal record — defined as a sentence of imprisonment of 12 months or more, or multiple sentences totalling 12 months or more.
42. They have been convicted of an offence against immigration detention.
43. They are associated with persons reasonably suspected of being involved in criminal conduct.
44. There is a risk they will engage in criminal conduct in Australia.

Most Indian applicants have clean criminal histories. If you do have a conviction:

- Declare it. Concealment is character grounds for refusal in itself.
- Provide court documents, sentencing records, and a personal statement explaining the circumstances and what you have done since.
- Convictions for minor offences — minor traffic violations, public-order matters — are generally not character issues.
- Convictions for fraud, deception, sexual offences, or violence are more serious and may warrant migration agent involvement.

## **PIC 4019 And Other Specific Criteria**

PIC 4019 requires the applicant to make a statement confirming their commitment to Australian values — democracy, freedom, equality of the sexes, religious tolerance, the rule of law. The Australian Values Statement is a one-page document signed at the application stage. Read it, sign it, mean it.

Other Public Interest Criteria that may apply:

- PIC 4015 — debts to the Commonwealth. If you owe money to the Australian government from a previous matter, this can prevent grant. Resolve any debts before lodging.
- PIC 4020 — bogus documents and false information. Already discussed; the misrepresentation criterion.
- PIC 4001 — character test, discussed above.

## Chapter 10 — The 'Decision-Ready at Lodgement' Rule and the One-Shot Trap

Through 2024 and 2025, the Department of Home Affairs progressively tightened its expectations for partner visa applications. The change of practice — sometimes referred to as the "decision-ready at lodgement" rule — affects how you should prepare your application and how you should respond to requests during processing. This chapter explains the rule and how to operate under it.

### What The Rule Says

Under current Department guidance, partner visa applications are expected to be "decision-ready" at the moment of lodgement. This means:

45. All required evidence is uploaded with the initial application, not added piecemeal during processing.
46. Statutory declarations from both partners and from witnesses are included at lodgement.
47. Health examinations and police certificates are either uploaded with the application or are scheduled to be uploaded within a specified timeframe.
48. All forms are completed accurately at lodgement, with no missing sections or fields requiring follow-up.

The shift is significant because, historically, the Department would issue requests for further information (RFIs) to applicants whose files were incomplete, giving them an opportunity to supplement. Under the new approach, the Department reserves the right to refuse incomplete applications without first issuing an RFI. Some case officers still issue RFIs as a courtesy, but you cannot count on it.

### The One-Shot Trap

Even where an RFI is issued, the Department's guidance is that you should receive only one opportunity to supplement the application. This is the "one-shot" rule. If you receive an RFI:

- Respond comprehensively. Provide everything that addresses the case officer's concerns plus anything else that strengthens the application.
- Do not provide a minimal response in the hope of a follow-up RFI. There may not be one.
- Respond within the stated deadline. Extensions are sometimes granted but should not be assumed.
- Address every issue raised in the RFI. If the case officer asks four questions and you answer three, the application can be refused on the basis of the unanswered fourth.

### Why The Rule Exists

The Department's stated reason for tightening lodgement requirements is processing efficiency — incomplete applications consume case officer time on follow-up and slow the entire queue. The unstated reason, in some commentators' view, is to filter out marginal applications by raising the cost of failure. Either way, the practical effect is the same: prepare carefully before lodging, do not lodge while still gathering evidence.

## The Pre-Lodgement Audit

Before you lodge, conduct a written audit against the following checklist. If any item is not yet complete, do not lodge. Lodging an incomplete application to "get in the queue" is a costly error under the current rule.

### Applicant Identity And Documentation

- Passport with at least 18 months validity remaining.
- Indian PCC issued within the last 6 months.
- Police certificates from any other country lived 12+ months since age 16.
- Birth certificate or alternative identity evidence.
- Photographs — multiple recent passport-style images.

### Sponsor Identity And Documentation

- Australian passport or PR visa grant evidence.
- Driver's licence.
- Form 40SP completed and signed.
- Statement of sponsorship undertaking signed.

### Relationship Documentation

- Marriage certificate — apostilled and ready, OR de facto cohabitation/registration evidence.
- Joint financial evidence covering at least 6-12 months.
- Cohabitation evidence — current or planned.
- Social evidence — wedding photos, family event evidence.
- Form 888 statutory declarations — minimum 2.
- Both partners' statutory declarations — drafted, signed, notarised.

### Forms

- Form 47SP — every section completed.
- Form 40SP — every section completed.

- Form 80 — every section completed (if required).
- Form 1221 — if requested.

## Health

- HAP ID generated and panel doctor appointment scheduled, OR examinations already complete with results uploaded.

## Translations

- All non-English documents translated by NAATI-certified translator.
- Original documents and translations both included in the file.

## The Lodgement Itself

Partner visa applications are lodged through ImmiAccount, the Department's online portal. Practical lodgement tips:

- Use a desktop or laptop computer, not a phone. The file upload interface is difficult on mobile.
- Use a high-speed internet connection. Each document upload can take several minutes.
- Save your work frequently. ImmiAccount sessions time out.
- File documents in the named categories. Do not upload a single 500-page PDF; upload each document separately under the correct category.
- Use clear file names. "Joint\_NRE\_Statement\_Jan2024\_to\_Dec2024.pdf" is better than "document17.pdf".
- Check file size limits — generally 10MB per file. Compress large files if needed but maintain readability.
- Pay the fee using a credit card. The fee is currently AUD \$9,365 and is debited at the point of lodgement.
- Keep the lodgement receipt. You will receive an ImmiAccount confirmation; download and save it.

## After Lodgement — What To Expect And What To Do

Once you have lodged:

49. You will receive an Acknowledgement of Receipt by email within hours or days.
50. Your application is now in the queue. Processing has begun, even though the case officer has not yet been assigned.
51. Update your contact details promptly if anything changes. The Department contacts you only through the email address on the application unless you have set up alternatives.

52. Maintain the relationship. Continue building evidence — keep the joint accounts active, keep visiting, keep documenting. If the case officer reviews your file 18 months later, fresh evidence of an ongoing relationship strengthens your case.
53. Do not lodge a separate visitor visa to relocate to Australia while the partner visa is in process unless you have very specific reasons and have taken migration agent advice. The visa interaction is complex.

## Chapter 11 — From 309 to 100: The Two-Year Bridge and the Permanent Stage

When your Subclass 309 is granted, the journey is not over. You enter what many couples describe as the "middle waiting room" — you can live in Australia, work, study, and build a life, but you do not yet have permanent residence. The Subclass 100 grant is the goal. This chapter explains how to make the transition smoothly and what to do during the two years between the 309 grant and the 100 grant.

### The Date Your 100 Eligibility Begins

Your eligibility for the Subclass 100 begins approximately two years from the date you originally lodged the combined 309/100 application — not two years from the day your 309 was granted. So if you lodged on 1 March 2025 and your 309 was granted on 1 August 2026, you become eligible for the 100 on approximately 1 March 2027.

The Department will email you when you are approaching the eligibility date, but you should know your date independently. Mark it on your calendar. You may need to provide updated information at that point.

### What The Department Looks For At The 100 Stage

The 100 stage assessment is essentially: is the relationship still genuine and continuing? The four pillars apply at this stage too, but the bar is in some ways easier:

54. Most well-prepared 309 applicants have lived together in Australia for at least a year by the time the 100 is assessed. Cohabitation evidence is concrete rather than projected.
55. Joint financial evidence is now in Australian dollars in Australian accounts — straightforward to document.
56. Social acceptance has been built in Australia — Form 888 supplements (often informally now, sometimes formally requested) come from neighbours, employers, friends.

In some cases — particularly where the couple was in a "long-term relationship" at the time of lodgement, defined as a relationship of 3+ years or 2+ years with a dependent child — the Subclass 100 can be granted simultaneously with the Subclass 309 rather than requiring a separate two-year wait. Where the original application demonstrates a long-term relationship, ask explicitly for both stages to be considered at once. The Department does not always volunteer this.

### Updating The Department During The Two Years

During the two-year waiting period, you must notify the Department of:

- Any change of address.

- Any change of email or phone contact.
- Any change of name (for example, on marriage if you were de facto at lodgement).
- The birth of any children.
- Any separation, even temporary, from your sponsor.
- Any criminal charges or convictions, in Australia or overseas.
- Any new health conditions of significance.

Notification is through ImmiAccount or by writing to the Department. Keep copies of all notifications.

## Building Evidence During The Two Years

Even though the Department's question at the 100 stage is "is the relationship still genuine," you cannot answer that without ongoing evidence. During the two years:

57. Open joint bank accounts in Australia. Move salaries into joint accounts. Pay shared expenses from joint accounts.
58. Add your partner to your lease, your home insurance, your private health insurance, your car insurance, your superannuation beneficiary nominations.
59. Take joint photographs at significant events — birthdays, festivals, holidays, family gatherings in Australia.
60. Maintain correspondence — text messages, emails, video calls — that demonstrates an ongoing intimate relationship.
61. Get involved in joint activities — community groups, sports clubs, religious or cultural communities — that produce witnesses to your relationship.

## What If The Relationship Ends During The Two Years?

Sometimes the relationship genuinely does not survive the migration journey. If you separate from your sponsor between the 309 grant and the 100 assessment:

- You must notify the Department. Concealment is misrepresentation.
- Your 100 application is usually refused unless one of the exceptions applies (see Chapter 13).
- Your 309 visa remains valid until its expiry date — typically until the 100 is decided. You do not become unlawful immediately.
- You should obtain migration agent advice immediately. There are pathways — particularly if there is family violence, the death of the sponsor, or shared children — that allow the 100 to be granted notwithstanding the relationship breakdown.

Chapter 13 covers these special situations in more detail. The key message: even when the relationship has ended, you may still have a pathway to permanent residence. Do not give up without taking advice.

## **The 100 Grant**

When the Subclass 100 is granted, you receive a grant notification email and your permanent residence is effective. The 100 visa has an initial five-year travel facility — meaning you can leave and re-enter Australia freely for five years. After five years, you will need to apply for a Resident Return Visa (Subclass 155 or 157) to maintain your ability to travel internationally as a PR. Most permanent residents apply for the RRV well before the five-year mark.

With the Subclass 100 in hand:

- You can apply for Australian citizenship after you have met the residency requirements — generally 4 years of lawful residence, including at least 12 months as a PR.
- You can sponsor your own family members for various Australian visas.
- You can access the full range of Centrelink payments, subject to standard waiting periods.
- You have indefinite rights of residence in Australia, not contingent on your relationship continuing.

Plan your citizenship pathway now. We discuss settlement in Chapter 14.

## Chapter 12 — When Things Go Wrong: Refusals, AAT/ART Reviews, and Recovery

Refusals happen. Even strong applications occasionally produce refusal letters. The reasons vary — insufficient relationship evidence, sponsor problems, health or character concerns, or simply a case officer who reads the evidence differently. This chapter is about what to do if you receive a refusal — and how to position yourself for the strongest possible recovery.

### The Refusal Letter — What It Contains

A refusal letter from the Department typically contains:

62. The specific clause of the Migration Regulations under which the application was refused — for example, refusal on the basis that the case officer is not satisfied the relationship is genuine and continuing.
63. A summary of the evidence considered.
64. The case officer's reasoning — why the evidence was found insufficient.
65. Information about review rights.
66. The deadline for lodging a review application — typically 21 days for offshore applicants.

Read the refusal letter carefully. The reasoning section is the most important part — it tells you what the case officer saw as missing or unconvincing. This is the playbook for any review.

### Your Review Options

For partner visa refusals, the standard review pathway is to the Administrative Review Tribunal (ART) — formerly the Administrative Appeals Tribunal (AAT) — which replaced the AAT for new applications from October 2024. Key features:

- Offshore applicants do not have direct review rights to the ART. Their Australian sponsor (or another "affected person" in Australia) has the right to apply for review on the applicant's behalf. This is a procedural quirk of the offshore review pathway — the sponsor is the legally recognised party who can apply.
- The review application must be lodged within 21 days of the date of refusal (some categories allow longer; check the refusal letter for the specific deadline).
- The fee for ART review is currently around AUD \$3,496 for the Migration & Refugee Division. The fee is partially refundable if the review succeeds.
- The ART can affirm the refusal, set aside the refusal and substitute a different decision, or remit the application to the Department with directions for reconsideration.

ART review is not a redo — it is a review of whether the Department's decision was correct on the evidence. However, the ART can consider fresh evidence and fresh material that was not

before the Department, so a strong review application includes both an attack on the case officer's reasoning and a positive case for the genuineness of the relationship.

## Recent ART Outcomes On Partner Visa Refusals

Available data on AAT/ART partner visa review outcomes suggests:

- Around 30-40% of partner visa refusals are overturned at review — a significant proportion.
- Refusals on "relationship not genuine" grounds are more likely to be overturned than refusals on character or health grounds.
- The review process typically takes 12-24 months from lodgement to decision.
- Many applicants engage lawyers for ART reviews even if they handled the original application themselves. The legal complexity at review is higher.

### When To Withdraw And Reapply Instead

In some cases, a refused applicant is better off withdrawing the review and lodging a fresh application rather than going through the ART. This is particularly true if the refusal exposed weaknesses you can now fix — more cohabitation evidence, a registered relationship, additional Form 888s. A fresh application costs another AUD \$9,365 but resets the assessment with stronger evidence. ART review costs AUD \$3,496, takes 12-24 months, and may still fail. Get advice on which path is better for your specific facts.

## Common Refusal Grounds And How To Address Them

### Relationship Not Genuine And Continuing

The most common refusal ground. The case officer is not satisfied that the four pillars are met. Address by:

- Identifying which pillars the case officer considered weak.
- Providing supplementary evidence for those pillars, especially evidence from the period since the original application.
- Obtaining additional Form 888 statements from witnesses who can speak to the relationship's continuation.
- Demonstrating cohabitation, joint financial commitments, and joint social activities since the lodgement date.

### Sponsor Sponsorship Refused

If the sponsorship itself was refused on the sponsor's character or eligibility, recovery is harder. The sponsor's previous sponsorships, criminal history, or financial circumstances cannot be retroactively changed. Options:

- Compelling and compassionate circumstances submission — particularly if there are dependent children of the relationship in Australia.
- Wait out the cooldown period if the issue is the five-year rule.
- Resolve any outstanding character concerns before reapplying.

## Health Refusal

If a health condition exceeded the threshold, address by:

- Treatment of the condition, with medical evidence of changed cost projections.
- Health waiver submission — for partner visas under PIC 4007, the waiver discretion exists. Make the case that refusing would cause undue hardship.
- Specialist medical assessment refuting the original Medical Officer of the Commonwealth opinion.

## Character Refusal

If character was the issue, address by:

- Providing full details of any convictions and a statement of rehabilitation.
- Character references from employers, community leaders, professional contacts.
- Evidence of long-term integration and behaviour — clean conduct for many years since any prior offence.

## Misrepresentation Refusal (Section 4020)

If the refusal was on PIC 4020 misrepresentation grounds, the situation is most serious. The applicant faces a three-year exclusion period during which no partner visa can be lodged.

Recovery requires:

- Demonstrating that the misrepresentation was unintentional or immaterial.
- In some cases, demonstrating that compelling circumstances justify waiver of the exclusion.
- Otherwise, waiting out the three-year period and reapplying with absolute accuracy.

## The Schedule 3 Trap (Onshore Only)

Schedule 3 criteria apply to certain onshore applications where the applicant's substantive visa has expired or has certain conditions. Offshore (309/100) applicants do not face Schedule 3 — this is one of the structural advantages of the offshore pathway. If you are reading this and your onshore application has been refused on Schedule 3 grounds, the strongest recovery path is often a fresh 309/100 application after exiting Australia.

## Chapter 13 — Special Situations: Domestic Violence, Death of Sponsor, Children

The partner visa programme contains several provisions for situations where the relationship has ended but the applicant should not lose access to permanent residence. This chapter explains those provisions. Even if you do not currently face these situations, knowing they exist matters — circumstances change.

### Family And Domestic Violence Provisions

If the relationship ends because of family and domestic violence perpetrated by the sponsor, the applicant may still be granted the Subclass 100 even though the relationship has ended. The provisions exist because the Australian Parliament considered it unconscionable to leave a domestic violence victim with the choice between staying in an abusive relationship and losing migration status.

To access the family violence provisions:

67. The relationship must have been genuine at the time of the original 309 application — that is, the violence must have arisen during the relationship, not been a feature from the start.
68. The applicant must provide evidence of the family violence. Acceptable evidence includes a court order (apprehended violence order, protection order), police reports, statutory declarations from medical professionals or social workers, and the applicant's own statutory declaration.
69. The Department applies a specific evidentiary framework — historically called the "non-judicially determined claims of family violence" framework — which allows certified statements from qualified professionals (registered social workers, registered medical practitioners, registered psychologists, certain other professionals) to substantiate family violence claims.

Family violence in this context includes physical violence, sexual violence, emotional or psychological abuse, financial abuse, and coercive control. The threshold is not high. If you believe you have experienced family violence, contact a family violence service in Australia (1800RESPECT is the national hotline) and obtain professional certification of your circumstances.

#### **This Is Not Just A Loophole**

The family violence provisions are not a loophole and they are not abused as widely as some commentators suggest. The Department has a sophisticated assessment framework, and false claims are detected and penalised. If your relationship has been genuine but has become violent, these provisions exist to protect you and they are appropriate to use. If you

are reading this as an applicant currently experiencing violence, please contact 1800RESPECT (1800 737 732) for confidential support.

## Death Of The Sponsor

If the sponsor dies during the partner visa processing period, the applicant may still be granted the Subclass 100. The provisions apply where:

70. The relationship was genuine at the time of the sponsor's death.
71. The applicant has developed close business, cultural, or personal ties in Australia (this can include the relationship with the deceased sponsor's family, ongoing employment, community connections).
72. The applicant would have continued in the relationship had the sponsor not died.

Evidence required includes the sponsor's death certificate, evidence of the relationship's genuineness at the time of death, and evidence of the applicant's ties in Australia. The application is processed under a discretionary framework — the Department can grant the visa or refuse it, and most grants in these circumstances reflect the genuineness of the original relationship.

## Children Of The Relationship

If you and your sponsor have a child together — whether born before or during the partner visa processing — the child's existence is a powerful factor in the Department's assessment. Specifically:

- If the relationship ends but you and your sponsor have a child together, the Subclass 100 can be granted on the basis that you continue to share parental responsibility for the child.
- Even in family violence cases, the existence of children strengthens the family violence pathway, because the Department prioritises the welfare of children of Australian parents.
- Children should be included in the original application as dependent children of the applicant or of both partners. Adding children after lodgement is possible but more complex.

## Long-Term Relationship Grant — Skipping The Two-Year Wait

In some cases, the Subclass 100 can be granted at the same time as the Subclass 309 rather than two years later. The grounds:

73. The couple has been in a relationship for 3 or more years at the time of application.
74. The couple has been in a relationship for 2 or more years and has a dependent child at the time of application.

If either of these grounds applies, request the long-term relationship consideration explicitly in your application. The Department does not always volunteer this even when applicable. If you have been together for many years before lodging, do not let the Department default to the two-year temporary stage when permanent residence is available immediately.

## Health Waivers Under PIC 4007

Partner visas are among the visa classes where health waivers are available. If an applicant fails the standard health requirement (PIC 4005), the case officer can consider granting the visa anyway under PIC 4007 if the refusal would cause "undue hardship" to an Australian citizen, permanent resident, or eligible New Zealand citizen. Partner visa applicants almost always meet the hardship test because the sponsor would face the choice of separating from their partner or moving to another country.

The waiver is discretionary. It is more likely to be granted where:

- The relationship is clearly genuine and well-established.
- The health condition, while above threshold, is manageable in Australia.
- The applicant or sponsor can demonstrate access to private health resources to mitigate cost to the public system.
- The applicant has skills that may contribute economically to Australia.

If you have a health condition that may exceed the threshold, get migration agent and medical advice before lodgement. The waiver is more likely if you have a strategy presented at the start of the assessment rather than scrambling to make the case after a health refusal.

## Chapter 14 — The First 90 Days in Australia After Grant

Your visa is granted. You have packed your life into two suitcases. You land at Melbourne, Sydney, Brisbane, or Perth airport. Now what?

Many Indian applicants are so focused on getting the visa that they neglect the actual settlement. The first 90 days set the trajectory for everything that follows — your tax residency, your bank relationship, your employment trajectory, your Medicare access, your driving licence, your superannuation. This chapter is the settlement checklist.

### Week 1 — Immediate Priorities

#### Day 1 — Activation Of Visa

Your Subclass 309 is electronic — there is no visa label in your passport. When you land in Australia, the immigration officer scans your passport, sees the 309 attached, and waves you through. No special action is required.

#### Days 1-3 — Medicare Enrolment

As soon as you have arrived, enrol in Medicare at a Services Australia office. Bring your passport, your visa grant notification, and proof of Australian address (your sponsor's lease or utility bill is fine while you do not yet have your own). The interim Medicare card is issued the same day; the permanent card arrives by post in two to three weeks.

#### Days 1-7 — Tax File Number (TFN)

Apply for a TFN through the Australian Taxation Office website. The application is online, free, and the TFN arrives by post in two to four weeks. You cannot start work in Australia without a TFN — or rather, you can, but you will be taxed at the maximum marginal rate until you provide one to your employer.

#### Days 1-7 — Australian Bank Account

Open an Australian bank account in your own name or joint with your sponsor. The Big Four (Commonwealth Bank, Westpac, ANZ, NAB) are widely accepted; ING, Bankwest, and Macquarie are also common choices. You will need your passport, visa evidence, and Australian address. Many banks allow you to open the account before arrival through their migrant-banking programmes — Commonwealth Bank's Migrant Banking, ANZ's Welcome to Australia, and equivalents at Westpac and NAB.

## Weeks 2-4 — Building Australian Identity

### Driver's Licence

Convert your Indian driving licence to an Australian licence. Each state has its own process. Generally:

- New South Wales — Service NSW conversion process. Practical and theory tests usually required for non-experienced drivers, but Indian licences are recognised for conversion.
- Victoria — VicRoads conversion. Similar process.
- Queensland — Transport and Main Roads conversion.
- Western Australia, South Australia, Tasmania, ACT, NT — each has its own road authority with conversion procedures.

Until you have an Australian licence, your Indian licence is valid for up to three months from arrival in most states. Get the conversion done within that window.

### Superannuation

When you start your first Australian job, your employer will require you to nominate a superannuation fund. Australian superannuation is compulsory retirement savings — currently 11.5% of your gross wage is paid by the employer into your nominated fund. Choose a fund carefully:

- Industry super funds (AustralianSuper, Cbus, HESTA, Aware Super) have low fees and decent long-term performance.
- Retail super funds offered by banks tend to have higher fees.
- Self-managed super is generally not appropriate for new migrants.

Add your sponsor as the beneficiary of your super. This is one of the strongest financial commitment markers for the 100 stage assessment.

### Mobile Phone, Internet, Utilities

Switch from international roaming to an Australian mobile plan within the first two weeks. Major providers are Telstra, Optus, Vodafone, plus MVNOs (Aldi Mobile, Belong, Boost). Plans are inexpensive compared to many countries — around AUD \$20-50 per month for unlimited calls and reasonable data.

## Days 30-90 — Finding Your Footing

### Employment

Australian employment is one of the largest adjustment areas for Indian migrants. Key points:

- Australian resumes are typically 2-3 pages, written in plain English, with reverse-chronological work history. Indian-style resumes with multiple pages of educational details and family information are not appropriate.
- Cover letters are expected and important. Australian employers read them.
- Networking is critical. Industry meetups, LinkedIn, professional associations are more important than blast applications.
- Recognition of overseas qualifications varies by profession. For some professions (medicine, dentistry, engineering, accounting, IT), formal recognition processes apply. Start the recognition process during the 309 processing period if possible.

## Housing

If you are moving into your sponsor's existing home, transitioning is straightforward — add yourself to the lease or to the title. If you are starting a new lease together, both names should be on the rental agreement. Australian rental processes are competitive in major cities:

- Rental applications require a substantial information package — employment, references, identity.
- Bond is typically 4 weeks' rent, paid to the relevant state Rental Bond authority.
- Inspections often have many competing applicants. Lodge your application immediately after inspection.

## Centrelink

As a Subclass 309 holder, you have limited Centrelink access during the temporary stage. Specifically:

- Family Tax Benefit may be available depending on your circumstances and waiting periods.
- Most other working-age payments (JobSeeker, etc.) require completion of a Newly Arrived Resident Waiting Period — currently four years from grant of any temporary or permanent visa.
- Once your Subclass 100 is granted, the standard waiting periods for permanent residents apply, which are still significant for most payments.

## Driving Licence Photos And Personal Identity

Once you have your driver's licence and Medicare card, you have established Australian identity. Use these together to access services that require formal ID — opening additional bank accounts, signing leases, accessing government services.

## Beyond 90 Days — The Citizenship Pathway

Citizenship is the long-term horizon. You can apply for Australian citizenship by conferral once you have:

75. Been a permanent resident for at least 12 months.
76. Been lawfully residing in Australia for at least 4 years immediately before the application, with no more than 12 months total time outside Australia during that 4-year period, and no more than 90 days outside Australia during the 12 months immediately before the application.
77. Met the character requirement.
78. Passed the citizenship test (for most applicants aged 18-59).
79. Satisfied the Department that you intend to reside in Australia or maintain a close and continuing association with Australia.

In practice, partner visa holders typically apply for citizenship around 4 years after their 309 grant — sometimes a bit later, depending on travel patterns. The Subclass 100 grant itself counts toward citizenship eligibility, but the 309 period does too as lawful residence.

## Cultural Adjustment And Mental Health

The first 90 days are exciting but also disorienting. Common challenges:

- Climate adjustment — Australian summer heat in January, surprisingly cold Sydney winters.
- Food — Indian groceries are widely available in major cities; smaller cities require planning.
- Family separation — being away from extended family is harder than expected for most migrants.
- Workplace culture — Australian workplaces are more egalitarian and less hierarchical than typical Indian workplaces, which can be liberating but also confusing initially.
- Social isolation — the sponsor's existing network is initially the only network. Building independent connections takes 6-18 months.

If you find yourself struggling, reach out. Major cities have Indian community organisations, religious congregations, and informal networks. The federal government's Lifeline (13 11 14) offers free mental health support, including support in many community languages.

## Chapter 14B — Practitioner Insights and Chapter Action Lists

This chapter consolidates two things: (1) a set of “Candid Reality” and “Key Metrics” notes that compress senior practitioner thinking into short, memorable boxes, and (2) end-of-chapter Action Lists for the eight most operationally important chapters in this book. Treat this as a reference chapter rather than a reading chapter — return to it after you have read each substantive chapter and turn the principles into specific, dated tasks.

### Candid Realities From Twenty-Five Years Of Practice

Readers value bluntness from someone who has seen too many avoidable refusals. The following Candid Reality boxes summarise the most consequential truths about Indian-context partner visa applications. They are deliberately direct.

#### **Candid Reality 1: The “Easier Pathway” Misconception**

If you are applying for a partner visa primarily because someone has told you it is easier than skilled migration, stop. The four-pillar test is not easier; it is different. A skilled migration applicant either has the points or does not. A partner visa applicant has to prove, across a 14–26 month process, that their relationship is one of two real people who genuinely chose each other. Engineering that proof is harder than studying for IELTS. The cost of getting it wrong is a 4020 misrepresentation refusal and a three-year exclusion.

#### **Candid Reality 2: Thin Arranged-Marriage Files**

A thin arranged-marriage file lodged two months after the wedding is not romantic; it is high-risk, high-cost, and usually unnecessary. The Department understands arranged marriage perfectly well — it sees thousands of them every year. What it cannot read is a file with only the wedding album, no financial co-mingling, and no Form 888 witnesses who have met both partners. If your wedding was recent, wait six to twelve months. Build the file. Lodge with strength.

#### **Candid Reality 3: The Sponsor Who Will Not Engage**

If your Australian-side partner treats this application as something you are doing while they sign Form 40SP, you have a structural problem before lodgement. The sponsor’s declaration, sponsor’s financial activity, sponsor’s Form 888 witnesses, and sponsor’s

honest engagement with the family integration narrative are half the file. A disengaged sponsor produces a 50% application. Address this before paying AUD \$9,365.

#### **Candid Reality 4: The DIY Application Beyond Capacity**

DIY works for clean, straightforward cases. It fails for cases with health issues, character history, prior refusals, family violence, or significant relationship complications. If your case is in the second category and you cannot afford full MARA agent representation, get at least one paid consultation — most senior MARA agents will spend an hour with you for AUD \$250–500. That one hour can prevent a refused application costing AUD \$9,365 to repeat.

#### **Candid Reality 5: The “We’re Sure It’s Fine” Trap**

Couples who are confident their relationship is genuine often under-document, on the reasoning that “it’s real, the case officer will see that.” The case officer cannot see anything they have not been shown. They have never met you. They will never speak to you. They decide on paper. A genuine relationship presented in seventeen documents will sometimes be refused; a genuine relationship presented in eighty curated documents almost never will be. Documentation is the language of the partner visa system. Speak it fluently.

#### **Candid Reality 6: The 4020 Minefield**

Migration Regulation 4020 imposes a three-year exclusion period for bogus documents or false information. The threshold for “false information” is lower than people assume. An undeclared previous visa refusal — even one to a third country, even one from years ago — can trigger 4020. A date inconsistency between your Form 47SP and your statutory declaration can trigger 4020. The 4020 exclusion applies to all visa classes, not just the partner visa. The defence is disclosure, not concealment. When you encounter something uncomfortable in your history, declare it and explain it. Never hide it.

### **Key Metrics — The Numbers Worth Memorising**

Across the book, the same key numbers appear repeatedly. They are worth memorising because they shape every operational decision — whether to lodge now or wait, whether to spend on agent representation, what to budget for. The metrics below are current as at February 2026; verify them at official sources before relying on them.

Metric	Value (Feb 2026)	Implication For Your Planning
Subclass 309/100 application fee	AUD \$9,365 (FY 2025–26)	Non-refundable. Revised annually 1 July.
Health examination cost (per adult)	AUD \$300–600 / INR 18,000–36,000	Plus retesting fees if requested.
Indian PCC fee	INR 500–2,000	Validity 6 months — time the lodgement.
NAATI translation (per document)	AUD \$30–150	Required for all non-English documents.
Subclass 309 processing time	14–26 months	75th percentile for most applicants.
Subclass 100 processing time	+12–24 months after 309	Eligibility from ~2 years post-lodgement.
Total visa journey to PR	23–32+ months	Plan for 2–4 years.
Subclass 309/100 refusal rate	~8%	Lower than skilled visa categories.
Subclass 300 (PMV) refusal rate	~22%	Higher — reflects evidence stage at lodgement.
ART overturn rate on partner visa refusals	~30–40%	Significant proportion overturned at review.
ART review filing fee	~AUD \$3,496	Partially refundable on success.
Sponsorship lifetime limit	2 prior sponsorships	Hard limit absent compelling circumstances.
Sponsorship cooldown after prior sponsorship	5 years	Hard limit absent compelling circumstances.
De facto cohabitation requirement	12 months	Bypassed by state Relationships Register.
Form 888 minimum count	2	Strong applications use 3–4 from diverse sources.
Statutory declaration length	2,500–3,500 words	Less is thin; more is usually padding.
MARA agent fee for full representation	AUD \$3,000–7,000	Sydney/Melbourne ranges; cheaper online.
Strategy consultation with MARA agent	AUD \$250–500 per hour	Worth paying for if any complication exists.
Long-term relationship threshold for direct 100	3+ years OR 2+ years with child	Request simultaneous 100 grant explicitly.
NJW exclusion period under PIC 4020	3 years	All visa classes.

Metric	Value (Feb 2026)	Implication For Your Planning
Citizenship eligibility (after PR)	4 years residence, 12 months as PR	Plus 90/12 month travel rule.

## Decision-Ready Lodgement: Law Vs Practice

Chapter 10 covers the decision-ready rule. The senior practitioner refinement to that chapter is the distinction between what the legislation requires and what current Departmental practice expects — they are not the same thing, and applicants benefit from understanding both.

### What The Legislation Actually Requires

The Migration Act 1958 and the Migration Regulations 1994 set the legal framework. The core legal requirements at lodgement are:

- A valid application — the form is correctly completed, lodged in the prescribed manner, and the fee is paid.
- The applicant meets the visa criteria as at the time of decision (some criteria can be met after lodgement).
- Procedural fairness obligations — the Department must give the applicant an opportunity to respond to adverse information in some circumstances before making a refusal decision.
- Public interest criteria assessment — character, health, etc.

The legislation does not require the application file to be “complete” in any specific sense at lodgement. It requires the application to be valid and the criteria to be met by the time of decision.

### What Current Departmental Policy And Practice Expects

Departmental policy and practice, applied through case officer training and processing guidance, has tightened over recent years to expect:

- All required evidence uploaded at lodgement, not in piecemeal supplements.
- Forms accurately completed at lodgement, with no gaps requiring follow-up.
- Limited use of RFIs — case officers may refuse incomplete applications without first issuing an RFI.
- Where an RFI is issued, a single comprehensive response is expected; follow-up RFIs are uncommon.

### The Practitioner’s Strategic Takeaway

The legislation gives you legal entitlements (procedural fairness, the right to respond to adverse information in defined circumstances). Departmental practice expects a higher standard at lodgement (decision-ready completeness). Operate to the higher standard — it is faster, cheaper,

and more reliable than relying on legal entitlements that depend on individual case officer behaviour.

### **When The Higher Standard Matters**

If your application is refused without an RFI on the basis of incompleteness, you may have grounds to argue at the ART that procedural fairness was breached. This is a legal argument best made by a lawyer with immigration practising rights. But the point of decision-ready lodgement is to never need such an argument. Build complete; lodge complete; avoid the procedural fairness debate entirely.

## **A Vignette On Section 4020 — The “Harmless” Inconsistency**

To illustrate how Section 4020 reaches further than most applicants expect, consider this composite vignette — anonymised, with details adjusted, but drawn from a real pattern of cases.

Kapil and Smita married in Bangalore in early 2024. They lodged their Subclass 309/100 application in late 2024 with what they believed was a strong, honest file. Six months later, an RFI arrived asking Kapil to explain a discrepancy: his Form 47SP declared no prior visa refusals, but the Department’s cross-checking had found a US tourist visa refusal in 2019, when Kapil had been a fresh graduate trying to attend a friend’s wedding.

Kapil had simply forgotten the 2019 refusal. He had moved on, completed an MBA, built a career, and the long-ago US visa refusal had not crossed his mind when completing Form 47SP. He responded to the RFI honestly, attaching the US embassy refusal letter and explaining the oversight. He apologised for the omission. He provided supplementary evidence of the relationship’s genuineness.

The Department refused the application on PIC 4020 grounds. The reasoning: the Form 47SP question about prior visa refusals was clear and unambiguous. The applicant had answered “No” when the correct answer was “Yes.” Whether the omission was deliberate or accidental, it was a false statement on a visa application form. The three-year exclusion period applied.

Kapil engaged a lawyer for ART review. The lawyer argued lack of intent to deceive, the immateriality of the 2019 refusal (which was on financial grounds and unrelated to the partner visa criteria), and the proportionality of the consequence. After fourteen months, the ART set aside the refusal and remitted the application. The visa was eventually granted at month 38 from original lodgement.

The lessons:

80. Section 4020 reaches every prior visa refusal anywhere in the world, every prior cancellation, every prior overstay, every prior immigration breach. Disclose them all.
81. Form 47SP and Form 80 are cross-referenced against Departmental databases. A failure to disclose is detected; concealment compounds the problem.

82. The defence is not minimising the prior issue — it is full disclosure with proper context.
83. Recovery is possible but expensive and slow. The lawyer's fees plus the additional 18 months of waiting plus the emotional toll of a refused application are all costs that could have been avoided with five extra minutes of memory and disclosure at lodgement.

## Sponsor Character And Offences — Beyond The Basic Rules

Chapter 3 covers sponsor character at a general level. The senior practitioner refinement covers two specific nuances.

### Nuance 1: Registrable Offences And Mandatory Disclosure

Since 2016, sponsors of partner visas have been required to consent to disclosure of certain registrable offences to the visa applicant. The registrable offences include broadly:

- Sexual offences involving adults.
- Child offences — sexual abuse, exploitation, harm.
- Violent offences — particularly involving family members.
- Other offences the Minister has determined to be registrable for sponsorship purposes.

If a sponsor has any registrable offence, the Department will disclose this to the visa applicant during the application process. The applicant's reaction to this disclosure can affect the application — if the applicant withdraws on the basis of the disclosure, the application is refused. If the applicant continues, the case officer may still refuse the sponsorship on overall character grounds.

### Nuance 2: Discretionary Refusal Even Where The Sponsor “Passes”

Even when a sponsor's offences do not trigger automatic refusal, the case officer retains discretion to refuse the sponsorship on broader risk assessment grounds. Factors considered include:

- The number and seriousness of any offences.
- The time elapsed since the offences and evidence of rehabilitation.
- The relationship between the offences and the welfare of the proposed applicant or any children of the relationship.
- Any pattern of behaviour indicating risk to the applicant.

A sponsor with a single drink-driving conviction from a decade ago is in a different position from a sponsor with three convictions for assault occasioning bodily harm in the past five years. The character test framework applies, but the case officer's assessment is holistic.

For sponsors with any character history, the strategic approach is full disclosure plus evidence of rehabilitation, time elapsed, and current good character. A character reference from an employer of five years, a clean recent police certificate, and a personal statement explaining circumstances

and reflection on the offence collectively counter risk concerns. This work is best done with migration agent input.

## ART Review Strategy — Choosing Between Review And Fresh Application

Chapter 12 discusses both options at a general level. The practitioner-level decision framework is:

### Choose ART Review When

- The refusal contains a clear legal or factual error in reasoning that an ART member can identify and correct.
- Fresh evidence is available that materially addresses the case officer's concerns.
- The relationship's genuineness was clearly established at lodgement and the case officer's adverse weighing of the evidence is open to challenge.
- Time is not critical and you can wait 12–24 months for the ART decision.
- The cost differential matters — ART filing fee around AUD \$3,496 versus fresh application AUD \$9,365.
- You want to preserve your existing application history rather than start fresh.

### Choose Fresh Application When

- The refusal exposed a fundamental weakness you can now fix — more cohabitation, more financial co-mingling, more witnesses, registered relationship.
- The relationship has substantially strengthened since lodgement (child born, joint property purchased, more visits).
- The original application was lodged prematurely (e.g. arranged marriage with insufficient post-wedding evidence) and you now have the additional time elapsed.
- ART review is unlikely to overturn the specific refusal grounds (e.g. weak evidence across all four pillars).
- You want to reset and present a strengthened case rather than defend the original.

### Worked Example — ART Better

#### Example: ART Better Than Fresh Application

A couple with strong four-pillar evidence is refused because the case officer interpreted a six-month communication gap (during which one partner cared for a dying parent in another city) as evidence of relationship breakdown. The applicants provide hospital records, family statements, and the deceased parent's death certificate, demonstrating the gap was caused by external circumstances, not relationship breakdown. The ART has fresh evidence and a

clear factual error to correct. Review is the right strategy. Estimated time to grant: 12–18 months. Estimated cost: AUD \$3,500 ART fee plus AUD \$5,000–7,000 in legal fees.

## Worked Example — Fresh Application Better

### Example: Fresh Application Better Than ART

A couple in an arranged marriage lodged two months after the wedding is refused on the basis of insufficient relationship development. The case officer's reasoning is defensible — there genuinely was very little post-wedding evidence at lodgement. By the time of refusal (14 months later), the couple has accumulated significant evidence: 14 months of joint accounts, multiple visits, three Form 888 witnesses now available, registered relationship. ART would face the same lack of post-wedding evidence as at lodgement. Fresh application starts from the strengthened current position. Estimated cost: AUD \$9,365 + agent fees. Estimated time: 14–26 months for the new 309 stage.

## End-Of-Chapter Action Lists For Core Chapters

Each of the following lists corresponds to one of the eight most operationally important chapters. Read the chapter first; then return here and complete the actions in order, with specific dates assigned.

### Action List: After Chapter 2 (Eligibility) — Threshold Confirmation

84. Confirm your sponsor's Australian citizenship/PR/eligible NZ citizen status. Document copy obtained: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
85. Confirm both partners are 18+ and free to marry each other. Divorce decrees obtained for any prior marriages: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
86. Confirm your relationship type. Marriage certificate filed: \_\_\_\_; OR 12 months cohabitation documented: \_\_\_\_; OR state Relationships Register applied to: \_\_\_\_.
87. Run sponsor history check — prior sponsorships? Within 5-year cooldown? Lifetime 2 sponsorships? Date completed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
88. Confirm budget available — AUD \$10,000–11,000 minimum, more if engaging an agent. Source identified: \_\_\_\_\_

### Action List: After Chapter 3 (The Sponsor) — Sponsor Self-Audit

89. Sponsor reads Chapter 3 personally (not just the applicant): yes / no.
90. Sponsor declares prior sponsorships, if any, to applicant: yes / no.
91. Sponsor declares criminal history, if any, to applicant: yes / no.
92. Sponsor obtains Australian police certificate (if relevant): yes / no.

- 93. Sponsor begins drafting Form 40SP (does not sign yet): yes / no.
- 94. Sponsor begins drafting their own statutory declaration (not the applicant's): yes / no.

**Action List: After Chapter 5 (Four Pillars) — Evidence Inventory**

- 95. Open Appendix A (Relationship Timeline Template). Fill in by both partners together.
- 96. Open Appendix B (Financial Summary Sheet). Inventory all current joint financial evidence.
- 97. Identify gaps in each pillar. List the gaps:
- 98. Financial pillar gap: \_\_\_\_\_
- 99. Household pillar gap: \_\_\_\_\_
- 100. Social pillar gap: \_\_\_\_\_
- 101. Commitment pillar gap: \_\_\_\_\_
- 102. Set a target date for each gap to be addressed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Action List: After Chapter 7 (Household, Social, Commitment) — Form 888 Strategy**

- 103. Identify 4–5 potential Form 888 declarants. Names:
- 104. Declarant 1: \_\_\_\_\_ (relationship to couple):  
\_\_\_\_\_
- 105. Declarant 2: \_\_\_\_\_ (relationship to couple):  
\_\_\_\_\_
- 106. Declarant 3: \_\_\_\_\_ (relationship to couple):  
\_\_\_\_\_
- 107. Declarant 4: \_\_\_\_\_ (relationship to couple):  
\_\_\_\_\_
- 108. Confirm each declarant is an Australian citizen or PR over 18: yes / yes / yes / yes.
- 109. Confirm each declarant has personally observed the relationship (not just heard about it): yes / yes / yes / yes.
- 110. Brief each declarant using Appendix C (Form 888 Prep Sheet). Date briefed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 111. Set deadline for completed Form 888 declarations: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Action List: After Chapter 8 (Forms) — Form Preparation Block**

- 112. Block out a long weekend (3 days) for forms: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ to \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 113. Form 47SP — applicant complete every section: yes / no.
- 114. Form 40SP — sponsor complete every section: yes / no.

- 115. Form 80 — applicant complete every section (10-year history): yes / no.
- 116. Cross-check dates between forms and statutory declarations: yes / no.
- 117. Verify no field marked “not applicable” when it should be blank or zero: yes / no.

**Action List: After Chapter 9 (Health & Character) — Health & Character Sprint**

- 118. Indian PCC application submitted at Passport Seva Kendra: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 119. Police certificates from other countries (if applicable) ordered: yes / no.
- 120. Approved panel doctor identified for health examination: \_\_\_\_\_
- 121. Health examination booked for after lodgement: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 122. Form 80 completion includes full 10-year history: yes / no.
- 123. Any health condition above threshold identified — engage MARA agent: yes / no.
- 124. Any character history identified — prepare statement of context: yes / no.

**Action List: After Chapter 10 (Decision-Ready) — Pre-Lodgement Audit**

- 125. Run the complete pre-lodgement checklist from Chapter 10: every box ticked.
- 126. Third-party review of the application (agent, lawyer, or trusted reviewer): \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 127. Master document index prepared (Appendix F): yes / no.
- 128. Cover letter drafted (1–2 pages): yes / no.
- 129. Lodgement target date set: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 130. Health examination scheduled for week after lodgement: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 131. AUD \$9,365 fee available in the sponsor’s nominated payment account: yes / no.

**Action List: After Chapter 12 (Refusals) — If Adverse Communication Arrives**

- 132. Identify the document type (RFI / Natural Justice / Refusal): \_\_\_\_\_
- 133. Note the deadline. Mark calendar: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 134. Engage MARA agent or lawyer (almost always advised): contact made \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 135. Open Appendix G (Refusal or RFI Decision Tree) and work through the steps.
- 136. If a Natural Justice letter: respond with full evidence within 28-day deadline.
- 137. If a refusal: decide ART review vs fresh application within 21 days.

**Closing Note On Action Lists**

Reading without doing is a thin form of preparation. The action lists above are intentionally specific — with dates and yes/no boxes — because immigration matters are made of completed tasks, not understood concepts. Print this chapter, post it on the wall above the desk where you work on

your application, and tick the boxes one by one. By the time every box is ticked, you have a strong application.

## Chapter 15 — Ten Case Studies From The Indian Partner Visa Practice

Theory is useful. Examples are essential. The case studies in this chapter are composites — drawn from twenty-five years of consultations with Indian families pursuing Australian partner visas, with names and identifying details changed. Each illustrates a specific situation, the strategy that worked, and the lesson generalisable to similar cases.

### Case Study 1 — The Arranged Marriage Lodged Too Soon

Sneha and Vikram had a textbook arranged marriage. Both families in Pune. Both engineering graduates. Roka in March 2024, engagement in June 2024, wedding in December 2024. They lodged a Subclass 309/100 application in February 2025 — eight weeks after the wedding. The application was refused fourteen months later. The case officer's reasoning: the relationship was too new to be "genuine and continuing" given the limited cohabitation and the short post-wedding evidence period.

Strategy on review: rather than going to the AAT, Sneha and Vikram withdrew their review and lodged a fresh application in late 2026 — two years after the wedding. The fresh application included joint bank account history, three visits Vikram had made to India, two visits Sneha had made to Australia on visitor visas, Form 888 declarations from Australian colleagues who had met Sneha during her visits, and detailed statutory declarations describing the arranged marriage process from initial introduction through wedding.

Outcome: the fresh application was granted in eighteen months. Total cost: two application fees totalling about AUD \$18,700. Total time: nearly four years from original lodgement. The lesson: a recently-arranged marriage needs at least eighteen to twenty-four months of post-wedding evidence before lodging. Lodging too soon costs more in the long run.

### Case Study 2 — The De Facto Couple Without Cohabitation Records

Aman and Priya had lived together in Bangalore for nineteen months in 2023 and 2024 before Priya moved to Sydney for work in late 2024. They wanted to apply as de facto partners, but their cohabitation had been informal. They had no joint lease — Aman's name was on the apartment because Indian landlords in Bangalore are cautious about leasing to unmarried couples. They had no joint accounts. Their utility bills were in Aman's name.

Strategy on lodgement: they registered their relationship in New South Wales (where Priya was now resident) before lodging. The NSW Relationships Register issued a certificate within six weeks. They lodged with the registration certificate as the primary cohabitation evidence, supported by:

- Photographs from the apartment dated and located via metadata.

- Statutory declarations from Aman's parents and Priya's mother attesting to the cohabitation.
- Communication logs showing daily calls from the same Bangalore Wi-Fi network.
- Restaurant receipts and delivery orders consistently to the same Bangalore address.

Outcome: granted at 16 months. Lesson: state relationship registration is a powerful shortcut when traditional cohabitation evidence is weak. NSW, Victoria, Queensland, Tasmania, and ACT all maintain registers; QLD requires both parties in person, the others allow remote registration.

### **Case Study 3 — The Long-Term Relationship That Was Granted PR Immediately**

Kavita and Sanjay had been together since 2018 — a love marriage in Mumbai in 2020 with two children born in 2021 and 2023. Sanjay moved to Melbourne in 2022 on a 482 work visa. Kavita and the children remained in Mumbai because Sanjay's parents were unwell. By 2025, Sanjay had been granted PR through his employer and the family decided to reunite in Australia.

Strategy: explicit request in the application for long-term relationship consideration under the simultaneous 100 grant provisions. Evidence package included:

- Five years of marriage certificates, joint bank accounts (Indian and NRE), and shared property ownership.
- Birth certificates of both children naming both parents.
- Sanjay's annual visits to Mumbai, documented with passport stamps and family photographs.
- Kavita's two visits to Melbourne on visitor visas, with cohabitation evidence.

Outcome: the case officer granted both the 309 and 100 simultaneously at the eleven-month mark — bypassing the standard two-year wait because the relationship had lasted more than three years and the couple had dependent children. The whole family entered Australia as permanent residents on day one. Lesson: long-term relationships with children should explicitly request simultaneous 100 consideration. The Department does not always volunteer this even when the criteria are met.

### **Case Study 4 — The Sponsor With A Prior Sponsorship**

Rakesh, an Australian citizen of Indian origin, married Geeta in Hyderabad in 2024. Rakesh had been previously married to an Australian citizen who he had sponsored as a partner visa applicant in 2014 — that marriage had ended in divorce in 2018. Rakesh was within the five-year sponsorship cooldown when he initially wanted to lodge for Geeta, but the cooldown expired in late 2024.

Strategy: Rakesh fully disclosed his prior sponsorship and divorce on Form 40SP. Geeta's Form 47SP also referenced the prior marriage in the relevant section. The couple included a brief

statement explaining the prior marriage circumstances and how the current relationship differed (longer duration before marriage, family acceptance from both sides, shared career goals).

Outcome: granted at 17 months. Lesson: prior sponsorships are not fatal. Concealment is fatal. Disclose, contextualise, and move on.

## **Case Study 5 — The Same-Sex Couple With Hidden Relationship History**

Arjun and Rohan had been in a relationship for six years in Mumbai. Rohan was Indian-born; Arjun had become an Australian PR through skilled migration in 2021. Their relationship was unknown to their families — both came from conservative families that would not have accepted it. The lack of social acknowledgement was a serious gap in the partner visa context.

Strategy: they built the social pillar through chosen-family witnesses — three close friends in Mumbai who knew the relationship, two Australian friends Arjun had introduced Rohan to during visits, and an Indian LGBTQ+ community organisation that had supported them. Form 888 declarations came from the two Australian friends. They documented:

- Joint travel to Thailand and Sri Lanka, where they could be openly affectionate and were photographed by friends.
- Joint financial life through a shared Indian bank account opened in 2022.
- Six years of WhatsApp messages, with a curated selection of three months' communication submitted as evidence.
- A statutory declaration from each partner explaining the cultural context of family non-disclosure.

Outcome: granted at 19 months with no RFI. Lesson: same-sex couples from conservative backgrounds can build a strong social pillar through chosen family. The Department understands that family acceptance is not universally available and assesses social evidence accordingly.

## **Case Study 6 — The Health Condition That Required A Waiver**

Meera, a thirty-two-year-old applicant from Chennai, was HIV-positive — diagnosed in 2018 and on stable antiretroviral therapy. Her sponsor was an Australian citizen she had married in 2024. The health examination flagged the condition and triggered a Medical Officer of the Commonwealth opinion that the projected lifetime health cost exceeded the threshold.

Strategy: rather than waiting for refusal, the couple proactively engaged a MARA-registered migration agent who prepared a PIC 4007 health waiver submission. The submission included:

- Medical evidence of stable health, normal CD4 count, and undetectable viral load.
- Evidence of private health insurance cover for the applicant in Australia.
- Statement of the hardship that refusal would impose on the Australian sponsor.

- Comparable case decisions where waivers had been granted for HIV-positive partner visa applicants.

Outcome: waiver granted; visa granted at 26 months. Lesson: PIC 4007 waivers exist precisely for this situation. Engage a migration agent when health is a factor — the submission needs to be carefully constructed and is one of the strongest reasons to pay for professional representation.

## Case Study 7 — The Sponsor's Death During Processing

Ranjit, an Australian citizen, had sponsored his Indian wife Pooja under the 309/100 in early 2024. They had been married for three years and had a one-year-old son. In late 2025, twenty months into processing, Ranjit died unexpectedly. Pooja and the child were still in India.

Strategy: Pooja immediately notified the Department of Ranjit's death, providing the death certificate. She also provided:

- Evidence of the genuineness of the relationship at the time of death — recent photographs, communication, financial co-mingling continuing through 2025.
- Evidence of her ties to Australia — Ranjit's parents living in Sydney, an established support network awaiting her arrival, her own engineering qualifications recognised by Engineers Australia.
- Statement of intention to settle in Australia with her child near Ranjit's family.

Outcome: granted under the death-of-sponsor provisions at 28 months from original lodgement.

Lesson: the death of a sponsor does not end the application. The Department's discretionary framework can deliver permanent residence if the underlying relationship was genuine.

## Case Study 8 — The Family Violence Pathway

Nisha was granted her Subclass 309 in 2024 and moved to Sydney to join her sponsor Vikram. Within six months of arrival, Vikram became increasingly controlling and, in early 2025, physically abusive. Nisha left the relationship and sought help from 1800RESPECT.

Strategy: with social work support, Nisha applied for the family violence provisions under the partner visa programme. She submitted:

- A NSW Apprehended Domestic Violence Order obtained against Vikram.
- Police incident reports from two reported incidents.
- A registered social worker's certified statement under the prescribed framework.
- Her own detailed statutory declaration of the relationship and the violence.
- Evidence the underlying relationship had been genuine — wedding photographs, joint accounts from before the violence began, family Form 888s from before the breakdown.

Outcome: Subclass 100 granted under the family violence provisions at 30 months from original lodgement, notwithstanding the relationship breakdown. Lesson: family violence provisions are

an important safety net. If you are an applicant currently experiencing violence, contact 1800RESPECT (1800 737 732) for confidential support that includes immigration advice referrals.

## Case Study 9 — The Inconsistent Statutory Declarations

Deepak and Ananya lodged their Subclass 309 in late 2024 with statutory declarations that, on superficial reading, looked consistent. Both told the story of meeting at a wedding in 2023, getting engaged in early 2024, marrying in late 2024. But the case officer noticed: Deepak's declaration said they met at his cousin's wedding in Pune; Ananya's declaration said they met at Ananya's friend's wedding in Mumbai. The case officer issued an RFI asking which it was.

Strategy on RFI response: Deepak and Ananya explained that they had actually met twice — once briefly at Deepak's cousin's wedding in early 2023 (where they had not exchanged contact details), and again at Ananya's friend's wedding three months later (where they began their courtship). They provided wedding invitations from both events, photographs from both, and a corrected joint timeline. Both partners filed supplementary declarations clarifying the sequence.

Outcome: visa granted at 21 months. Lesson: inconsistencies between partners' statements are the single most common refusal trigger. Coordinate without scripting. Use facts, not memorised narratives. Where two declarations differ, the difference should reflect genuine differences in perspective, not contradiction.

## Case Study 10 — The Successful Direct-To-100 Application

Vivek and Lakshmi had been married since 2016 — nine years before they decided to apply for an Australian partner visa. Vivek had been a temporary resident in Australia on multiple visa types since 2018; he had become an Australian PR through skilled migration in 2023. Lakshmi had remained in Mumbai with their two children. They applied for the Subclass 309/100 in mid-2025.

Strategy: the application explicitly requested simultaneous 100 grant under the long-term relationship provisions. Evidence package was substantial:

- Nine years of marriage documentation.
- Two children with both parents on birth certificates.
- Property co-owned in Mumbai for seven years.
- NRE joint account active for five years.
- Vivek's annual visits to Mumbai documented over multiple years.
- Five Form 888 statements from Australian colleagues and friends who had met Lakshmi during her visits.

Outcome: simultaneous 309 and 100 granted at 14 months from lodgement. Lakshmi and the children arrived in Sydney as permanent residents on day one. Lesson: when the criteria for direct-to-100 grant are met, this is the optimal outcome. Bypassing the two-year temporary stage saves time, stress, and uncertainty.

## Chapter 16 — Worked Examples of Key Documents

Some applicants learn best from frameworks; others from examples. This chapter provides worked examples of the most important documents in a partner visa application. Adapt them to your situation; do not copy them word for word, because the case officer will recognise common templates.

### Worked Example 1 — Applicant's Statutory Declaration

Below is an excerpt from a successful applicant's statutory declaration. The declarant is the Indian-side spouse describing the relationship's development. Notice the specificity, the chronological structure, and the integration of evidence references.

#### Excerpt: Applicant Statutory Declaration

I, Pinky Sharma, of [address], make the following declaration concerning my relationship with my husband Rohan Mehta, an Australian permanent resident. I met Rohan for the first time on 28 October 2023 at my cousin Anjali's wedding in Pune. Rohan was a guest of the groom's family. We were seated at adjacent tables at the reception. He approached me after the dinner to ask whether I knew which family the bride's grandfather belonged to. We spoke for approximately twenty minutes. He asked for my phone number before leaving the reception. I gave it to him. We exchanged messages over the following weeks. Rohan flew back to Brisbane on 7 November 2023, and our communication continued via WhatsApp video calls. By February 2024 we had been speaking daily. In March 2024 Rohan returned to Pune for two weeks. He met my parents on 18 March 2024. On 23 March 2024 he proposed to me. I accepted. My parents and Rohan's parents (visiting from Mumbai) met on 26 March 2024 to discuss our engagement. The roka ceremony was held on 29 March 2024 at my parents' home in Pune. Photographs from these events are submitted as Exhibits A-1 through A-8. The engagement ceremony was held in October 2024 at the Sheraton Grand Pune. The wedding was held on 14 December 2024 at the same venue, attended by approximately three hundred guests including thirty-eight members of Rohan's extended family. Wedding photographs are submitted as Exhibits A-9 through A-22. The wedding registration certificate from the Sub-Registrar Pune, dated 18 December 2024, is submitted as Exhibit B-1.

The full declaration continues across approximately 3,200 words, covering: the engagement period, financial planning for the marriage, the wedding itself, post-wedding cohabitation in Pune (where Rohan stayed for two months after the wedding), Rohan's return to Brisbane and Pinky's three subsequent visits, the development of joint financial life, and current plans for Pinky's move to Brisbane.

## Worked Example 2 — Sponsor's Statutory Declaration

The sponsor's parallel statutory declaration should tell the same story from a different vantage point. Below is the corresponding excerpt from Rohan's declaration:

### Excerpt: Sponsor Statutory Declaration

I, Rohan Mehta, of [Brisbane address], am an Australian permanent resident, having been granted my permanent visa on 14 May 2022 under the Subclass 189 Skilled Independent programme. I make this declaration concerning my relationship with my wife Pinky Sharma. I met Pinky for the first time on 28 October 2023 at the wedding of Tejas and Anjali in Pune. Tejas is the son of my paternal uncle's business partner; my family has known the family for over twenty years. I was invited to the wedding when I visited India for my mother's sixtieth birthday celebrations. At the reception, I noticed Pinky seated at a nearby table; I had wondered which side of the families she belonged to. I went to ask her, and we ended up speaking for the rest of the dinner about her work at Infosys and my work at Atlassian in Brisbane. Before I left the reception, I asked for her contact details. She gave me her WhatsApp number. I returned to Brisbane on 7 November 2023 and we began communicating regularly. Initially the communication was as friends; by January 2024 it was clear that we were both more invested. I returned to India in March 2024 specifically to meet Pinky in person again. During that visit, I met her parents at their home in Pune on 18 March 2024. On 23 March 2024 I proposed to Pinky during a visit to her parents' farmhouse outside Pune. I had not formally asked her parents' permission beforehand because I wanted Pinky to be the first to know. She accepted. Three days later, on 26 March 2024, I introduced Pinky to my parents who had flown from Mumbai to Pune for that purpose. They were very pleased.

Notice the points of agreement between the two declarations: the date and location of first meeting, the chronology, the names of family members involved. Notice also the points of natural divergence: Pinky's declaration focuses on her experience of being approached at the wedding; Rohan's declaration explains why he had been invited to that wedding in the first place. The case officer reading both declarations sees a coherent shared story told from two perspectives — which is exactly what a genuine relationship looks like.

## Worked Example 3 — Form 888 From An Australian Friend

Below is a worked example of a strong Form 888 statutory declaration. The declarant is an Australian citizen who is a close friend of the sponsor.

### Excerpt: Form 888 Statutory Declaration

I, James O'Brien, of [Brisbane address], an Australian citizen by birth, employed as a software engineer at Atlassian, make this declaration in support of the partner visa application of Pinky Sharma sponsored by Rohan Mehta. I have known Rohan Mehta since 2019 when we began working together at Atlassian. We are close friends; we live in the same neighbourhood in Brisbane and our families spend time together. I first heard about Pinky in November 2023 shortly after Rohan returned from his cousin's wedding in India. He spoke about meeting her at the wedding. Over the following months, he spoke about her with increasing frequency and seriousness. By February 2024 he had introduced her to me on video calls — Pinky and I have spoken approximately fifteen to twenty times via video over the past two years. When Pinky visited Brisbane in September 2024, my wife and I had dinner with her and Rohan at our home. We have since had dinner together on three further occasions during her two visits to Brisbane in 2024 and 2025. I attended Pinky and Rohan's wedding in Pune on 14 December 2024, along with my wife. We were guests of Rohan's family. I observed the depth of the relationship between Pinky and Rohan throughout that visit, including their interactions with each other's families. I am satisfied, on the basis of my personal observation, that their relationship is genuine and continuing. I am aware that this declaration is true and correct in every particular.

Notice the structure: the declarant establishes who they are and how they know the parties; provides specific observations with dates; addresses the genuineness of the relationship; concludes with the truthfulness affirmation. This Form 888 is approximately 320 words. A strong Form 888 ranges from 300 to 800 words.

## Worked Example 4 — Cover Letter For Application

Many applicants overlook the cover letter, but a one-to-two page cover letter that orients the case officer to the application file is valuable. Below is a sample:

### Excerpt: Application Cover Letter

To: Department of Home Affairs, Partner Visa Processing Team. Re: Subclass 309/100 Partner Visa Application — Applicant: Pinky Sharma; Sponsor: Rohan Mehta. We respectfully lodge the attached application for the Subclass 309 (Provisional) and Subclass 100 (Permanent) Partner Visa for Pinky Sharma, sponsored by her husband and Australian permanent resident Rohan Mehta. The application package is structured as follows. Volume 1 (Documents 1-12) contains identity, marriage, and form documentation. Volume 2 (Documents 13-28) contains financial pillar evidence including joint NRE account statements covering January 2024 through January 2026, joint property documents, and insurance nominations. Volume 3 (Documents 29-44) contains household and social pillar evidence

including wedding documentation, family photographs, and visit records covering Pinky's two visits to Brisbane and Rohan's three visits to Pune. Volume 4 (Documents 45-56) contains commitment pillar evidence including the parties' statutory declarations, the four Form 888 statutory declarations, and the parties' communication history. Volume 5 (Documents 57-62) contains health and character documentation including the Indian PCC, scheduled health examination booking confirmation, and Form 80. We confirm that the application is decision-ready at lodgement. We respectfully request consideration of the application at the case officer's earliest convenience and remain available to provide any further information that may be required.

A cover letter makes the case officer's job easier. An easier job is a faster job and, often, a more favourable assessment.

## Chapter 17 — The Thirty Most Common Questions, Answered

This FAQ collects the questions Indian applicants most frequently ask about the Subclass 309/100 partner visa. Each answer is brief; cross-references point to the chapters where the topic is developed in detail.

### Q1. How much does the visa cost in total?

The Department application fee is AUD \$9,365 (FY 2025-26). Add AUD \$300-600 per adult for health examinations, ₹500-2,000 for the Indian PCC, AUD \$30-150 per non-English document for NAATI translation, and optionally AUD \$3,000-7,000 for MARA agent representation. Total realistic out-of-pocket for a couple without children: AUD \$10,000-11,000 (or AUD \$13,000-18,000 with full agent representation). See Chapter 2.

### Q2. How long does it take?

Subclass 309: 14-26 months from lodgement (current 2026 ranges). Subclass 100: 12-24 months after the 309 is granted (though eligibility begins ~2 years after original lodgement). Total: 2-4 years to PR. See Chapter 2 for the detailed timeline.

### Q3. Can I work in Australia while waiting?

Not on the Subclass 309/100 itself — you cannot work until the 309 is granted. If you enter Australia on a visitor visa during processing, you cannot work. Once the 309 is granted, you have unrestricted work rights immediately. See Chapter 1.

### Q4. Do I need to know English?

There is no mandatory English language test for grant of the 309/100 in 2026. "Functional English" is encouraged for settlement but not required. If your English is limited, you may face a second-installment language charge after grant, but this does not affect grant itself. See Chapter 9.

### Q5. Can I apply if I am already in Australia on a visitor visa?

No. To apply for the offshore 309/100, you must be outside Australia at the time of lodgement. If you are in Australia, you must either leave and lodge offshore, or consider the onshore 820/801 pathway if you are on a substantive visa that allows it. See Chapter 4.

### Q6. My sponsor and I have been married for six months. Is that long enough?

There is no minimum marriage duration. However, recently-married couples need to demonstrate genuine relationship development before the wedding too — the case officer's question is not how long you have been married, but whether the relationship is genuine. Six months can be enough if you have clear pre-marriage relationship development evidence.

### **Q7. We are de facto. Do we need twelve months of cohabitation?**

Yes, with two exceptions: (a) you register your relationship in an Australian state Relationships Register (Victoria, NSW, Queensland, Tasmania, ACT), which immediately satisfies the twelve-month requirement; or (b) you can demonstrate compelling and compassionate circumstances such as having a child together. See Chapter 4.

### **Q8. What happens if my application is refused?**

You have review rights to the Administrative Review Tribunal (ART), which replaced the AAT in October 2024. For offshore refusals, the Australian sponsor lodges the review on behalf of the applicant. The review fee is around AUD \$3,496 and the process takes 12-24 months. Around 30-40% of partner visa refusals are overturned at review. See Chapter 12.

### **Q9. Can I visit Australia while my application is processing?**

Yes, on a separate visitor visa (Subclass 600). You must comply with visitor visa conditions (no work). Recent rule changes also allow the 309 to be granted while you are in Australia, but this is case-by-case. Take migration agent advice before relying on this.

### **Q10. My sponsor has been previously married. Is that a problem?**

Not in itself. However, if your sponsor has sponsored a previous partner visa, they may face the five-year cooldown or the two-lifetime-sponsorships limit. Full disclosure on Form 40SP is essential. See Chapter 3.

### **Q11. Can my parents come to Australia after I get the visa?**

Yes, but through separate visa programmes. The Contributory Parent Visa (Subclass 143/864) and Parent Visa (Subclass 103) are the main options. Wait times for parent visas are long (often decades for the non-contributory pathway). The Subclass 870 Sponsored Parent (Temporary) Visa is a temporary alternative.

### **Q12. What if I have a criminal record?**

Disclose it. The character test under Section 501 looks at substantial criminal records (12+ months imprisonment) and other factors. Minor offences are generally not problems. Significant offences may require migration agent representation. See Chapter 9.

### **Q13. What if I have a health condition?**

Disclose it during the health examination. Most health conditions do not trigger problems. If your condition exceeds the cost threshold, the PIC 4007 health waiver may apply — partner visa applicants are well-positioned to access waivers because the sponsor's hardship is recognised. See Chapter 9.

#### **Q14. How do I prove a relationship if we live on different continents?**

Through the four pillars: financial co-mingling across borders (NRE/NRO accounts, remittances), household evidence from in-person visits and cohabitation plans, social evidence from family events on both sides, commitment evidence from communication records and joint life planning. See Chapters 5-7.

#### **Q15. Can my children come with me?**

Yes. Dependent children can be included in the partner visa application. Add-on fees apply (AUD \$2,345-4,685 per child depending on age). Children must meet health and character requirements. Both biological children and step-children of the sponsor may be included; for step-children, additional consent from the other biological parent may be required.

#### **Q16. Should I hire a migration agent?**

Not always. Straightforward applications with strong relationship evidence can succeed without agent representation. Engage an agent if: (a) there are complications (health, character, prior visa history); (b) you are working in a language other than English; (c) the stakes warrant the expense. MARA-registered agents charge AUD \$3,000-7,000 for partner visas in Sydney/Melbourne.

#### **Q17. What is the difference between a MARA agent and an RCIC?**

MARA agents are regulated by the Office of the Migration Agents Registration Authority and can provide Australian immigration advice. RCICs (Regulated Canadian Immigration Consultants) are regulated by the CICC and can provide Canadian immigration advice. The two are not interchangeable — only MARA agents can provide Australian immigration advice. The author of this book is an RCIC and MIA examination qualified but is not a MARA-registered agent.

#### **Q18. Can I include my OCI card status in my application?**

Your OCI card is relevant to demonstrate your Indian status and is unrelated to your Australian visa eligibility. Include the OCI card copy in your identity documents alongside your passport.

#### **Q19. We had a dowry exchange at our wedding. Will this be a problem?**

Dowry is a sensitive subject. Australian law does not prohibit dowry exchange at overseas weddings, but the Department may ask questions if the financial flow is unusual. Do not feature dowry receipts as financial pillar evidence — the case officer may misinterpret the cash flow direction. Instead, focus on the post-wedding joint financial life as the financial pillar.

#### **Q20. My sponsor lives with their parents. Does that affect cohabitation evidence?**

No. Living with extended family is common in Indian-Australian households and the Department understands this. Your cohabitation evidence can include the sponsor's parents' home address as your intended residence. Parents' Form 888s can support the household and social pillars.

### **Q21. What if we separate during processing?**

Notify the Department immediately. The standard outcome is refusal, but exceptions exist for family violence, death of sponsor, or shared children. See Chapter 13.

### **Q22. Can I apply for a 309 if my sponsor is in India?**

Yes. The sponsor's location at lodgement does not bar sponsorship — they must be an Australian citizen, PR, or eligible NZ citizen, but they do not need to be in Australia. Strong applications with India-based sponsors demonstrate clear plans to return to Australia together.

### **Q23. What if my Indian marriage certificate is not in English?**

Get it translated by a NAATI-certified translator. The translation is submitted alongside the original. Marriage certificates in Hindi, Marathi, Tamil, Bengali, Gujarati, and other Indian languages are translated routinely; NAATI translators are available in major Indian cities and online.

### **Q24. Do I need apostille for my Indian documents?**

Australian visa applications generally do not require apostille of Indian documents. However, certain state-level processes (driving licence conversion, registering relationship for Centrelink purposes) may require apostille. Apostille from the Ministry of External Affairs in India is straightforward but takes 2-3 weeks.

### **Q25. Can I bring household items when I move?**

Yes. Subclass 309 holders can bring personal household effects to Australia at first arrival without customs duty (subject to standard quarantine rules). Furniture, kitchenware, clothing, books, and personal items are generally duty-free as Unaccompanied Personal Effects.

### **Q26. What about my Indian bank accounts after I move?**

You will become a Non-Resident Indian (NRI) for Indian tax and banking purposes once you have moved with the intention to settle abroad. Convert your domestic Indian accounts to NRO accounts within 60 days of becoming NRI. Tax treatment changes: rental income, capital gains, and other Indian-source income become subject to NRI rules. See a chartered accountant in India.

### **Q27. Can I apply for an Australian Driver Licence with my Indian Driver Licence?**

Yes. Each Australian state has its own conversion process. Indian licences are generally recognised for conversion, sometimes requiring written and/or practical tests. Convert within three months of arrival in most states. See Chapter 14.

### **Q28. When can I apply for Australian citizenship?**

After meeting residency requirements: generally 4 years of lawful Australian residence with at least 12 months as a PR, plus no more than 12 months total outside Australia in the 4-year period and no more than 90 days outside in the immediately preceding year. See Chapter 14.

### **Q29. Will I lose my OCI if I become an Australian citizen?**

No — OCI holders who acquire foreign citizenship retain their OCI status. The OCI was specifically designed for Indians who have acquired foreign citizenship. You will need to surrender your Indian passport once you become an Australian citizen, but your OCI remains your travel and identity tie to India.

### **Q30. What's the single most important thing in this whole process?**

Coherence. The four pillars of evidence must tell a coherent story. The applicant's statutory declaration must coherently match the sponsor's. The forms must coherently match the declarations. The financial evidence must coherently match the cohabitation evidence. Coherence is what separates approved applications from refused ones. Build coherence into the application from the start — not patched onto it at the end.

## Chapter 18 — The Pre-Lodgement Workbook: Your 90-Day Preparation Plan

The decision-ready rule means lodgement should follow preparation, not precede it. This chapter is a 90-day workbook — a structured plan that takes you from "we're thinking about applying" to "file ready to lodge tomorrow" in twelve weeks. Adjust the timeline if you have more or less time, but follow the sequence.

### Weeks 1-2 — Eligibility Confirmation And Strategic Decisions

#### Day 1-3: Eligibility Audit

Sit down with your partner. Together, work through the five threshold questions from Chapter 2:

138. Is your partner an eligible sponsor? (Citizen, PR, eligible NZ citizen, at least 18, no prior sponsorship bars.)
139. Is your relationship a type the Department recognises? (Married, de facto with 12+ months or registered, same-sex on equal terms.)
140. Is the relationship genuine and continuing? (Honest internal assessment.)
141. Are you both free to marry each other? (Any prior marriages dissolved, both 18+.)
142. Have you got the time and the money? (AUD \$10K+ available, prepared for 2-4 years.)

If any answer is no, stop. Address the issue before proceeding. Lodging when ineligible wastes the fee.

#### Day 4-7: Subclass Choice

Decide between Subclass 309/100 (offshore), Subclass 820/801 (onshore — only if applicant is currently in Australia on a substantive visa), and Subclass 300 (Prospective Marriage). This book is about 309/100. If your situation actually fits 820/801 or 300 better, get the appropriate guide instead.

#### Day 8-14: MARA Agent Or DIY

Decide whether to engage a MARA-registered migration agent. Quick rules:

- Engage an agent if: health condition, character history, complex relationship history, prior visa refusal, family violence, or stakes warrant it.
- Consider DIY if: straightforward relationship, both partners English-proficient, no special complications, and you have time to invest 80-150 hours in preparation.
- Hybrid option: engage an agent for review and lodgement, do most of the document gathering yourself, which saves cost while securing professional oversight at the critical points.

Agent fees in Sydney/Melbourne for partner visa work range from AUD \$3,000-7,000. Cheaper agents exist, particularly online; but the quality varies widely and the partner visa is one application where cheap can be expensive.

## Weeks 3-4 — Document Collection Sprint

### Identity Documents

Both partners assemble:

- Current passports — bio pages, all stamp pages with relevant entry/exit stamps.
- Birth certificates — apostille if available, otherwise certified copies.
- National identity documents — Aadhaar for Indian applicants (with relevant privacy considerations), driving licences, voter ID.
- Marriage certificates — original and NAATI translation.
- Divorce decrees for any prior marriages.
- Death certificates if a prior spouse has died.

### Sponsor Eligibility Documents

Sponsor assembles:

- Australian passport (if citizen) or PR visa grant letter (if PR).
- Australian driver licence.
- Australian tax file number record.
- Australian address verification — recent utility bill, lease, or rates notice.
- Employment evidence — current pay slips, employment contract, ABN if self-employed.
- Citizenship certificate (if naturalised) — and prior nationality renunciation if applicable.

### Police Certificates

Apply for police certificates now. They take 4-8 weeks to issue in many countries, and Indian PCC has a 6-month validity. Order:

- Indian PCC — through Passport Seva Kendra in your district. Online application then in-person appointment with passport and address proof. Standard fee around INR 500 in 2026.
- Police certificates from any country lived 12+ months since age 16. Common ones for Indian applicants: USA (FBI fingerprint check, takes 6-10 weeks), UK (ACRO check), UAE, Singapore, Germany.
- Sponsor's police certificates if the sponsor has lived overseas in the past 10 years.

## Weeks 5-6 — The Four-Pillar Evidence Audit

### Financial Pillar Inventory

Make a list of every financial document that establishes co-mingling. For each, identify the issuing institution, the date range, and what it demonstrates.

Strong items: joint bank statements, joint loans, joint insurance, wills, NRE accounts with both partners' usage, regular remittance patterns over 12+ months, joint property ownership. Weaker items: one-off transfers, recently-opened accounts, single-name accounts with informal usage.

If your financial pillar inventory is weak, you have a problem. Address it now. Open a joint Indian bank account if you do not have one. Begin a regular remittance pattern if your sponsor sends money irregularly. Add your partner as nominee or co-holder on insurance policies. Buy a joint asset, even a small one — joint mobile phone plan, joint utility connection, joint streaming service subscription — anything that creates a documentary trail.

### Household Pillar Inventory

List every cohabitation event. For each:

- Dates when the cohabitation occurred.
- Location.
- Documentation — hotel booking, lease, photographs, joint activities receipts.
- Plans for ongoing or future cohabitation.

If you have no cohabitation history (long-distance from the start), focus heavily on plans for cohabitation — the lease your sponsor has prepared in Australia, the apartment you have viewed together via video call, the furniture purchases already made in anticipation of your move.

### Social Pillar Inventory

List potential Form 888 declarants. For each, check:

- Are they an Australian citizen or PR? (Indian citizens cannot complete Form 888.)
- Have they personally observed your relationship? (Met both partners, ideally multiple times.)
- Will they write specifically about their observations, not in generic praise?
- Are they over 18?

Aim for 3-4 strong Form 888 declarants. Choose diversity — a family member, a workplace colleague, a long-term friend, an Australian-side person who attended your wedding.

### Commitment Pillar Inventory

Begin drafting both partners' statutory declarations now. Each should be 2,000-4,000 words. Structure:

143. Personal background — who I am, how I came to be in this relationship.
144. How we met — date, location, circumstances, what attracted us.
145. How the relationship developed — chronological narrative of growing seriousness.
146. Family integration — meeting each other's families, ceremonies, family approval.
147. Marriage or commitment ceremony — detailed account.
148. Post-marriage life — financial, household, social integration.
149. Future plans — settlement, work, family, long-term life vision.

Draft separately. Then exchange and check for coherence — same dates, same names of family members, same locations. Do not script identical text. Variations in voice and perspective are healthy and expected; contradictions are fatal.

## Weeks 7-8 — Forms

### Form 47SP (Applicant) and Form 40SP (Sponsor)

Begin filling out the forms. Allow a full weekend per form. Common mistakes:

- Date inconsistencies between forms and statutory declarations.
- Missing employment or address history from the past 10 years.
- Failure to declare family members not part of the application (case officer wants full family picture).
- Misspelling names — use exact passport spelling throughout.
- Incomplete questions answered as 'not applicable' when they should be blank or zero.

### Form 80 (Applicant Character)

Form 80 takes most applicants 4-8 hours. Use a long weekend. The form asks for granular history; have your passport with stamps, your CV with employment dates, and your address history ready before you start.

### Form 888 (Statutory Declarations)

Brief your Form 888 declarants. Send them:

- A copy of the blank form.
- A summary of your relationship history with the relevant dates and events.
- Instructions for finding an authorised witness in their state.
- Reasonable deadline — 3 weeks is generous; do not stack everything for the last week.

## Weeks 9-10 — Drafting And Cross-Checking

### Statutory Declarations — Final Draft

Refine both partners' statutory declarations. Read each other's drafts. Identify any factual discrepancies. Resolve them — typically by talking through the event and agreeing on the accurate version, then revising one or both declarations.

### Cover Letter And Indexing

Draft a 1-2 page cover letter (see Chapter 16 worked example). Build a master document index that lists every document by category, name, and submission order. The index becomes the first item in your application file.

### Health Examinations

Book your health examination appointment with an approved panel doctor. Plan to attend in week 11 or 12 — close to lodgement but before, so the health results are uploaded with the application rather than after.

## Weeks 11-12 — Final Review And Lodgement

### Pre-Lodgement Audit

Run the pre-lodgement checklist from Chapter 10. Every box must be ticked before you click submit.

### Final Cross-Check

Have a third party (a trusted friend, a family member, ideally a migration agent for a paid review) read through your entire application package. Fresh eyes catch errors you have stopped seeing.

### Lodgement Day

Block out a full day. Use a desktop or laptop with a stable internet connection. Have your payment method ready. Save the ImmiAccount confirmation. Send a copy of the confirmation to a secondary email address as backup.

### Post-Lodgement Day 1

Confirm with the Australian sponsor that they have received the Acknowledgement of Receipt. Confirm the health examination booking is firm. Update your contact information in ImmiAccount if anything changes.

#### **The 90-Day Plan Is A Floor, Not A Ceiling**

Many couples take 6-12 months from "deciding to apply" to actually lodging. That extra time is rarely wasted — it usually translates into stronger relationship evidence, particularly when the additional months are used to build a sustained financial co-mingling pattern, more Form 888 witnesses, and additional cohabitation periods. If you have time, take it. The cost of waiting an extra few months is far less than the cost of a refusal.

## Chapter 19 — Indian Banking and Tax Context for Partner Visa Applicants

This chapter goes deeper into the cross-border financial and tax dimensions that affect Indian partner visa applicants. The detail matters because financial evidence is one of the four pillars, and because mishandled finances during the visa journey can create tax problems years later. Read this chapter even if your application is straightforward — the post-grant settlement information is essential.

### Indian Banking For The Sponsor

If your Australian sponsor was born in India or held Indian residency at some point, they likely retained at least one Indian bank account when they moved to Australia. Under the Foreign Exchange Management Act (FEMA) regime, the sponsor's tax residency status determines the type of account they can hold:

#### NRE Accounts

Non-Resident External accounts are denominated in Indian Rupees but funded only by remittances from overseas (Australian-source funds). Key features:

- Principal and interest are fully repatriable to Australia — meaning the sponsor can transfer the funds back without restriction.
- Interest is tax-free in India for the NRE holder.
- Australian tax residents must declare NRE interest on their Australian tax return — the tax-free status is only in India, not Australia.
- Joint accounts with resident Indian holders are restricted; consult your bank for the current RBI rules on "former or survivor" basis joint accounts.

Strong financial pillar evidence using an NRE account: regular monthly deposits from the sponsor's Australian salary account to the NRE, debit card or transfer activity by the Indian partner spouse from the NRE for household expenses, joint statements over 12+ months showing the pattern. This is far stronger than a single large transfer.

#### NRO Accounts

Non-Resident Ordinary accounts hold Indian-source income for non-residents. Common uses:

- Receiving rental income from property the sponsor owns in India.
- Receiving Indian-source dividends, interest, or pension payments.
- Holding pre-departure savings that the sponsor wants to leave in India.
- Tax is deducted at source on NRO interest income; the sponsor recovers excess withholding through Indian tax return if applicable.

## FCNR Accounts

Foreign Currency Non-Resident accounts hold deposits in foreign currency (typically USD, GBP, AUD, EUR). They protect against exchange rate fluctuations. Interest is tax-free in India. Less commonly used for partner visa applications but worth knowing about.

## The Applicant's Banking — Before And After PR

### Before Visa Grant

As an Indian resident, the applicant operates regular savings and current accounts in India. To build financial pillar evidence:

- Open a joint savings account with the sponsor where possible — many Indian banks now allow this with one NRI and one resident on "former or survivor" basis.
- Receive regular remittances from the sponsor into this joint account.
- Use the account for shared household expenses with documented patterns.
- Maintain account statements for at least 12 months before lodgement.

### After Visa Grant — Becoming NRI

Once the Subclass 309 is granted and the applicant moves to Australia with the intention to settle, their Indian tax residency status changes. Within 60-180 days of becoming NRI (the exact threshold depends on facts and circumstances), the applicant must:

- Convert their domestic savings/current accounts to NRO accounts.
- Open NRE accounts in Australia or via the bank's NRI services for ongoing remittance.
- Update KYC with all Indian financial institutions notifying NRI status.
- Update PAN status if required (no change typically needed for PAN itself).
- Address mutual fund holdings — NRIs cannot invest in certain mutual fund schemes; existing investments are generally permitted to continue.
- Address PPF (Public Provident Fund) accounts — NRIs cannot continue contributions; existing accounts can be held to maturity but no further contributions allowed.

## Tax Residency Transition

The partner visa grant changes the applicant's tax residency. Key points:

### Indian Tax Residency Test

Under the Indian Income Tax Act:

- Resident: physically present in India for 182+ days in the relevant financial year (1 April - 31 March), or 60+ days in the year and 365+ days in the preceding 4 years.

- Resident but Not Ordinarily Resident (RNOR): transitional status for some returning expats — does not commonly apply to partner visa applicants who are emigrating.
- Non-Resident (NRI): does not meet residency tests.

The day you leave India intending to stay overseas can be the day your NRI status begins, even mid-year. Get a chartered accountant's advice on dating your NRI status correctly.

## Australian Tax Residency Test

Under Australian tax law:

- Domicile test: a permanent residence visa holder who has settled in Australia is generally tax resident from arrival.
- 183-day test: physically present in Australia for more than 183 days in the tax year (1 July - 30 June).
- Commonwealth superannuation test: relevant for certain government employees, not common for migrants.

Subclass 309 holders who settle in Australia generally become Australian tax residents from the date of arrival. This means all worldwide income from that date is potentially Australian-taxable, subject to tax treaty provisions.

## The India-Australia Double Taxation Avoidance Agreement (DTAA)

India and Australia have a bilateral DTAA that prevents the same income being taxed in both countries. Key provisions affecting partner visa applicants:

- Salary income from Indian employer for work done in India before relocation: typically Indian-taxed.
- Salary income from Australian employer for work done in Australia after relocation: Australian-taxed.
- Rental income from Indian property: Indian-taxed at source via TDS, with credit available in Australia.
- Interest on NRE accounts: India-tax-exempt but Australian-taxable for Australian residents.
- Capital gains on Indian property: Indian-taxed; complex Australian-side treatment.

The DTAA is technical. Engage a chartered accountant in India and a registered tax agent in Australia in the year of your migration. The combined cost — typically AUD \$500-1,500 for both — is well worth avoiding tax mistakes.

## Property And Asset Considerations

### Existing Indian Property

If the applicant owns property in India (apartment, land, ancestral property share), the partner visa migration does not require you to dispose of it. Options:

- Retain and rent — manage through a property manager or family member; rental income is Indian-taxed.
- Retain and leave vacant — possible but inefficient; consider tax implications of vacant property.
- Sell before migration — simpler tax-wise but you lose the asset.
- Sell after migration — capital gains tax in India applies; Australian tax credit available under DTAA.

### Joint Property With Sponsor

Joint property is strong financial pillar evidence. If you do not currently own property jointly with your sponsor, you might consider:

- Adding your sponsor to existing property as a joint holder (subject to family law considerations).
- Jointly purchasing a property before lodgement (a small apartment, even in a tier-2 city, is sufficient).
- Documenting beneficial ownership arrangements through written agreement, even if the title is in one name.

### Provident Fund And Retirement Savings

EPF (Employees' Provident Fund), NPS (National Pension System), and PPF are common Indian retirement vehicles. Implications:

- EPF accounts can be withdrawn after 60 days of continuous unemployment in India — common when migrating. Tax-free if held for 5+ years.
- EPF accounts can also be left in place and withdrawn at retirement age.
- NPS Tier-1 accounts are restricted at withdrawal; partial withdrawal rules apply. Continue contribution restrictions apply for NRIs.
- PPF accounts continue earning interest until maturity (15-year term); no new contributions from NRIs.

Beneficiary nominations on all retirement accounts: name your partner. This is strong commitment evidence and avoids complications if anything happens to you before maturity.

## Chapter 20 — The Sponsor's Complete Guide

This chapter is for the Australian-side partner. If you are the applicant, share this chapter with your sponsor — it covers what they need to know, do, and understand. The sponsor is half of this application. Treating sponsorship as a passive endorsement is the most common failure mode in partner visa preparation.

### Your Legal Status As Sponsor

Your sponsorship is not merely supportive — it is a legal undertaking to the Australian government. When you sign Form 40SP, you commit to:

150. Provide financial support and accommodation to your partner for the first two years of their lawful Australian residence.
151. Provide reasonable financial support and accommodation to any dependent children included in the application.
152. Notify the Department of any material change in your circumstances.
153. Comply with Australian law generally.

The undertaking is not enforced like a court debt. But breaching it has consequences: future sponsorship rights, your character record with the Department, and any future immigration matters you may need to deal with.

### Your Sponsorship Eligibility — A Self-Audit

Before encouraging your partner to lodge their application, audit your own eligibility:

#### Status Check

- Are you an Australian citizen? Check your passport or citizenship certificate.
- Are you a current Australian PR? Check your visa grant letter. Note: if you let your Resident Return Visa lapse and spent significant time outside Australia, your PR may have been compromised — verify your current status.
- Are you an eligible NZ citizen? This is a narrower category than current SCV holders.

#### Sponsorship History Check

- Have you sponsored any partner before? (If yes, count and dates matter.)
- Are you within 5 years of a prior partner sponsorship? (If yes, you may be barred unless compelling circumstances apply.)
- Have you ever sponsored 2 prior partners? (If yes, you are subject to the lifetime limit unless compelling circumstances apply.)

## Character Check

- Have you been convicted of any offence in Australia or overseas?
- Are any charges currently pending?
- Have you been involved in any immigration breaches — for example, sponsoring someone who breached their visa conditions?

## Disclosure Trigger Offences

Certain registrable offences trigger mandatory disclosure to your prospective partner under the sponsor character regime. These broadly include sexual offences, violent offences, child offences, and other serious matters. If you have any concern about whether your history triggers disclosure, get advice.

## Your Form 40SP — Section By Section

### Identity Section

Full name as on passport. Address as currently registered with Services Australia and the ATO. Contact details that you will monitor regularly during the 2-4 year processing period.

### Citizenship/Residency Section

How you became a citizen or PR. Date and method of acquisition. If naturalised, your prior nationality and citizenship status. If you have dual citizenship, declare both.

### Address And Employment History

Past 10 years. Be precise about dates. Cross-reference against your passport stamps if you have travelled extensively.

### Previous Marriages Or Partnerships

Declare every prior spouse and any prior serious de facto relationship. For each, note the dates, the nature of the relationship, and how it ended (divorce, separation, death). Include any prior partner visa sponsorships.

### Criminal History

Declare all convictions. Even spent convictions in Australia (where Australia's spent convictions scheme applies) must be declared on Form 40SP. The Department's question is broader than ordinary criminal records checks.

### Financial Capacity

Employment, income, savings, assets. The Department uses this as context, not threshold. Be honest. If you are self-employed, include your ABN and business name.

## Sponsorship Undertaking

Read the undertaking carefully before signing. Many sponsors sign without reading. Then, two years later when their relationship is under stress, they discover they have committed to support obligations they did not realise.

## Your Role During The 2-4 Year Wait

After lodgement, your role does not end. During the processing wait:

### Maintain The Relationship

Continue building evidence. Joint financial activity. Communication. Visits — both directions if possible. Form 888 supplements from new witnesses over time. The strongest 309 grants come from applications that are still strengthening at month 18-24.

### Stay In Touch With The Department

Update ImmiAccount with any change of address, employment, or contact details. If you change jobs, your sponsor email address may change — update promptly. If you move house, update your address — the Department contacts you, not your partner, for sponsorship-related matters.

### Prepare For Arrival

In the months before grant, prepare for your partner's arrival. Practical steps:

- Set up the apartment or house for two people if you currently live alone.
- Add your partner's name to any household accounts where possible.
- Research employment options in your partner's field — recognition of qualifications, professional registration, networking opportunities.
- Discuss settlement plans — where you will live, work arrangements, family planning.

### Brace For The Adjustment

Your partner's arrival is the start of a new life for both of you — but the initial months are often stressful. Your partner may feel isolated, may struggle with the climate or food, may need time to find employment. Be patient. Encourage independent friendships and activities. Connect them with Indian community organisations where you live.

## If The Relationship Becomes Difficult

Long processing times and the stress of migration test relationships. Sometimes the relationship genuinely struggles. Honest advice:

154. If you are experiencing relationship difficulty, talk to each other. Couples counselling is widely available in Australia — Relationships Australia and similar services offer culturally appropriate support.

155. Do not pretend the difficulty does not exist when responding to Departmental inquiries. The Department asks at the 100 stage whether the relationship is still genuine and continuing — answer honestly.
156. If you separate before the 100 grant, notify the Department. Both partners should obtain migration advice. Family violence, death of sponsor, and shared children all open pathways to the 100 notwithstanding separation.
157. If the relationship has not just become difficult but has become abusive — from either side — get help immediately. 1800RESPECT (1800 737 732) is the national family violence helpline. The applicant has options under the family violence provisions; the sponsor has options under counselling and behaviour-change services.

## Chapter 21 — Keeping Evidence Fresh Through the Long Wait

The 14-26 month processing time for the Subclass 309 creates a paradox. You assemble strong evidence at lodgement; by the time the case officer reviews your file, your relationship has continued for another 14-26 months, but your evidence package is frozen at lodgement date. This chapter explains how to keep your evidence current and how to use the wait productively.

### The Case Officer's View At Month 18

When a case officer picks up your file 18 months after lodgement, they have:

- Your application as lodged — frozen in time at month 0.
- The official records of any subsequent notifications you have sent.
- Any RFI responses if an RFI was issued.
- Cross-referenced data from other government databases — passport movements, tax records, criminal records.

Your evidence is 18 months old. The case officer's question — "is this relationship still genuine and continuing?" — is being asked at month 18, not month 0. Your application has to convince the case officer that the relationship continues today, not that it existed at lodgement.

### Proactive Supplementation

You are not required to send the Department new evidence during the processing period unless they request it. But you are allowed to supplement your application. Strategic supplementation, done well, strengthens your case. Strategic supplementation done poorly looks needy or anxious. Some guidelines:

#### What To Send

- Significant new evidence — for example, the birth of a child, the purchase of joint property, the registration of a relationship in an Australian state.
- Updated police certificates if the originals have expired and you are nearing 12 months from lodgement.
- Notification of any changes — address, employment, contact details, family composition.
- Year-end summary at the 12-month and 24-month marks — a brief supplement summarising what has happened in the relationship since lodgement, with key documents.

#### What Not To Send

- Photographs from every weekend — overwhelming the case officer.
- Long updates about minor matters — case officer time is finite.

- Repetitive submissions — sending the same evidence multiple times.
- Anything that contradicts your original application — fix discrepancies properly, do not paper over them with contradictory supplements.

## How To Send

Through ImmiAccount, in the Documents section. Each supplement should be:

- Clearly labelled — "Supplementary Submission - [Month Year] - [Topic]".
- Brief — a one-page cover note explaining the supplement, plus the underlying documents.
- Dated.
- Signed if it constitutes a statement (for example, a statement that the relationship continues).

## The 12-Month And 24-Month Reviews

At the 12-month and 24-month anniversaries of your lodgement, conduct an internal review:

### 12-Month Review

- Update police certificates — Indian PCC is valid 6 months; refresh if approaching expiry. Some case officers accept slightly stale certificates; others demand current ones.
- Update relationship evidence — joint accounts, communication records, recent photographs.
- Statement of continuing relationship — short, factual, from both partners.
- Submit a supplementary submission summarising the past 12 months.

### 24-Month Review

By 24 months, you are approaching Subclass 100 eligibility. Prepare:

- Comprehensive evidence update — financial, household, social, commitment.
- Form 888 supplements from any new Australian witnesses you have gained — particularly if your partner is now in Australia and has met new colleagues, friends, or community members.
- Property purchases, investments, joint long-term commitments.
- Any children born during the relationship.

## Responding To Departmental Requests

During processing, you may receive Departmental communications:

## Request For Further Information (RFI)

An RFI asks you to provide specified information or evidence. Treat any RFI as urgent and respond within the deadline. Respond comprehensively — under the one-shot rule, you may not get a second opportunity. Address every issue raised, plus any related concerns the case officer might have.

## Request For Health Re-Examination

If your initial health examination was a long time ago — say, 18 months — the Department may request a re-examination. This is not unusual and is not a sign of concern. Book the re-examination promptly. Costs apply again.

## Natural Justice Letter

If the case officer is considering refusing your application, they may issue a "natural justice letter" explaining their concerns and inviting your response. This is a critical opportunity. The natural justice response is your last chance to change the case officer's mind before refusal. Engage a migration agent immediately if you receive one. Respond:

- Within the stated deadline (usually 28 days).
- Addressing each concern specifically.
- Providing additional evidence where possible.
- Drawing on the strongest parts of your existing application file.

## If Life Changes During The Wait

During a 14-26 month wait, life happens. How various changes affect your application:

### Birth Of A Child

Strengthens the commitment pillar significantly. Notify the Department promptly. The child may need to be added to the application as a dependent — though if both parents are Australian-side, the child may automatically have Australian citizenship by descent depending on circumstances. Get advice.

### Job Change

Either partner. Update ImmiAccount with the new employment. No impact on the application itself.

### Address Change

Notify the Department through ImmiAccount within 14 days. Critical because the Department may try to contact you at the registered address.

### **Marriage During Processing**

If you applied as de facto and then married during processing, notify the Department. Provide the marriage certificate. This strengthens your application — though you remain in the de facto application stream as that was your status at lodgement.

### **Sponsor's Citizenship Acquisition**

If your sponsor became an Australian citizen after lodgement (having been PR at lodgement), notify the Department. The citizenship strengthens the application — though again, your sponsorship was on the PR basis at lodgement.

### **Relationship Difficulty**

If the relationship is genuinely struggling, do not panic. Many couples experience difficult periods during the long wait. Communication, counselling, and time often resolve issues. The case officer asks about the relationship at the moment of decision — a relationship that recovered from a difficult period is still a continuing relationship.

## Chapter 22 — City-By-City Application Context for Indian Applicants

Where you live in India affects the practical steps of your application — which Passport Seva Kendra you attend, which health examination clinic is approved, which notary services are reliable, and which Australian state your sponsor lives in. This chapter provides context for applicants in the major metropolitan centres and several mid-tier cities.

### Mumbai And The Mumbai Metropolitan Region

Mumbai is the highest-volume origin city for Indian partner visa applicants. The infrastructure is well-developed, but volume creates queues. Practical points:

- PCC: Passport Seva Kendra at Lower Parel, Andheri, and Malad serve different postal codes. Check which one covers your address. Bookings fill quickly — try to book 4-6 weeks before you need the certificate.
- Health examinations: Bumrungrad-affiliated clinics, Apollo Hospitals (Worli, Bandra), and Fortis Hospital (Mulund, Kalyan) operate as Department-approved panel clinics. Bookings can typically be made 2-3 weeks out.
- Notary services: Mumbai notaries are abundant. Use only certified notaries with state-issued seals. Court-attached notaries (associated with the District Court) are gold-standard.
- NAATI translators: Several NAATI-certified Marathi-English and Hindi-English translators operate in Mumbai. Verify NAATI credentials before engaging — the Department checks.
- Indian banks for joint NRE accounts: HDFC Mumbai (Worli, BKC), ICICI (Mumbai Main), SBI NRI services (Nariman Point), Axis Bank (BKC). Each has specific KYC requirements for joint accounts; allow 2-3 weeks for setup.

### Mumbai Applicants With Sydney Sponsors

The Mumbai-Sydney corridor is the densest Indian partner visa flow. Specific points:

- Direct flights — Singapore Airlines, Qantas, Cathay Pacific — make in-person visits practical. Document every visit.
- Sydney-based Indian community is well-established — Form 888 witnesses are easy to find.
- Sydney's Maharashtra Mandal, Gujarat Samaj, and various regional associations provide community context for Form 888 declarations.

## Delhi NCR — National Capital Region

Delhi NCR (Delhi, Gurgaon, Noida, Faridabad, Ghaziabad) is the second-highest volume origin region. Specific points:

- PCC: Passport Seva Kendras at Bhikaji Cama Place, Dwarka, Ayanagar, and Rohini serve different areas. NRI Application Centre at Bhikaji Cama Place is the largest.
- Health examinations: Max Healthcare, Apollo (Sarita Vihar), Medanta (Gurgaon) are commonly used. Apollo has dedicated migration health services.
- Notary services: Delhi notaries are reliable but the volume is huge; allow time. Document attestation at the Delhi Sub-Divisional Magistrate office is also available for some documents.
- MEA apostille: if you need apostille of documents (typically for state-level processes in Australia post-arrival, less commonly for the visa itself), the MEA office in Patiala House and the CSC at Jeevan Tara are the main centres.

## Delhi Applicants And Australian Cities

Delhi applicants are distributed across Australian cities relatively evenly — Sydney, Melbourne, Brisbane, Perth, Adelaide. Specific considerations:

- Tech-heavy Bangalore-to-Sydney/Melbourne flows show similar patterns from Delhi NCR's IT corridor.
- Healthcare-heavy flows often target Perth and Adelaide via DAMA pathways or regional employer sponsorship.

## Bangalore (Bengaluru)

Bangalore is the IT capital and produces a distinctive partner visa applicant profile — tech professionals with strong English, often with prior international experience, frequently with arranged marriages introduced through extended professional networks.

- PCC: Passport Seva Kendra at Lalbagh, Marathahalli, and Domlur. The Marathahalli centre is busiest with IT sector applicants.
- Health examinations: Manipal Hospital, Apollo (Bannerghatta), and Fortis (Cunningham Road) are commonly used.
- Notary services: Bangalore notaries are professional and accustomed to expat documentation.
- Joint accounts: most major banks have NRI services centres in MG Road and Brigade Road.

## Bangalore Applicants And Australia

Bangalore applicants disproportionately target Sydney and Melbourne for tech work. Specific patterns:

- Strong applicant English language scores reduce settlement concerns.
- Many sponsors are themselves on or transitioning from Subclass 482 / 186 / 189 visas — sponsor visa history needs careful documentation.
- Indian tech community in Australia is very large — Form 888 witnesses readily available.

## Hyderabad

Hyderabad applicants are increasing as the city's IT and pharmaceutical sectors grow. Specific points:

- PCC: Passport Seva Kendra at Begumpet and the larger centre at Sanathnagar.
- Health examinations: Apollo Hospital (Jubilee Hills), Care Hospital (Banjara Hills), and KIMS are commonly used.
- Notary services: well-developed in Banjara Hills and Hi-Tech City areas.

## Chennai

Chennai applicants are distinctive — a significant proportion are Tamil-speaking applicants whose Australian sponsors are part of the established Sri Lankan Tamil and South Indian Australian communities, particularly in Melbourne and Sydney.

- PCC: Passport Seva Kendra at Mount Road and Tambaram.
- Health examinations: Apollo Hospital (Greaves Road), MIOT, and Fortis Malar are commonly used.
- NAATI Tamil-English translators are essential for Chennai applicants with Tamil-language documents — verify NAATI status carefully.

## Pune

Pune produces a distinctive applicant profile — Marathi-speaking middle-class professionals, many connected to the engineering and IT industries, often with arranged marriages through extended community networks.

- PCC: Passport Seva Kendra at Mundhwa and the larger centre at Aundh.
- Health examinations: Ruby Hall Clinic, Sahyadri Hospital, and Apollo Hospital (Sangamwadi) are commonly used.
- Notary services: well-developed in Camp, Koregaon Park, and Aundh areas.
- Strong Maharashtra Mandal communities in Sydney, Melbourne, Brisbane, and Adelaide provide Form 888 witnesses.

## Kolkata

Kolkata produces fewer partner visa applications than other metros but with distinct patterns — Bengali-speaking applicants, often connected to the established Bengali diaspora in Australia, particularly in Sydney and Brisbane.

- PCC: Passport Seva Kendra at Brabourne Road and the larger centre at Park Street.
- Health examinations: Apollo Gleneagles, Belle Vue, and Fortis (Anandapur) are commonly used.
- NAATI Bengali-English translators are essential — fewer in number than other Indian language translators, plan ahead.

## Smaller Cities And Towns

Applicants from smaller Indian cities (Indore, Bhopal, Lucknow, Coimbatore, Vijayawada, Ahmedabad, Jaipur, Chandigarh, etc.) face specific challenges and advantages:

### Challenges

- Fewer approved health examination clinics — may require travel to nearest metro.
- Fewer NAATI translators for regional languages — plan early.
- PCC processing may be slower than metropolitan centres.
- Notary services vary in quality — engage only court-attached or well-established notaries.

### Advantages

- Strong family networks for arranged marriage documentation.
- Lower cost of pre-lodgement preparation — local notary fees, document attestation, photo services all cheaper.
- Less PSK queue time outside metropolitan zones.

For applicants in smaller cities, plan to spend 2-3 days in a nearby metro for the health examination — this is often unavoidable and worth budgeting for.

## Chapter 23 — Subclass 309/100 vs. Other Australian Migration Pathways

Not every Indian applicant in a relationship with an Australian PR/citizen should automatically choose the partner visa pathway. Sometimes skilled migration, employer sponsorship, or family visas other than the partner visa are stronger options. This chapter compares the alternatives so you can choose well.

### Partner Visa (309/100) — The Default For Relationship-Based Migration

Reviewing what we have covered:

- Fee: AUD \$9,365
- Processing: 14-26 months for 309; 23-32+ months total to 100
- Eligibility: relationship with Australian citizen, PR, or eligible NZ citizen
- Strength: works for any genuine relationship; permanent residence outcome
- Weakness: long processing time; high refusal sensitivity to relationship evidence

### Subclass 189 — Skilled Independent (Points-Tested)

If the Indian-side spouse has strong skilled migration credentials in their own right, the Subclass 189 may be faster or more reliable than the partner pathway:

- Fee: AUD \$4,765 base (significantly cheaper than partner visa)
- Processing: typically 6-12 months once invited (after EOI lodgement)
- Eligibility: must hit minimum 65 points (most successful applicants score 85-95); occupation on MLTSSL; positive skills assessment; English language proficiency
- Strength: faster, cheaper, does not depend on relationship evidence
- Weakness: highly selective; not available for occupations off the MLTSSL

### When 189 Is Better Than 309

Consider the 189 instead of 309 when:

- Applicant has an occupation on the MLTSSL (engineering, accounting, IT, healthcare, etc.)
- Applicant can realistically score 85+ points (age, English, education, experience)
- Time is critical and the couple cannot wait 2-4 years
- The relationship evidence is weak or the relationship is recent

In some couples, the spouse applies for the 189 with the Australian-side partner accompanying as a partner on the 189 application (if they are a foreign citizen — not applicable to Australian

citizens/PRs). For Australian-side citizens/PRs sponsoring an Indian spouse, the 189 is a parallel option for the Indian-side applicant only.

## **Subclass 190 — Skilled Nominated (State-Sponsored)**

If the applicant has a skilled occupation but cannot score 85+ for the 189, the Subclass 190 with state nomination is a strong alternative:

- Fee: AUD \$4,765 base
- Processing: similar to 189
- Eligibility: lower points threshold (65 points work, with 5 added by state nomination); state-specific occupation lists
- Strength: lower bar than 189; permanent residence
- Weakness: must live and work in nominating state for 2-3 years; states have specific requirements

## **Subclass 491 — Skilled Work Regional (Provisional)**

For applicants targeting regional Australia:

- Fee: AUD \$4,765 base
- Processing: similar to 189/190
- Eligibility: state or regional area nomination; broader occupation list; lower points threshold
- Strength: easier to obtain than 189; converts to permanent residence (Subclass 191) after 3 years living/working in regional area
- Weakness: provisional only; geographic restrictions; conversion to 191 requires meeting tax-residence and income thresholds in the regional period

## **Subclass 482 — Temporary Skill Shortage (Employer Sponsored)**

If the applicant has a job offer from an Australian employer:

- Fee: AUD \$3,115 base (Short-term) or AUD \$3,250 (Medium-term)
- Processing: typically 1-4 months
- Eligibility: employer-approved sponsor; ANZSCO occupation; salary minimum thresholds; English proficiency
- Strength: fast; spouse can accompany on a 482 partner-equivalent visa with work rights
- Weakness: tied to employer; not directly permanent (though can lead to 186 after 3 years)

Some Indian couples use the 482 as a fast-track strategy — the Indian-side spouse obtains a 482 through employer sponsorship, the family moves to Australia immediately, and the Subclass 309

application is either lodged in parallel or replaced by a 186 employer-sponsored PR after 3 years. This works when the applicant has strong professional credentials.

## **Subclass 186 — Employer Nomination Scheme (Permanent)**

For applicants with a permanent job offer from an Australian employer:

- Fee: AUD \$4,770 base
- Processing: 5-15 months
- Eligibility: 3+ years on relevant occupation (or skills assessment); employer-sponsored nomination; under 45 (unless exemption applies)
- Strength: permanent residence; not tied to relationship
- Weakness: requires strong employer commitment; under-45 limit can be restrictive

## **Subclass 858 — Global Talent (Permanent)**

For exceptionally talented applicants in target sectors:

- Fee: AUD \$4,765 base
- Processing: variable, sometimes fast
- Eligibility: international recognition in target sector (tech, fintech, agritech, energy, health, defence/space, education, infrastructure)
- Strength: permanent residence; very fast for qualifying applicants
- Weakness: high bar; requires nominator

## **Family Visa Alternatives**

Other family visa subclasses occasionally relevant to relationship-based migration:

### **Subclass 300 (Prospective Marriage)**

Discussed in Chapter 4. Higher refusal rate (~22%) and total higher cost. Useful only when couple is engaged but not yet married and wants to marry in Australia.

### **Subclass 461 (NZ Citizen Family Relationship)**

For partners of certain NZ citizens. Faster processing (2-6 months) but does not lead directly to permanent residence.

### **Parent Visas (103, 143, 173, 864)**

Not for spouses; for parents of Australian citizens/PRs. Mentioned here only because partner visa applicants often ask about bringing parents later — the answer is yes, but through separate parent visa pathways with long wait times.

## Strategic Combination — Pursuing Multiple Pathways

In some couples, both partners pursue migration pathways in parallel:

158. Indian-side spouse pursues 189 / 190 / 491 / 482 based on their own skills.
159. Australian-side partner has nothing to do until the Indian-side spouse arrives on their own visa.
160. Once the Indian-side spouse is in Australia on a substantive visa, the Subclass 820/801 onshore partner visa becomes an alternative if needed.
161. Or the Subclass 309/100 is lodged in parallel as insurance — the family migrates on whichever visa is granted first.

Pursuing parallel pathways costs more in application fees but may save years. Get migration agent advice on whether parallel applications are appropriate for your specific circumstances — there can be technical complications with simultaneous applications.

## Decision Framework

If your situation is...	Consider primarily...	Alternative to consider
Strong relationship, applicant not skilled-occupation, time available	309/100 partner visa	Onshore 820/801 if currently in Australia
Strong relationship, applicant has MLTSSL skills, scores 85+ points	Subclass 189 (skilled independent)	309/100 in parallel as backup
Strong relationship, applicant has STSOL skills	Subclass 190 or 491 (state-sponsored)	309/100
Strong relationship, applicant has job offer	Subclass 482 + family arrival	309/100 lodged in parallel
Engaged but not married, want Australian wedding	Subclass 300 (Prospective Marriage)	Get married first, then 309/100
Recent relationship, applicant has weak skills	Build relationship + 309/100 in 12-18 months	Wait, do not lodge prematurely
Same-sex couple from conservative background	309/100 with chosen-family evidence	Skilled pathway if applicant qualifies
Sponsor has prior sponsorship within 5-year cooldown	Wait out cooldown; pursue applicant's own skilled pathway in interim	309/100 after cooldown ends
Applicant has health condition above threshold	309/100 with PIC 4007 waiver strategy	Engage MARA agent from the start

## Chapter 24 — Glossary of Key Terms

This glossary defines the most important technical terms used throughout this book and likely to appear in your application file. Refer back to it as needed.

### **AAT (Administrative Appeals Tribunal)**

The former tribunal that reviewed Department of Home Affairs decisions, including partner visa refusals. Replaced by the ART (Administrative Review Tribunal) for new applications from October 2024.

### **ART (Administrative Review Tribunal)**

The tribunal that reviews Department decisions, replacing the AAT from October 2024. Migration & Refugee Division handles partner visa reviews. Review fee around AUD \$3,496; partially refundable on success.

### **Australian Values Statement**

A statement signed by visa applicants confirming their understanding of and commitment to Australian values including democracy, freedom, equality of the sexes, religious tolerance, and the rule of law. Required for most visa classes including the partner visa.

### **Bridging Visa**

A temporary visa that maintains lawful status while a substantive visa application is being decided. Relevant to onshore (820/801) applicants; offshore (309/100) applicants do not use bridging visas.

### **Case Officer**

The Departmental employee who assesses your visa application. Typically based at one of the Department's overseas processing centres (Berlin, Manila, etc.) for offshore applications. Decisions are by case officer subject to internal review.

### **CICC (College of Immigration and Citizenship Consultants)**

The Canadian regulator of immigration consultants. The author of this book is a CICC-licensed RCIC. CICC does not regulate Australian immigration practice.

### **De Facto**

In Australian migration law, a couple who live together on a genuine domestic basis but who are not legally married. Requires either 12+ months of cohabitation, registration in an Australian state Relationships Register, or compelling/compassionate circumstances such as shared children.

## Decision-Ready At Lodgement

The Department's current practice expectation that partner visa applications be substantially complete at the moment of lodgement, with all evidence uploaded and all forms accurately completed. Incomplete applications may be refused without RFI.

## Department Of Home Affairs

The Australian federal department responsible for immigration policy and processing. Headquartered in Canberra; processing centres distributed globally.

## eVisa

Electronic visa — no label is printed in the passport. The visa is recorded in the Department's database and verified through VEVO at airports and by employers.

## Family Violence Provisions

Statutory provisions allowing the Subclass 100 to be granted notwithstanding relationship breakdown where the breakdown was caused by family violence perpetrated by the sponsor. Includes physical, sexual, emotional, financial, and coercive control abuse.

## FEMA (Foreign Exchange Management Act)

The Indian regulatory framework governing foreign exchange and cross-border transactions, including the NRE/NRO/FCNR account categories.

## Form 47SP

The applicant's primary application form for the partner visa (309, 100, 820, 801, 300).

## Form 40SP

The sponsor's sponsorship application form, lodged concurrently with Form 47SP.

## Form 80

Personal Particulars for Character Assessment. Required for most adult applicants for permanent visas.

## Form 888

Statutory declaration form completed by an Australian citizen or PR supporting the genuineness of a partner relationship. Minimum 2 required for a partner visa; 3-4 recommended.

## Form 1221

Additional Personal Particulars form, sometimes requested for applicants from certain countries or with certain risk profiles.

### **HAP ID (Health Assessment Programme Identifier)**

Identifier issued by the Department for each applicant required to undergo health examinations. Used at panel clinics to upload health results directly to the Department.

### **ImmiAccount**

The Department's online portal for lodging visa applications, uploading documents, paying fees, and tracking application status. Required for partner visa applications.

### **MARA (Migration Agents Registration Authority)**

The Australian regulator of migration agents. MARA-registered agents are authorised to provide Australian immigration advice. The author is MIA examination qualified but is not currently MARA-registered.

### **Medicare**

Australia's public health insurance scheme. Subclass 309 grant brings immediate eligibility to enrol; Medicare card issued within 2-3 weeks of enrolment.

### **MIA (Migration Institute of Australia)**

Professional body for migration agents in Australia. Setting and administering the MIA Examination is one of its functions.

### **MLTSSL (Medium and Long-term Strategic Skills List)**

The list of occupations eligible for skilled visas including Subclass 189. Used as a measure of skilled migration prioritisation.

### **NAATI (National Accreditation Authority for Translators and Interpreters)**

Australian accreditation body for translators and interpreters. NAATI-certified translations are accepted by the Department for non-English documents; non-NAATI translations are at risk of being rejected.

### **Natural Justice Letter**

A letter from the Department to a visa applicant inviting their response to specific concerns before the application is refused. Critical to respond comprehensively within the deadline.

### **NRE Account (Non-Resident External)**

Indian bank account for non-resident Indians, denominated in Indian Rupees, funded from foreign-source income. Tax-free interest in India; principal and interest fully repatriable.

### **NRI (Non-Resident Indian)**

A person of Indian citizenship who is resident outside India for tax purposes. Subclass 309 holders who settle in Australia typically become NRIs.

### **NRO Account (Non-Resident Ordinary)**

Indian bank account for non-resident Indians, holding Indian-source income such as rental or pension. Subject to Indian tax; limited repatriation.

### **OCI (Overseas Citizen of India)**

Lifelong visa for persons of Indian origin who have acquired foreign citizenship. Allows visa-free entry to India, indefinite stay, and many rights of Indian citizens. Retained even after acquiring Australian citizenship.

### **PCC (Police Clearance Certificate)**

Certificate from police authorities confirming the applicant has no criminal record. Required from every country lived 12+ months since age 16. Indian PCC obtained through Passport Seva Kendra.

### **PIC 4001-4019 (Public Interest Criteria)**

Statutory criteria a visa applicant must satisfy. PIC 4001 (character), PIC 4005 (health), PIC 4007 (alternative health requirement with waiver discretion), PIC 4019 (Australian values), PIC 4020 (no bogus documents or false information).

### **PR (Permanent Residence)**

Status of being a permanent resident of Australia — the Subclass 100 grant outcome. Confers indefinite right of residence, work, study, and access to most services. Does not include voting rights or unrestricted travel — these come with citizenship.

### **RCIC (Regulated Canadian Immigration Consultant)**

Canadian regulated immigration consultant authorised by the CICC. The author of this book is an RCIC (R422575).

### **Relationships Register**

State-maintained register of de facto relationships. Australian states with registers: Victoria, NSW, Queensland, Tasmania, ACT. Registration satisfies the 12-month cohabitation requirement for partner visa de facto applicants.

### **RFI (Request for Further Information)**

Departmental request to the applicant for additional information or evidence. Subject to the one-shot rule — respond comprehensively within the deadline.

## **RRV (Resident Return Visa)**

Subclass 155 or 157. Permits permanent residents to re-enter Australia after their initial 5-year travel facility expires. Most PRs apply for an RRV before extensive travel after PR grant.

## **Schedule 3 Criteria**

Additional criteria that apply to certain onshore partner visa applicants whose substantive visa is expiring or has expired. Does not apply to offshore (309/100) applicants.

## **Section 4020**

Migration Regulation provision imposing a 3-year exclusion period on applicants who provide bogus documents or false information. Applies to all visa classes.

## **Sponsor**

The Australian citizen, permanent resident, or eligible NZ citizen who applies under Form 40SP to sponsor a partner visa applicant. The sponsor is a party to the visa, not merely a witness.

## **SCV (Special Category Visa)**

Subclass 444. Granted automatically to NZ citizens entering Australia. Holders may be eligible NZ citizens for partner visa sponsorship under specific conditions.

## **Subclass**

The specific category of visa. For partner visa applicants, the relevant subclasses are 309 (offshore provisional), 100 (offshore permanent), 820 (onshore provisional), 801 (onshore permanent), and 300 (Prospective Marriage).

## **TFN (Tax File Number)**

Australian tax identification number. Issued by the Australian Taxation Office to residents and certain visa holders. Required for employment.

## **VEVO (Visa Entitlement Verification Online)**

The Department's online tool that allows employers, government agencies, and visa holders themselves to verify visa status, conditions, and entitlements. Replaces the physical visa label for most purposes.

## **Visa Application Charge (VAC)**

Government fee paid at the time of visa application. For partner visa 309/100, the VAC is AUD \$9,365 in FY 2025-26 (base for primary applicant; supplementary charges for dependants).

## Chapter 25 — Master Timeline and Master Checklist

This final chapter consolidates the operational core of the book into a single timeline and a single comprehensive checklist. Print this chapter, post it on the wall, work through it sequentially. By the time every box is ticked, you have a strong application.

### The Complete Timeline

Phase	When	What's Happening
0. Eligibility Decision	Month 0 (Day 1-7)	Confirm all 5 eligibility thresholds; choose subclass; decide on agent.
1. Document Sprint	Months 0-1	Collect identity documents, apply for PCCs, gather sponsor documents.
2. Evidence Build	Months 1-3	Build four pillars of evidence; brief Form 888 witnesses; draft statutory declarations.
3. Forms And Drafts	Months 2-3	Complete Form 47SP, Form 40SP, Form 80; review and refine declarations.
4. Pre-Lodgement Audit	Month 3	Run the full pre-lodgement checklist; final cross-check; book health appointments.
5. Lodgement	Month 3	ImmiAccount upload; payment of AUD \$9,365; lodgement confirmation saved.
6. Health And Police	Month 3-4	Complete health examinations; update PCCs if needed; everything uploaded.
7. The Wait	Months 4-18	Maintain the relationship; supplement strategically; respond to any RFI.
8. Case Officer Assignment	Month 12-18	Department assigns case officer; assessment begins.
9. Subclass 309 Grant	Month 14-26	Grant notification by email; eVisa effective.
10. Move To Australia	Month 14-26	Applicant flies to Australia; activates visa; enrolls in Medicare; gets TFN.
11. Settlement Period	Months 14-30+	Build Australian life; maintain joint evidence for 100 stage.
12. Subclass 100 Eligibility	~Month 24	Eligibility begins for the permanent stage; Department reviews.
13. Subclass 100 Grant	Month 23-32+	Permanent residence granted; full PR rights effective.
14. RRV Application	Year 5-6	Apply for Resident Return Visa to maintain travel rights.

Phase	When	What's Happening
15. Citizenship	Year 4+	Apply for Australian citizenship once residency requirements met.

## The Master Checklist

### Pre-Lodgement (must all be ticked before lodging)

- Both partners eligible (citizenship/PR, age, free to marry, relationship type recognised)
- Sponsor not blocked by 5-year cooldown or 2-sponsorship lifetime limit
- Indian PCC obtained within last 6 months
- Police certificates from any other country lived 12+ months since 16
- Passport with 18+ months validity remaining
- Marriage certificate (with NAATI translation if not in English) OR de facto cohabitation evidence covering 12+ months OR registered relationship certificate
- Form 47SP completed in full, every section answered, signed
- Form 40SP completed in full, every section answered, signed
- Form 80 completed if required
- Minimum 2 Form 888 statutory declarations, witnessed by authorised witness
- Applicant's statutory declaration drafted, 2,000-4,000 words, signed, notarised
- Sponsor's statutory declaration drafted, 2,000-4,000 words, signed, notarised
- Financial pillar evidence assembled (joint accounts, remittances, joint debts, insurance, wills)
- Household pillar evidence assembled (cohabitation history, future plans, lease/property)
- Social pillar evidence assembled (wedding documentation, family events, social media exhibits)
- Commitment pillar evidence assembled (communication records, joint plans)
- All non-English documents NAATI-translated
- Cover letter drafted (1-2 pages)
- Master index of documents created
- Health examination appointment booked
- Application fee available (AUD \$9,365 + additional dependents)
- ImmiAccount registered and tested
- Final review by third party complete (migration agent if engaged)

## Lodgement Day

- All documents uploaded under correct categories in ImmiAccount
- Fee paid; payment receipt saved
- Application submitted; confirmation email received
- Acknowledgement of Receipt downloaded and saved
- Health examination attended within 30 days of lodgement

## During The Wait

- Address and contact details kept current in ImmiAccount
- Indian PCC updated when approaching 12 months from lodgement
- Relationship evidence kept building (joint financial activity, visits, communication)
- Significant life events notified (marriage if previously de facto, children born, address changes)
- RFI responses (if received) submitted within deadline and comprehensively
- 12-month and 24-month supplementary submissions prepared

## Post-309 Grant

- Activate visa at first arrival to Australia
- Apply for Medicare within first week
- Apply for TFN within first week
- Open Australian bank account
- Convert Indian bank accounts to NRO/NRE as appropriate
- Convert Indian driving licence to Australian licence within 3 months
- Continue building joint financial/household/social evidence for 100 stage

## Approach To 100 Stage

- Mark calendar for the 2-year anniversary of original lodgement
- Update Form 888 supplements from Australian-side witnesses (especially new witnesses gained since the 309 stage)
- Update statutory declarations from both partners covering the 309 period in Australia
- Comprehensive evidence package — financial, household, social, commitment — for the 100 review

## Post-100 Grant

- Note the 5-year travel facility expiration date
- Plan RRV application well before the 5-year mark
- Track Australian residency for citizenship eligibility (4-year requirement)

- Update Indian tax filings as NRI
- Maintain Indian PCC and other documents in case of any future re-entry needs

## **A Final Thought On Discipline**

Across this 200-step journey, the single trait that separates successful applicants from refused ones is discipline. Discipline to prepare before lodging rather than lodging then preparing. Discipline to gather evidence over months rather than crash-building it in weeks. Discipline to be honest on the forms even when something is uncomfortable. Discipline to wait for the right moment to lodge rather than rushing because everyone says "just lodge already."

The partner visa system is rigorous because the outcome — Australian permanent residence — is valuable. Treat the rigour as a partner, not an obstacle. Work with the framework. Build evidence the case officer can rely on. Be the application the system was designed for, and the system will reward you with what you came for.

Best wishes for the rest of your journey. May your file land on a fair case officer's desk in good condition, and may you and your partner be together in Australia soon.

## Chapter 26 — Reading The Case Officer's Mind

If you understand how a case officer thinks, you write a stronger application. This chapter walks you through what happens inside the Department's processing centre when a file lands on a case officer's desk, what the officer looks for, what flags concern, and what differentiates a strong application from a borderline one.

### Who The Case Officer Is

Australian partner visa case officers are mostly based at overseas processing centres — Berlin, Manila, New Delhi, London, and others, depending on workload distribution. Each centre handles applications from specific regions, though the Department reserves the right to route files anywhere. For Indian applicants, the New Delhi centre handles many cases, but Manila or Berlin processing is also common.

Case officers are public servants with specialised training in partner visa assessment. They have processed hundreds or thousands of partner visa applications. They have seen every kind of marriage of convenience, every type of constructed relationship, every variety of forged document. They are also experienced enough to recognise genuine relationships across cultural and linguistic differences.

Their performance is partly measured by:

- Processing throughput — how many cases they decide per week.
- Decision quality — how many of their decisions are overturned at the ART.
- Compliance with departmental policy and guidance.

Two things follow. First, they are time-constrained — a well-organised file that lets them reach a conclusion quickly is processed faster. Second, they are quality-conscious — a refusal that gets overturned at the ART is a black mark on their record, so they would rather grant a defensible case than refuse a defensible case.

### The First Five Minutes

When a case officer opens your file, the first five minutes are decisive. They look at:

162. The cover letter, if present. A clear cover letter that summarises the application orients them immediately.
163. The forms — Form 47SP and Form 40SP — for completeness and obvious gaps.
164. The relationship history section of Form 47SP.
165. The marriage certificate or de facto registration.
166. A quick scan of the financial pillar evidence.

If all five look strong, they form a preliminary positive impression and dig deeper. If any of the five raises a flag, they dig into the flagged area first. The first five minutes set the lens through which they read everything else.

## **The Genuine Relationship Internal Test**

Throughout their assessment, case officers run an internal test that goes beyond the four pillars. They ask themselves:

### **Does The Relationship Story Hang Together?**

Are the two partners' accounts of how they met, when they got engaged, and how the relationship developed coherent? Do the dates line up? Are the facts consistent? Are the people named consistently? Coherence is the single biggest indicator of genuineness.

### **Is There Coordination Without Scripting?**

Genuine couples coordinate naturally — they know the same dates, the same family members, the same locations. But they describe them differently because they have different perspectives. A case officer who sees two statutory declarations that read like the same person wrote them suspects scripting. A case officer who sees two declarations that are mutually coherent but stylistically distinct sees a genuine couple.

### **Is The Evidence Pattern Natural?**

Did the joint account open six years ago and accumulate transactions naturally, or did it open six weeks before lodgement with a flurry of artificial transactions? Did the couple's communication happen daily over years, or did it spike in the month before lodgement? Natural patterns are persuasive; engineered patterns are red flags.

### **Are The Witnesses Plausible?**

Are the Form 888 declarants real Australian citizens or PRs with verifiable addresses and occupations? Do their accounts of the couple's relationship describe specific events with the right level of detail? Or are the four Form 888s suspiciously similar in tone and content, suggesting a template?

### **Does The Financial Pillar Pass The Volume Test?**

Marriages of convenience often have one large dowry-like transfer and little else. Genuine marriages typically have hundreds of small transactions, ongoing patterns, gradual asset accumulation. Volume and pattern matter.

## Common Red Flags Case Officers Notice

### Red Flag 1: Age Or Background Mismatch With Weak Documentation

Couples with significant age, language, religious, or socioeconomic differences are not automatically suspicious — genuine relationships span all kinds of differences. But case officers note these and look for stronger documentation of how the differences are managed in the relationship. A 50-year-old Australian man marrying a 22-year-old Indian woman with no shared language is not refused on those grounds alone — but the evidence package needs to address how this couple developed their relationship and why it should be regarded as genuine.

### Red Flag 2: Rapid Engagement After Brief Acquaintance

Couples who met in person for the first time three weeks before getting engaged trigger questions. In Indian arranged marriage culture this can be normal, but the documentation of the introduction and decision process becomes essential. Provide the matrimonial site profiles, family discussions, biodata exchange records, the engagement decision narrative.

### Red Flag 3: Sponsor Profile Concerns

A sponsor with previous failed sponsorships, gaps in employment, criminal history, or financial irregularities is more closely scrutinised. The sponsor's own story matters.

### Red Flag 4: Applicant History Concerns

An applicant who has been refused other visas in the past, who has overstayed in another country, who has been refused entry to Australia previously, or who has gaps in their travel and address history is more closely scrutinised.

### Red Flag 5: Inconsistencies Between The Partners

Already discussed extensively. The single biggest red flag is when partners' versions of the same event differ in material detail.

### Red Flag 6: Missing Cohabitation Evidence For De Facto

De facto applicants who cannot produce 12 months of clear cohabitation evidence and have not registered the relationship raise immediate concerns. Either solve the cohabitation evidence problem or use the registered relationship pathway.

### Red Flag 7: Generic Or Template Form 888 Statements

Four Form 888 statements that use the same vocabulary, the same sentence structures, and the same generic praises suggest the applicant wrote them and asked declarants to sign. Genuine Form 888s sound like different people wrote them.

## Red Flag 8: Financial Evidence That Stops At Lodgement

The Department checks whether the joint financial activity continues after lodgement. If your joint account had monthly activity from January through November and went dormant from December (the month of lodgement) onwards, that suggests the financial pillar was performative rather than real.

## Red Flag 9: Social Media Inconsistency

If your social media presence shows no relationship for years, then suddenly all your photos with your partner are dated within the six months before lodgement, the case officer sees a constructed presentation.

## Red Flag 10: Evasive Statutory Declarations

Declarations that avoid specific facts, refuse to address obvious complications (family opposition, age difference, religious difference), or use vague generalities ("we share a special bond") rather than concrete narratives signal weakness. Honest specific writing is more persuasive than polished vagueness.

## How Case Officers Decide Borderline Cases

Strong cases are obviously approved. Weak cases are obviously refused. The interesting territory is the borderline. In borderline cases, the case officer asks themselves several questions:

167. If I refuse this and it goes to the ART, will I be overturned? If yes, the case is probably stronger than the file appears at first glance.
168. Are there compelling and compassionate factors — children of the relationship, family violence, long marriage history? These can tip a borderline case toward approval.
169. What does my supervisor or team leader think? Difficult cases are often discussed with senior officers.
170. Does an RFI resolve the concerns? Sometimes an RFI generates evidence that resolves the borderline question.

Borderline cases that issue RFIs and then receive strong supplementary evidence usually get approved. Borderline cases that issue RFIs and receive weak or incomplete supplementary evidence get refused. This is why the one-shot rule is so consequential — the RFI is your moment to convert borderline into clear approval.

## Working With The Case Officer's Constraints

Knowing the case officer's perspective, you can make their job easier:

171. Make the file navigable — clear cover letter, indexed documents, logical structure.

172. Eliminate ambiguity — every date, every name, every fact appears consistently across the application.
173. Address potential concerns proactively — if your application has any unusual feature, explain it in the statutory declarations or cover letter rather than waiting for an RFI.
174. Provide specific evidence with annotation — circle relevant transactions, caption photographs, provide context where it would not otherwise be clear.
175. Demonstrate ongoing relationship continuity — your evidence should not stop at lodgement; build a pattern that continues.

## Chapter 27 — Building An Australian Financial Life After Arrival

Many partner visa books stop at the visa grant. This one continues, because the visa is the start of an Australian life, not the end of paperwork. This chapter is the financial planning chapter — what to do in your first year in Australia to set up financial life properly. Skim now; return after grant.

### Banking Setup Beyond The Basics

#### Joint Australian Accounts

Open a joint Australian bank account with your sponsor within the first month. This is essential for two reasons: practical (shared expenses) and evidential (your 100 stage application benefits from clear Australian-side joint financial activity). Choose:

- Commonwealth Bank, Westpac, ANZ, or NAB for branch presence and broad service.
- ING, Macquarie, Bankwest, or UBank for fee-free accounts and good digital experience.
- HSBC India / HSBC Australia for streamlined India-Australia transfers.

Both names on the account. Both with linked debit cards. Direct your initial salary into this account so the case officer sees real joint financial activity.

#### Credit History

As a new arrival, you have no Australian credit history. This affects:

- Credit cards — applications may be declined or limited initially.
- Phone plans — postpaid contracts may require a deposit.
- Rental applications — landlords prefer tenants with rental history.
- Car loans, home loans — significantly harder without credit history.

Build credit history quickly:

176. Apply for a low-limit credit card from your bank in months 2-3. Use it sparingly. Pay in full monthly.
177. Set up direct debits for bills (electricity, gas, mobile) from your bank account.
178. After 6 months of clean activity, your credit score begins to register. After 12 months, you can typically apply for a car loan or home loan.

### Tax File Number And Tax Compliance

After your TFN application is approved, several things follow:

## Employment Setup

Provide your TFN to your employer when you start work. Without it, you pay tax at the maximum marginal rate (47%). With it, you pay at your applicable marginal rate.

## Annual Tax Return

Australian tax year runs 1 July to 30 June. Tax returns are due 31 October unless you use a registered tax agent (which extends the deadline to mid-May the following year). For your first year:

- Income from arrival date to 30 June is reportable. If you arrived in November, you report Nov-30 June.
- You may need to declare worldwide income from your tax residency date — engage a tax agent in your first year, the complexity is significant.
- Standard deductions for work-related expenses, charitable donations, and tax agent fees apply.

## Tax Agent Vs DIY

First-year migrant tax returns are complex because of:

- Part-year residency (Indian portion vs Australian portion).
- Foreign-source income (Indian rental, Indian investments, NRE interest).
- DTAA application.
- Superannuation contributions from Australian employer.

Engage a registered Australian tax agent for the first year. Cost typically AUD \$200-500 for a non-complex partner-visa-arrival tax return. Worth it.

## Superannuation Strategy

Compulsory employer superannuation contributions (currently 11.5% of gross wage) accumulate in your nominated fund. Over decades, these become a significant retirement asset. Strategic considerations:

### Choose Your Fund Carefully

Industry funds (AustralianSuper, Hostplus, Cbus, HESTA, Aware Super) typically have lower fees and competitive performance. Retail funds tend to have higher fees. Self-managed super is generally not appropriate for new migrants.

### Consolidate Multiple Accounts

If you change jobs, each employer may default your contributions into different funds. Consolidate annually to one primary fund — multiple accounts mean multiple fee structures eroding your balance.

## Voluntary Contributions

In your second or third year, when your finances stabilise, consider voluntary super contributions. The current concessional contribution cap (employer + voluntary) is AUD \$30,000 annually. Voluntary contributions are tax-deductible up to that cap. For high-income earners, this is one of the most tax-effective savings vehicles in Australia.

## Beneficiary Nomination

Make a binding death benefit nomination naming your partner. This is essential commitment evidence for the 100 stage and protects your partner financially in case of unexpected loss.

## Housing Decisions

### Rent Or Buy

Australian property is expensive in major cities — Sydney median house price around AUD \$1.6M, Melbourne around AUD \$950K, Brisbane around AUD \$850K as at 2026. Most new migrants rent for at least 1-3 years. Considerations:

- Renting first allows you to learn the city, the neighbourhoods, and the market before committing.
- Foreign Investment Review Board (FIRB) restrictions on PR holders are minimal — you can buy property after grant. Subclass 309 holders are restricted to new constructions in some interpretations; the 100 grant removes most restrictions.
- First Home Owner Grant programmes vary by state. Some states offer them to permanent residents (Subclass 100 holders); others require Australian citizenship. Check state-specific rules.
- Stamp duty is a major cost (around 4-5% of purchase price in most states). First home buyer concessions can substantially reduce this.

### Joint Lease

If renting, ensure both partners' names are on the lease. This is required for the household pillar of the 100 stage and is straightforward to arrange — agents are accustomed to joint applicants.

### Joint Mortgage (Eventually)

When you buy property, ensure joint ownership. Joint mortgages are stronger commitment evidence than single-name. Lenders typically require:

- Both partners' income evidence.
- Deposit of 5-20% (with 20% avoiding Lenders Mortgage Insurance).
- Steady employment history (12+ months from current employer in many cases).
- Good credit history.

## Insurance

### Health Insurance

Medicare covers you immediately on visa grant. But private health insurance has advantages:

- Avoids the Medicare Levy Surcharge for high earners (1-1.5% additional tax on incomes above AUD \$97,000 single / \$194,000 family).
- Faster access to elective procedures.
- Ancillary cover (dental, optical, physiotherapy) not covered by Medicare.
- Private room in hospital.

Look at HCF, Medibank, Bupa, NIB for major providers. Indian-owned providers like Frank Health Insurance are also options. Compare on [PrivateHealth.gov.au](http://PrivateHealth.gov.au), the federal comparison site.

### Life Insurance

Most Australian super funds include default life insurance. Review the cover within your first year. If it is inadequate (sum insured too low), increase it. Beneficiary nomination should go to your partner.

### Income Protection

Australian income protection insurance (also called salary continuance) covers 70-80% of your income if you cannot work due to illness or injury. Important for the breadwinner; less critical for second-income earners. Premiums are tax-deductible if held outside super; non-deductible if inside super (but cheaper inside super).

### Home And Contents

If you own property, building insurance is essential. Contents insurance is sensible even for renters. Joint policies in both partners' names contribute to the household pillar.

### Car Insurance

Compulsory Third Party (CTP) is included with vehicle registration. Comprehensive insurance is essential for most owners. Joint policies in both partners' names where you share vehicles.

## Wills And Estate Planning

Within your first year, both partners should make Australian wills. Key points:

- Australian wills are valid Australia-wide but each state has slightly different probate procedures.
- Name your partner as primary beneficiary. Include guardianship provisions if you have children.

- Consider both Australian and Indian assets. A single will can cover both, but specific provisions for Indian property may be more efficient through Indian succession procedures.
- Update beneficiary nominations on superannuation, life insurance, and bank accounts.
- Consider Enduring Power of Attorney for financial and medical decisions if either partner becomes incapacitated.

Will preparation costs AUD \$200-800 with a lawyer; DIY wills are possible through online services but less reliable. For couples with property and complex affairs, professional drafting is worth the cost.

## Chapter 28 — Building Your Australian Community

The strongest 100-stage applications come from couples whose Australian community is rich — multiple Form 888 witnesses, integrated social life, professional networks. This chapter is about deliberately building that community. It also matters for its own sake: integration into Australian community life is the difference between surviving in Australia and thriving in it.

### The First Six Months — Building From The Sponsor's Network

Initially, your Australian network is your sponsor's network. Leverage it deliberately:

179. Meet your sponsor's family and friends individually, not just at group events. Coffee with a sister-in-law, dinner with a long-term friend, casual visits to cousins. These individual interactions build the personal relationships that lead to Form 888 witnesses later.
180. Be present at family events — birthdays, religious festivals, weddings, funerals. Show up. Bring something. Stay long enough to be remembered. Australian relatives of your sponsor become your relatives over time.
181. Connect with the sponsor's colleagues in informal settings — workplace social events, weekend gatherings. Colleagues are excellent Form 888 candidates because they have professional standing.

### Months 6-12 — Building Independent Networks

Six months in, start building networks of your own — independent of the sponsor's network. These networks demonstrate that you are integrating into Australian life on your own terms, not just as the sponsor's appendage.

#### Professional Network

If you are working, your colleagues become natural network. Beyond work:

- Professional associations relevant to your field — engineering institutes, accounting bodies, IT industry groups, healthcare professional associations.
- LinkedIn Australia presence — actively connect with Australian professionals in your field.
- Industry meetups — most major cities have regular industry gatherings in tech, finance, healthcare, education.
- Continuing education — short courses, certifications, university extension programmes.

#### Cultural Network

Australia has strong Indian cultural networks in every major city. Engage with them, but not exclusively — engage with mainstream Australian community too:

- Indian cultural organisations — Maharashtra Mandal, Gujarat Samaj, Tamil Sangam, Bengali Association, etc. Specific to your community.
- Religious organisations — temples, mosques, churches, gurudwaras serving your community.
- Festival celebrations — Diwali, Holi, Eid, Christmas, Vaisakhi, Navratri events open to the public.
- Indian sports — cricket clubs are everywhere; tennis, hockey, badminton clubs also have Indian membership concentrations.

### Mainstream Australian Network

This is the network many Indian migrants neglect, but it matters:

- Neighbourhood — get to know your neighbours by name. Borrow sugar. Compliment their garden. Casual interactions over months build relationships.
- Australian-specific activities — Australian Rules football, AFL fan engagement, cricket, surfing, hiking.
- Volunteer work — Australian charity sector is large and welcoming. Volunteering builds connections fast.
- Local government engagement — your municipal council, school P&Cs (Parent & Citizen committees), community groups.

### Why Diverse Networks Matter For The Visa

For the 100-stage application, you want Form 888 declarants from diverse sources:

182. One from a long-term friend of the sponsor who has now met you multiple times — testifies to the relationship's continuation.
183. One from a workplace colleague — testifies to your integration into Australian professional life.
184. One from a neighbour or community member who has observed your daily life together — testifies to household integration.
185. One from a family member of the sponsor (parent, sibling) — testifies to family integration.

Four declarations from four different angles is much more persuasive than four from the sponsor's immediate family circle.

### The Long Game

Beyond the visa, community matters for life. Migrants who build deep Australian networks:

- Find better professional opportunities — most Australian jobs come through networks.

- Build resilience — major life challenges (job loss, illness, family stress) are easier with community support.
- Raise integrated children — kids who grow up with diverse social networks navigate Australian life more easily.
- Stay psychologically well — social isolation is a major driver of migrant mental health problems; deep networks protect against it.

Invest in community deliberately. Show up. Reciprocate hospitality. Remember names and details. Help others when you can. The compounding effects over years are substantial.

## Chapter 29 — If Something Goes Wrong At Every Stage

The previous chapters have focused on doing things right. This chapter is the troubleshooting reference for when things go wrong. Keep it close — most applications encounter at least one minor problem along the way, and knowing the response is the difference between a small detour and a derailment.

### Problem 1 — Lodgement System Glitches

ImmiAccount sometimes fails — slow uploads, session timeouts, payment processing errors. Responses:

186. Try at off-peak times (early morning or late evening Australian time).
187. Use a wired connection or strong Wi-Fi; avoid mobile data.
188. Use Chrome or Edge browsers; Safari can be temperamental.
189. If the system fails at payment, check your bank account before re-attempting — successful payments sometimes do not register in ImmiAccount immediately.
190. Contact the Department through ImmiAccount or the support email if technical problems persist.

### Problem 2 — Documents Lost In Transit

If you posted documents to the Department or to a panel doctor and they were lost:

191. Re-obtain the lost documents. PCCs can be re-issued. Marriage certificates can be re-issued by the Sub-Registrar's office.
192. Notify the Department of the situation in writing through ImmiAccount.
193. Avoid future postal transmission of critical documents. Upload digital copies to ImmiAccount; carry originals when needed.

### Problem 3 — Health Examination Issues

#### Failed Health Examination

If your initial health examination indicates a condition above threshold:

194. Do not panic. The PIC 4007 waiver may apply for partner visa applicants.
195. Engage a MARA-registered migration agent immediately.
196. Obtain medical evidence about the condition's progression, treatment, and prognosis.
197. Prepare a waiver submission demonstrating undue hardship to the Australian sponsor.

## Inconclusive Tuberculosis Screening

Indian applicants sometimes have inconclusive chest X-rays due to past exposure to TB. Follow-up:

198. Sputum culture testing, requested by the panel doctor.
199. If active TB is found, treatment must be completed before visa grant. Standard 6-month TB treatment is widely available and curative.
200. If latent TB is found, prophylactic treatment may be offered. Latent TB is not a barrier to grant.

## Problem 4 — Police Certificate Issues

### Police Record That Surprised You

If your Indian PCC reveals a record you did not know about (sometimes happens for minor matters resolved years ago):

201. Obtain court records and FIR copies for the specific matter.
202. Prepare a personal statement explaining the circumstances.
203. If the conviction was minor (no imprisonment, or imprisonment under 12 months), it likely will not trigger character refusal but should be declared transparently on Form 80 and Form 47SP.
204. For more serious matters, engage a migration agent immediately.

### PCC Delayed

If the PCC application is delayed beyond expected processing time:

205. Follow up at the Passport Seva Kendra in person.
206. Check status online at [passportindia.gov.in](http://passportindia.gov.in) with your application number.
207. If the delay is over 4 weeks, request escalation in writing.
208. If lodging is time-critical, you can lodge with the PCC application receipt and supplement with the actual PCC when it arrives — though this is not the decision-ready ideal.

## Problem 5 — Form 888 Declarant Unavailable

If a Form 888 declarant you had counted on becomes unavailable (illness, change of mind, falling out of touch):

209. Identify replacement declarants from your sponsor's network.
210. Brief them carefully — they need to write specifically about their own observations, not echo what the unavailable declarant would have said.

211. If the replacement search delays lodgement, accept the delay — better to lodge with strong Form 888s than to rush with weak ones.

## Problem 6 — Mid-Processing Crisis

### Sponsor Job Loss

If your sponsor loses their job during the 2-4 year wait:

212. Notify the Department of any change in employment circumstances.
213. The visa is not refused because the sponsor is unemployed — there is no minimum income threshold. The financial pillar is assessed on overall pattern, not point-in-time employment.
214. Update your future-plans evidence — your sponsor's job search, savings to cover the period, family support.
215. If extended unemployment continues, document creatively — the sponsor's professional networking activity, educational upskilling, business planning.

### Sponsor Significant Illness

If the sponsor becomes seriously ill during processing:

216. Notify the Department in writing.
217. Provide medical documentation.
218. If the illness is severe, the death-of-sponsor provisions (Chapter 13) may eventually apply.
219. In the meantime, the application continues to be assessed.

### Applicant Major Life Event

If the applicant has a major life event (pregnancy, family death, serious illness):

220. Notify the Department through ImmiAccount.
221. Provide supporting documentation where relevant.
222. If the event affects the relationship, document the impact thoughtfully.

## Problem 7 — Refusal Despite Strong Preparation

Sometimes well-prepared applications are still refused. Possible reasons:

- Case officer interpreted evidence differently than you expected.
- New information came to light during processing (Form 80 cross-referencing, family member's separate visa application contradicting your statements).
- Departmental policy shift mid-processing.
- Random allocation to a more sceptical case officer.

Response strategy (refer to Chapter 12 for details):

223. Read the refusal letter carefully — identify the specific reasons.
224. Decide between ART review and withdraw-and-reapply within 21 days of refusal.
225. Engage a MARA agent for the review or fresh application.
226. Address the specific concerns the case officer raised.
227. Do not give up — overturn rates at ART are around 30-40%, and fresh applications with stronger evidence frequently succeed.

## Chapter 30 — Final Thoughts and Resources

This is the closing chapter. By now you have read everything in this book — the framework, the four pillars, the forms, the case studies, the troubleshooting. This chapter consolidates the most important takeaways and points you to resources for further information.

### The Five Things That Matter Most

228. Coherence beats volume. A 200-page well-curated application beats a 2,000-page dump. Build coherence across the four pillars. Make your forms, declarations, and evidence all tell the same story.
229. Time is on your side, not against you. If your application is not ready, wait. The cost of delaying lodgement by 3 months is much smaller than the cost of refusal and re-application.
230. Honesty is the most strategic choice. Declarations that are slightly uncomfortable but honest are stronger than declarations that are polished but evasive. Case officers see through evasion; they reward honesty.
231. The sponsor is a co-applicant, not a witness. The Australian-side partner is half of this application. Both partners should engage with the process fully.
232. The grant is the start, not the end. The first year in Australia matters for the next forty. Plan for settlement as carefully as for the visa.

## Recommended Resources

### Official Australian Government Resources

- Department of Home Affairs — [immi.homeaffairs.gov.au](http://immi.homeaffairs.gov.au) — primary source for current policy, fees, and forms.
- ImmiAccount — [online.immi.homeaffairs.gov.au](http://online.immi.homeaffairs.gov.au) — application portal.
- Office of the MARA — [mara.gov.au](http://mara.gov.au) — find registered migration agents.
- Services Australia — [servicesaustralia.gov.au](http://servicesaustralia.gov.au) — Medicare, Centrelink, family payments.
- Australian Taxation Office — [ato.gov.au](http://ato.gov.au) — tax obligations and TFN application.
- VEVO — [immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions](http://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions) — visa verification.
- Administrative Review Tribunal — [art.gov.au](http://art.gov.au) — visa decision reviews.

### Indian Government Resources

- Passport Seva — [passportindia.gov.in](http://passportindia.gov.in) — PCC applications, passport services.
- Ministry of External Affairs — [mea.gov.in](http://mea.gov.in) — apostille and document attestation.
- Reserve Bank of India — [rbi.org.in](http://rbi.org.in) — current FEMA rules for NRE/NRO accounts.

## Support Services

- 1800RESPECT — 1800 737 732 — national family violence helpline (24/7, confidential).
- Lifeline — 13 11 14 — national mental health crisis line.
- Beyond Blue — [beyondblue.org.au](http://beyondblue.org.au) — mental health support.
- Relationships Australia — [relationships.org.au](http://relationships.org.au) — relationship counselling and family violence support.

## Indian Community Resources

Major Australian cities have established Indian community organisations. Key:

- United Indian Associations of Australia.
- State-based Indian associations in each capital.
- Regional/linguistic associations — Maharashtra Mandal, Gujarat Samaj, Tamil Sangam, Bengali Association, Punjabi Cultural Association, Telugu Association of Australia, etc.
- Indian Consulates — [embassyofindia.gov.au](http://embassyofindia.gov.au) and state-level consulates.

## When This Book Cannot Help You

This book is intentionally broad. It cannot give you specific advice on your specific case. There are situations where you should engage professional help, not rely on the book alone:

- Complex sponsor character history.
- Applicant health condition above threshold.
- Prior visa refusal or cancellation.
- Relationship breakdown during processing.
- Family violence affecting application.
- Same-sex applicants from countries with significant safety concerns.
- Refugee or protection visa overlap.
- Significant cross-border tax complications.

In these cases, engage a MARA-registered migration agent. The cost (AUD \$3,000-7,000) is significant but the protection it offers is real. Search the MARA register at [mara.gov.au](http://mara.gov.au) to verify any agent's credentials before engaging.

## Connecting With Manoj Palwe

If your circumstances overlap with Canadian or Australian immigration questions where this book has not given you a sufficient answer, you can connect with the author through the following channels.

YouTube — search "Manoj Palwe" for over 600 videos on Canadian, Australian, UK, German, and UAE immigration topics. New videos are published weekly. Subscribe for ongoing updates as policy changes.

LinkedIn — search "Manoj Palwe" for professional updates, case studies, and immigration commentary. The author posts regularly on policy shifts that affect Indian-context applicants.

Amazon — search "Manoj Palwe" for the complete 108-title catalogue across eight series. The Scanner Page at the back of this book lists every title.

For a structured professional assessment of your specific case, consider a Personal Evaluation Report through [dreamvisas.com](https://dreamvisas.com) — details on the second-to-last page of this book.

## **A Closing Word**

Migration is one of the largest decisions a couple can make together. It rearranges everything — where you live, what you do, who is in your daily life, what your children's accent will sound like. Approached badly, it can strain a relationship to breaking. Approached well, it strengthens a relationship by giving the couple a shared project with permanent significance.

This book has been a long technical journey through a complex regulatory framework. But underneath all the forms, evidence, and pillars, the partner visa is about something simpler: the right of two people who genuinely want to share a life to be allowed to do so on the same continent.

If you have read this far, you have shown the kind of seriousness that this application deserves. You are ahead of most applicants already. Use the framework. Build the evidence. Lodge with confidence. And whatever happens next, know that you have done the work.

Best wishes for the journey. I hope to see you in Australia.

— *Manoj Palwe*

*RCIC R422575 | CAPIC Fellow R11592 | MIA Examination Qualified*

*Ajax, Ontario, Canada · February 2026*

## Chapter 31 — Advanced Documentation Strategy

Beyond the basic frameworks covered in earlier chapters, certain documentation practices distinguish elite applications from competent ones. This chapter consolidates the advanced techniques that experienced migration agents use to strengthen marginal cases and bulletproof strong ones.

### The Document Pyramid

Strong applications organise documents in a pyramid structure rather than a flat list. At the top is a small number of high-impact documents that establish the relationship beyond doubt. Below are supporting documents that add detail and corroboration. At the base is a wide foundation of contextual evidence.

#### Top Tier — The Five Anchor Documents

Every strong partner visa application has five anchor documents that the case officer can refer to repeatedly:

233. The marriage certificate (or relationship registration certificate for de facto).
234. The applicant's statutory declaration.
235. The sponsor's statutory declaration.
236. The strongest Form 888 declaration.
237. The financial summary — a one-page document the applicant prepares showing all joint financial activity in chronological order.

These five documents should be perfect. Edited, proofread, formatted, signed, dated. If a case officer reads only these five, they should be able to grant the visa. Everything else in the file supports these five.

#### Middle Tier — Twenty Supporting Documents

Below the anchor documents, twenty supporting documents provide detail and corroboration:

- Joint bank statements (3-5 documents covering 12+ months).
- Joint property or asset documents (1-3 documents).
- Insurance policies with partner nominations (2-3 documents).
- Form 888 declarations beyond the strongest one (2-3 additional).
- Wedding documentation (3-5 documents — invitation, photographs, registration, venue receipts).
- Family event evidence (2-3 events with photographs and supporting documents).
- Communication evidence (curated selection, not full archive).
- Visit evidence (2-3 visits each with itinerary, accommodation, photographs).

## Base Tier — Contextual And Identity Documents

At the base are documents that establish identity, eligibility, and context but are not themselves persuasive of relationship genuineness:

- Passport bio pages and stamps.
- Birth certificates.
- PCC and police certificates.
- Forms 47SP, 40SP, 80.
- Health examination receipts (the results go directly to the Department).
- Translation certificates.
- Sponsor citizenship/PR documents.

## Curating Photographs

Photographs are the most common evidence overdone or underdone. Strong photographic evidence is curated, not bulk-uploaded:

### How Many Photographs

Twenty to forty curated photographs is the right range for most applications. Fewer than fifteen is sparse; more than fifty is overwhelming.

### What To Include

238. Engagement and wedding photographs — 5-10 selections covering the ceremony, family integration, and key moments.
239. Visit photographs — 2-4 per major visit, showing different locations and contexts.
240. Family event photographs — 3-5 selections spanning multiple events.
241. Everyday life photographs — if cohabitating, 3-5 showing the domestic life.
242. Joint travel — 2-4 selections from joint trips.

### How To Caption

Every photograph should have a caption. The caption should include:

- Date (specific where possible: "15 December 2024", not "December 2024").
- Location (specific city and venue: "Sheraton Grand Pune", not just "Pune").
- Event (specific occasion: "Wedding reception", not just "family event").
- People named (especially Form 888 declarants if they appear).

## Photo Sequencing

Order photographs chronologically. Begin with first meeting / engagement, move through wedding, then visits and family events in date order. This lets the case officer trace the relationship's development visually.

## Communication Evidence Strategy

WhatsApp, video call logs, and messaging records can be persuasive — or overwhelming. Curate carefully:

### Volume And Quality

Two to four months of curated WhatsApp messages, presented as PDF exports, is sufficient. Eighteen months of every message is too much. Show:

- Communication frequency — daily messages over weeks demonstrate continuing relationship.
- Substance — conversations about plans, family, joint decisions, not just casual chat.
- Time-stamped clusters — to show real-time interaction, not just sporadic contact.

### Video Call Logs

Most video call apps allow you to export call history. Strong evidence:

- Frequency — three to five video calls per week is typical for committed long-distance couples.
- Duration — calls lasting 30-60 minutes or longer suggest substantive engagement.
- Distribution — calls spread across days and times, not just evenings or weekends.

### Email Records

Emails about substantive matters — wedding planning, financial planning, visa preparation — are excellent commitment evidence. Select 5-10 representative emails covering different topics over time.

## Statutory Declaration Advanced Techniques

Building on Chapter 7 and Chapter 16, advanced techniques for statutory declarations:

### The Three-Layer Narrative

Structure your declaration in three layers:

243. Top layer — facts. Dates, names, locations, events. The skeleton of the story.
244. Middle layer — emotional context. How decisions felt, why choices were made, the relationship's emotional development.

245. Bottom layer — corroboration. References to specific documents ("Exhibit A-3 contains the wedding photograph from this event"). Reference to specific Form 888 witnesses ("Mr O'Brien attended this dinner; his Form 888 declaration confirms this").

A declaration that has all three layers feels alive. A declaration with only the top layer feels mechanical. A declaration with only the middle layer feels speculative.

## Voice Distinction

The two partners' declarations should sound like two different people wrote them — because two different people did. Practical techniques:

- Write your own declaration without seeing your partner's. Compare only at the end to check coherence.
- Use your natural vocabulary. If you would say "obviously" in conversation, say "obviously" in the declaration. If you would say "thought it appropriate" instead, use that.
- Include personal observations only you would make. The sponsor's declaration might say "Pinky was wearing the gold necklace my mother had gifted her at our roka." The applicant's declaration might say "I had been nervous about meeting Rohan's mother because I had heard she was a perfectionist about wedding traditions." These are details only one partner would naturally write.

## Addressing Complications Proactively

Strong declarations address potential concerns rather than hiding them:

- Age difference: "I am twelve years younger than my husband. We discussed this difference openly during our courtship; both our families considered it. We were prepared to address the social complexity it might create, and have not found it to be a barrier in our daily lives."
- Religious or community difference: "I am Hindu; my wife was raised Catholic. We have agreed to celebrate festivals from both traditions and to raise any children we have with exposure to both."
- Brief acquaintance before engagement: "We had met for the first time three weeks before our engagement, but had been speaking by video call for two months prior, with our families exchanging biodata for six weeks before that. The arrangement process was thorough even though our in-person time before engagement was brief."
- Distance during the relationship: "My husband moved to Brisbane in 2022 for his career. I have remained in Mumbai to support my elderly parents. We have maintained the relationship through annual visits in both directions and daily video contact, and we have a clear plan for me to join him in Brisbane once his sister returns from her studies abroad to help care for our parents."

## Length Calibration

Declaration length should match the complexity of the relationship:

- Simple, well-documented relationships (love marriage, several years together, strong four-pillar evidence): 2,000-2,500 words is sufficient.
- Average complexity (arranged marriage, some unusual features, decent evidence): 2,500-3,500 words.
- Complex relationships (long-distance only, recent engagement, family complications, prior visa concerns): 3,500-4,500 words.

Beyond 5,000 words, you are likely including irrelevant detail. Under 1,500 words, you are likely not addressing the four pillars in sufficient depth.

## Document Authentication

### Notarisation

In India, statutory declarations should be signed before a notary. Use a court-attached notary where possible. Verify the notary's credentials:

- Notary's name and registration number.
- State of registration.
- Authority limits (some notaries are authorised only for specific document types).
- Seal and signature on the document.

### Apostille

Most Australian visa applications do not require apostille of Indian documents. The Department accepts notarised documents directly. However, certain post-grant processes (Centrelink registration, driving licence conversion in some states) may require apostille of marriage certificates and birth certificates. Apostille from the Ministry of External Affairs in India typically takes 2-3 weeks; many applicants arrange apostille of key documents (marriage certificate, birth certificate, education degrees) before lodgement to avoid delays later.

### Translation Certification

All non-English documents must be translated by NAATI-certified translators. Verify NAATI credentials at [NAATI.com.au](http://NAATI.com.au). The translator should:

- Provide a NAATI certification statement on letterhead.
- Include their NAATI number.
- Date and sign every translated document.
- Keep originals attached to translations.

## Chapter 32 — Success Patterns and Final Observations

Twenty-five years of immigration practice produces patterns. Across thousands of Indian families I have assisted across multiple destinations, certain success patterns appear repeatedly. This final chapter consolidates those patterns. They apply not only to Australian partner visa applications but to migration journeys generally.

### Success Pattern One — Couples Who Treat Migration As A Joint Project

The strongest applications come from couples where both partners are actively engaged in the process. Not just the applicant filling out forms and the sponsor signing them. Genuine joint engagement means:

- Both partners read every form before either signs.
- Both partners review each other's statutory declarations and discuss any concerns before final signing.
- Both partners discuss the timing, the costs, and the risk tolerance.
- Both partners brief Form 888 declarants, ideally jointly where the declarants know both.
- Both partners maintain the relationship evidence through processing.

The failure mode is the disengaged sponsor — the Australian-side partner who treats the application as something the Indian-side partner is doing, with the sponsor just signing where required. This is the application that produces inconsistent statutory declarations, missed deadlines, and ultimately weaker outcomes.

### Success Pattern Two — Couples Who Document Continuously, Not Episodically

Strong relationships generate strong documentation naturally. Couples who:

246. Keep joint bank accounts active continuously, not just before lodgement.
247. Maintain daily communication patterns, not surges before lodgement.
248. Visit each other regularly, not just for documentation purposes.
249. Take photographs naturally over time, not in batches for evidence.
250. Add each other to insurance, leases, and accounts as a matter of course, not for visa optics.

...produce applications that look like what they are: documentation of a real relationship. The visible authenticity is persuasive.

## Success Pattern Three — Couples Who Engage Professional Help Strategically

Not every couple needs a MARA agent for the whole application. But the strongest outcomes come from couples who engage professional help at the right inflection points:

- Initial strategy consultation — one or two hours with a MARA agent at the start to assess the case and identify any complications. Cost: AUD \$250-500.
- Pre-lodgement file review — a MARA agent reviews the assembled application before lodgement. Cost: AUD \$500-1,500.
- RFI response — if an RFI is issued and is technically complex, agent involvement in the response. Cost: AUD \$500-2,000 depending on complexity.
- Natural justice letter response — almost always worth full agent representation. Cost: AUD \$1,500-3,500.
- Review or appeal — agent representation is strongly advised. Cost: AUD \$3,000-7,000.

Couples on tight budgets can sometimes get a single strategy consultation and otherwise handle the application themselves. Couples with any complication should engage full representation.

## Success Pattern Four — Couples Who Plan Beyond The Visa

The application is a gateway, not a destination. The strongest migrants I have worked with planned their post-arrival lives before the visa was granted:

251. They researched the Australian employment market for the applicant's skills.
252. They mapped the recognition process for the applicant's qualifications and started any recognition steps that could be done from India.
253. They identified the city or area where they would settle, including factors beyond the sponsor's existing residence.
254. They built financial reserves for the first 6-12 months in Australia, when employment may take time.
255. They engaged with the Indian-Australian community in their target city before arrival.

Migrants who arrive with a plan integrate faster. Migrants who arrive without a plan often struggle for 18-24 months before finding their footing. The struggle is rarely about competence; it is about the time required to learn the landscape without guidance.

## Success Pattern Five — Couples Who Respect The Indian Side

Migration to Australia does not require abandoning Indian connections. The strongest long-term outcomes come from migrants who maintain meaningful India connections alongside their Australian lives:

- OCI cards maintained — providing visa-free travel and identity ties to India.

- Indian property managed responsibly — kept and rented, or sold thoughtfully, with full tax compliance on both sides.
- Indian family obligations honoured — caring for ageing parents, attending family events, sending support to siblings.
- Indian cultural traditions practised in Australia — language, food, festivals, religious observance.
- Indian-Australian community engagement — building bridges, not walls.

Migrants who try to fully "become Australian" by cutting India ties often regret it later. Migrants who maintain both sides have richer lives and stronger long-term mental health.

## Common Failure Patterns To Avoid

### Failure Pattern One — Rushing The Application

Lodging an application that is 70% ready because "we need to start the clock" is the most common failure pattern. The clock starts again with refusal. Better to lodge in month 9 with a complete application than in month 3 with an incomplete one.

### Failure Pattern Two — DIY Approach Beyond Capacity

Some applications are too complex for DIY. If your situation involves any of: prior visa refusal, character history, health condition above threshold, relationship complications, sponsor character concerns — engage professional help. The cost of a refusal far exceeds the cost of an agent.

### Failure Pattern Three — Treating The Sponsor's Role As Passive

Sponsors who think they just need to sign Form 40SP and otherwise stay out of the way produce weaker applications. The sponsor's parallel statutory declaration, ongoing financial co-mingling activity, and updates during processing all matter.

### Failure Pattern Four — Inconsistent Storytelling

Couples whose Form 47SP says one thing, statutory declarations say another, and Form 888 witnesses say a third version produce applications that case officers refuse. Internal coherence matters above all.

### Failure Pattern Five — Ignoring The Post-Arrival Phase

Couples who focus entirely on getting the visa, then have no plan for the first month in Australia, often produce relationship strain that ultimately threatens the 100-stage grant. Plan for the arrival as carefully as for the lodgement.

## **Long-Term Perspective**

Twenty-five years from now, your partner visa application will be a small footnote in a life you built together in Australia. The work you do now — gathering evidence, completing forms, coordinating with your partner, planning for arrival — sets the trajectory for decades of life decisions.

The couple who lodged a strong application in March 2025 may be applying for Australian citizenship in 2029. By 2035 they may have children attending Australian schools, may have purchased a house in Melbourne or Sydney, may have built careers and friendships and community. The 2025 application would by then be a distant administrative memory.

Decades after the application, the couple's daughter or son might be marrying an Indian spouse and beginning their own partner visa process — perhaps reading a future edition of this book. The cycle continues. Migration is not an event; it is a multi-generational shift.

Take this seriously, but not anxiously. You are not alone in this journey. Hundreds of thousands of Indian families have walked this path. Most of them succeeded. The framework in this book — the four pillars, the forms, the timeline, the troubleshooting — is the consolidated wisdom of all those journeys. Use it well.

## **Acknowledgements**

This book exists because of the thousands of Indian families who trusted Dreamvisas with their immigration questions over twenty-five years. Every chapter draws on real experience — refusals overturned, applications successful, lessons learned the hard way. Names and details are changed; the patterns are real.

Thanks to the regulators — the College of Immigration and Citizenship Consultants in Canada, the Migration Agents Registration Authority in Australia — for maintaining standards that protect applicants from unqualified advisors.

Thanks to the immigration officers, both Canadian and Australian, who quietly grant tens of thousands of applications every year to people who have proven they meet the criteria. The system works most of the time precisely because most officers do their work fairly.

And thanks to the readers of this book and the broader Dreamvisas catalogue. Your engagement with structured preparation makes the system work better for everyone. The applicant who reads a book like this, prepares carefully, and lodges a strong application contributes to a system that allocates places to people who can demonstrate they should have them.

Best wishes for your application, your move, and your Australian life.

## Chapter 33 — Policy Evolution and Staying Current

Immigration policy is not static. The Subclass 309/100 framework that applies in 2026 is meaningfully different from the framework that applied in 2020, which was meaningfully different from 2015. Applicants who began preparing in 2024 and are still mid-processing in 2026 have lived through several policy adjustments. This chapter explains the evolution and how to stay current.

### The Trajectory Since 2015

Tracing the partner visa programme over the past decade reveals consistent patterns:

#### Fees Have Risen Steadily

The base partner visa fee has increased nearly every year. From around AUD \$6,865 in 2015 to AUD \$9,365 in FY 2025-26. The pattern of annual fee revisions on 1 July each financial year continues. Plan for the fee to be higher when you actually lodge than when you start preparing.

#### Processing Times Have Generally Lengthened

In 2015, partner visa processing typically took 12-18 months for the temporary stage. By 2020, this had stretched to 16-24 months. In 2026, the range is 14-26 months — slightly improved at the lower end as the Department has cleared backlogs, but the upper end remains long.

#### Evidence Standards Have Tightened

The four-pillar framework has been formal since 1994, but the Department's application of it has become more demanding. In 2015, an application with moderate evidence across the pillars was usually approved. In 2026, that same application would likely receive an RFI or be refused. Case officers now expect substantial evidence in each pillar.

#### Decision-Ready Lodgement Has Become Standard

The shift from RFI-tolerant processing to decision-ready expectation accelerated through 2024 and 2025. The Department's guidance now consistently asks applicants to assemble complete files before lodging.

#### Family Violence Provisions Have Strengthened

The Department's framework for assessing family violence claims has become more sophisticated and more applicant-supportive. Certified statements from registered professionals carry weight; the threshold for establishing family violence has been clarified.

### Likely Future Direction

No one can predict future policy with certainty, but several trends seem likely to continue:

256. Fees will continue rising. Plan for AUD \$10,000+ within the next two to three years.
257. Processing times will remain long. The Department has not allocated resources to materially reduce wait times below the current range.
258. Evidence expectations will continue rising. Case officers expect more documentation across all pillars.
259. Digital processing will expand. Paper-based interactions will diminish further.
260. Cross-departmental data sharing will intensify. Information you provide on tax returns, Medicare enrolment, or other government interactions may be cross-referenced with your visa application.

These trends do not change the core advice in this book — coherent, honest, decision-ready preparation works. But they do mean that procrastinating worsens your position over time. Today's planned 2027 application costs more in 2027 than it would have cost in 2025.

## Staying Current Through Processing

During your 2-4 year journey, policy may change. Stay current through:

### Department Sources

- [immi.homeaffairs.gov.au](https://immi.homeaffairs.gov.au) — primary source. Bookmark the partner visa pages and check quarterly.
- Department's News page — major policy changes are announced there before they appear in detailed guidance.
- ImmiAccount notifications — any direct communication from the Department about your file.

### Professional Sources

- MARA-registered agent commentary — many active MARA agents publish blog updates on policy changes.
- Migration Institute of Australia and other professional associations publish policy commentary.
- Legal commentary from Australian immigration lawyers — particularly useful when policy changes have legal complexity.

### Community Sources

- Indian community forums in Australia — many have active discussion of partner visa experiences. Use these to validate, not as primary source — official sources beat anecdotal.
- YouTube channels by migration practitioners — useful for accessible summaries of complex changes.

- LinkedIn communities of Indian migrants in Australia — practical wisdom and current experience.

## When Policy Changes Mid-Processing

If a material policy change happens while your application is in processing, three rules generally apply:

261. The fee you paid at lodgement is the fee that applies — even if fees have since increased.
262. Eligibility rules at the time of lodgement generally apply for the temporary stage decision.
263. Rules in effect at the time of the permanent stage decision apply at that stage — so changes during the 2-year wait can affect the Subclass 100 assessment.

If a material change occurs and you are unsure how it affects your file, take advice. Often the answer is "no change required" but verification is worthwhile.

## The Bigger Picture — Australian Immigration In 2026 And Beyond

Beyond the partner visa specifically, Australian immigration policy in 2026 reflects ongoing tension between:

- Demand for skilled labour, particularly in healthcare, construction, and technology.
- Pressure from voters and infrastructure for slower population growth in major cities.
- Recognition that family reunification is essential for skilled migration sustainability — migrants who cannot bring partners and children do not stay.
- Geopolitical considerations affecting source countries, with India remaining a priority source.

For Indian partner visa applicants, this means the underlying conditions remain favourable. The Australian government values Indian migration broadly, considers family reunification essential, and continues to make the partner visa programme accessible. The procedural complexity is real but it is procedural — not a fundamental tilt against approval.

Plan for the system as it currently is. Prepare for the framework as currently structured. The four pillars have been stable for thirty years and will likely remain so. Decision-ready expectations and processing rigour have intensified but the framework underneath is durable.

## A Note On Different Source Countries

This book has been written specifically for Indian applicants. Much of the advice generalises to other South Asian source countries (Pakistan, Bangladesh, Sri Lanka, Nepal) but specific details differ. If you are applying from one of these other countries, key adaptations:

- Police certificate processes are country-specific.

- Banking systems differ — NRE/NRO are Indian-specific structures.
- Tax treaties and double taxation arrangements vary.
- Community organisations and Form 888 witness networks differ.
- Health examination clinics and panel doctor availability vary.

The four-pillar framework, the decision-ready expectation, the forms, and the general strategic advice all apply equally. Only the local logistical details change.

If you are applying from a country other than India, treat the Indian-specific sections of this book as illustrative — the structure of the analysis applies, but the specific facts need to be adapted to your country's regulatory and financial systems.

## Closing The Book

You have reached the end of this guide. Thirty-three chapters, hundreds of pages, tens of thousands of words covering everything from eligibility to settlement to advanced documentation. If you have read this thoroughly, you know more about the Australian partner visa system than the vast majority of applicants — and certainly more than the vast majority of agents who claim expertise.

Whether you apply within the next few months or wait two years for the right circumstances, whether you apply with full MARA agent representation or DIY with selective consultation, the framework you have learned here is the same framework that produced thousands of successful applications and overturned many initial refusals.

Use what you have learned. Build the evidence. Prepare with rigour. Lodge with confidence. And whatever happens next, you have done the work that needed doing.

If this book has helped you understand your options or avoid a costly mistake, please leave an honest Amazon review. Two minutes — it helps the next person in the same situation. The verbatim review request and PER information appear on the second-to-last page of this book.

Best wishes for the rest of your journey. The author hopes to one day see you settled in Australia with the person you chose, your visa journey a memory and your Australian life unfolding ahead of you.

*End of the main text.*

*Conclusion, About the Author, and the 108-title Scanner Page follow.*

## Chapter 34 — Appendix: Key URLs, Contacts, and References

This final appendix consolidates the practical reference information mentioned throughout the book. Bookmark, print, or save these as you progress through your application.

### Australian Government Sources

#### Department Of Home Affairs

- Main website: [immi.homeaffairs.gov.au](http://immi.homeaffairs.gov.au)
- Partner visa Subclass 309: [immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/partner-offshore/provisional-309](http://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/partner-offshore/provisional-309)
- Partner visa Subclass 100: [immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/partner-offshore/permanent-100](http://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/partner-offshore/permanent-100)
- Current fees and charges: [immi.homeaffairs.gov.au/visas/getting-a-visa/fees-and-charges](http://immi.homeaffairs.gov.au/visas/getting-a-visa/fees-and-charges)
- Processing times: [immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times](http://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times)
- Forms repository: [immi.homeaffairs.gov.au/forms-and-documents](http://immi.homeaffairs.gov.au/forms-and-documents)

#### ImmiAccount

- Login and application portal: [online.immi.homeaffairs.gov.au](http://online.immi.homeaffairs.gov.au)

#### Australian Government Health

- Approved panel doctors: [immi.homeaffairs.gov.au/help-support/contact-us/offices-and-locations/list/panel-physicians](http://immi.homeaffairs.gov.au/help-support/contact-us/offices-and-locations/list/panel-physicians)
- Medicare enrolment: [servicesaustralia.gov.au/medicare](http://servicesaustralia.gov.au/medicare)

#### Australian Government Tax

- Australian Taxation Office: [ato.gov.au](http://ato.gov.au)
- TFN application: [ato.gov.au/individuals/tax-file-number](http://ato.gov.au/individuals/tax-file-number)

#### Administrative Review Tribunal

- Tribunal: [art.gov.au](http://art.gov.au)
- Migration & Refugee Division information: [art.gov.au/migration-and-refugee-division](http://art.gov.au/migration-and-refugee-division)

#### Regulator Of Migration Agents

- MARA: [mara.gov.au](http://mara.gov.au)
- Find a registered agent: [mara.gov.au/online-services/search-the-register-of-migration-agents](http://mara.gov.au/online-services/search-the-register-of-migration-agents)

## Indian Government Sources

### Passport And Police Certificates

- Passport Seva: [passportindia.gov.in](http://passportindia.gov.in)
- Police Clearance Certificate application: [passportindia.gov.in](http://passportindia.gov.in) (apply through your local PSK)

### Document Attestation

- Ministry of External Affairs: [mea.gov.in](http://mea.gov.in)
- Apostille services: [mea.gov.in/apostille](http://mea.gov.in/apostille)

### Foreign Exchange

- Reserve Bank of India: [rbi.org.in](http://rbi.org.in)
- FEMA guidelines for NRIs: [rbi.org.in/Scripts/FEMAView.aspx](http://rbi.org.in/Scripts/FEMAView.aspx)

## Translation Services

### NAATI

- NAATI: [naati.com.au](http://naati.com.au)
- Find a translator: [naati.com.au/find-a-translator-or-interpreter](http://naati.com.au/find-a-translator-or-interpreter)

## Support Services

### Family Violence

- 1800RESPECT: 1800 737 732 (24/7 confidential)
- Website: [1800respect.org.au](http://1800respect.org.au)

### Mental Health

- Lifeline: 13 11 14 (24/7 crisis line)
- Beyond Blue: 1300 22 4636
- Headspace (youth): 1800 650 890

### Relationship Support

- Relationships Australia: 1300 364 277
- Website: [relationships.org.au](http://relationships.org.au)

## Australian Indian Community Organisations

### National

- United Indian Associations of Australia.

- Australia India Business Council.
- Federation of Indian Associations of Australia.

### State-Specific (Examples)

- New South Wales — Sydney Indian community organisations across multiple linguistic/regional groups.
- Victoria — Melbourne Indian Society and dozens of community-specific associations.
- Queensland — Brisbane Indian community and regional groups.
- Western Australia — Perth Indian Society and associated organisations.
- South Australia — Adelaide Indian Society.

### Religious And Cultural

- Hindu Council of Australia.
- Australian Federation of Islamic Councils.
- Sikh Council of Australia.
- Australian Christian Indian organisations.
- Various Buddhist and Jain associations.

## Indian Diplomatic Missions In Australia

### High Commission Of India

- New Delhi to Canberra: [hciacanberra.gov.in](http://hciacanberra.gov.in)

### Consulate Generals

- Sydney: [cgi-sydney.gov.in](http://cgi-sydney.gov.in)
- Melbourne: [cgi-melbourne.gov.in](http://cgi-melbourne.gov.in)
- Perth: [cgi-perth.gov.in](http://cgi-perth.gov.in)

Consulates handle OCI card services, passport renewal, marriage registration, and various Indian government services for Indians in Australia. Plan ahead for any consular service — wait times can be substantial.

## Banking Services

### Indian Banks With NRI Services In Australia

- State Bank of India (SBI) Australia.
- HDFC Bank — partnership arrangements with select Australian banks.
- ICICI Bank — NRI services accessible from Australia.
- Axis Bank — NRI services.

## Australian Banks With India Connection

- ANZ — historical presence in India, services for Indian migrants.
- Commonwealth Bank — Migrant Banking programme.
- Westpac — Welcome to Australia banking.
- HSBC — global presence with India-Australia transfer capability.

## Professional Networks

### Engineering

- Engineers Australia: [engineersaustralia.org.au](http://engineersaustralia.org.au)

### Accounting

- CPA Australia: [cpaaustralia.com.au](http://cpaaustralia.com.au)
- Chartered Accountants Australia and New Zealand: [charteredaccountantsanz.com](http://charteredaccountantsanz.com)

### Medical

- Australian Health Practitioner Regulation Agency (AHPRA): [ahpra.gov.au](http://ahpra.gov.au)
- Australian Medical Council: [amc.org.au](http://amc.org.au)

### Dental

- Australian Dental Council: [adc.org.au](http://adc.org.au)

### Information Technology

- Australian Computer Society: [acs.org.au](http://acs.org.au)

## Updating Sources

Information in this appendix was current as at February 2026. URLs change. Phone numbers occasionally change. Government departments restructure. Verify any specific resource before relying on it for a critical interaction.

The Department of Home Affairs is your primary authoritative source for current visa policy. The other resources in this appendix supplement it but do not replace it. When in doubt, go to [immi.homeaffairs.gov.au](http://immi.homeaffairs.gov.au).

*This concludes the operational reference material.*

*The book's Conclusion, About the Author, and Scanner Page follow.*

## Appendix A — Relationship Timeline Template

Print this template, fill it in by hand or on a computer, and use it as the spine of your evidence package. The completed timeline aligns your statutory declarations, your forms, and your evidence — every event you list here should have at least one supporting document, and the date should appear consistently everywhere it is mentioned. Both partners should complete this together, in one sitting, before drafting any declaration.

### How To Use This Template

264. Both partners sit down together with passports, photo libraries, and bank statements open.
265. Work chronologically from first contact to the present day.
266. For each event, fill in all five columns. Leave columns blank only if no evidence exists — those gaps are what you need to fix before lodging.
267. Cross-check: every date here should match what appears on Form 47SP, Form 40SP, and both statutory declarations.
268. Keep this document with your application file. If an RFI arrives 18 months later, this is your memory aid.

### The Timeline Template

Date	Event	Location	Who Was Present	Evidence Reference
___ / ___ / ___	First meeting / introduction	[city, venue]	[names]	[Exhibit ___]
___ / ___ / ___	First in-person interaction beyond introduction	[city, venue]	[names]	[Exhibit ___]
___ / ___ / ___	Decision to pursue the relationship seriously	[location — in person or virtual]	[names]	[Exhibit ___]
___ / ___ / ___	First meeting between extended families	[city, venue]	[names of family members]	[Exhibit ___]
___ / ___ / ___	Engagement / roka ceremony	[city, venue]	[approximate guest count and key family]	[Exhibit ___]
___ / ___ / ___	Wedding registration / civil ceremony	[Sub-Registrar office]	[witnesses named on certificate]	[Marriage certificate]
___ / ___ / ___	Wedding / religious ceremony	[city, venue]	[approximate guest count]	[Wedding album]

Date	Event	Location	Who Was Present	Evidence Reference
___ / ___ / ___	First joint financial action (joint account, transfer, etc.)	[bank or institution]	—	[Bank statement / receipt]
___ / ___ / ___	First post-wedding visit (sponsor to India or vice versa)	[city]	—	[Passport stamps, hotel/lease]
___ / ___ / ___	Subsequent visit 2	[city]	—	[Passport stamps, photos]
___ / ___ / ___	Subsequent visit 3	[city]	—	[Passport stamps, photos]
___ / ___ / ___	Application lodgement	[ImmiAccount]	—	[Lodgement receipt]

### Checking Your Completed Timeline

- Every date is precise (day, month, year) where possible. “March 2024” is acceptable for early events; “2024” alone is not.
- Every event has at least one Exhibit reference.
- The timeline shows continuity — there are no unexplained gaps of six months or more.
- Both partners agree on every date. Differences must be resolved by reference to actual documents, not memory.
- The cumulative cohabitation days are calculated and noted at the bottom. Long-distance couples should know exactly how many days they have physically been in the same country.

## Appendix B — Financial Summary Sheet (Pillar 1)

This one-page summary sits at the front of your financial evidence bundle. A case officer who reads only this page should be able to see the shape of your joint financial life in under sixty seconds. The summary points to underlying documents; the documents do the heavy lifting; the summary makes them navigable.

### Template

Category	Detail	Period Covered	Document Exhibit
Joint Bank Account 1	[Bank name, account type, both names]	[Start date – End date]	[Exhibit B-___]
Joint Bank Account 2	[Bank name, account type, both names]	[Start date – End date]	[Exhibit B-___]
NRE Account (if applicable)	[Bank name, sponsor name, applicant access status]	[Start date – End date]	[Exhibit B-___]
Remittance pattern (Australia → India)	[Average monthly amount, frequency]	[Start date – End date]	[Exhibit B-___]
Remittance pattern (India → Australia)	[If applicable]	[Period]	[Exhibit B-___]
Joint property	[Address, both names, registration date]	[Date of joint ownership]	[Exhibit B-___]
Joint loan / mortgage	[Lender, joint borrowers, outstanding balance]	[Start date – Current]	[Exhibit B-___]
Life insurance (with partner as nominee)	[Insurer, policy number, sum assured]	[Issue date – Maturity]	[Exhibit B-___]
Health insurance (joint or with partner cover)	[Insurer, policy number]	[Current period]	[Exhibit B-___]
Will / succession nomination	[Date of will, primary beneficiary]	[Date]	[Exhibit B-___]
Wedding expense receipts	[Major items contributed by either side]	[Wedding date period]	[Exhibit B-___]
Joint utility / subscription	[Service, both names where possible]	[Start date – Current]	[Exhibit B-___]

## Narrative Paragraph (Place At Bottom Of The Summary)

### Specimen Closing Paragraph

Over the past [number] months, my husband/wife and I have built a joint financial life across India and Australia. Our joint NRE account at [Bank Name], opened on [date], has received [number] deposits from his/her Australian salary totalling approximately AUD [amount]. We have used this account for shared household expenses including [examples]. We jointly own [asset] valued at approximately [amount], purchased on [date]. We have named each other as the primary beneficiary on [number] life insurance policies and on our respective superannuation/EPF/PPF accounts. The documents supporting this summary are at Exhibits B-[range].

### Audit Questions To Ask Yourself

- Could a case officer read this single page and form a clear picture of joint financial activity? If not, simplify.
- Does the dollar/rupee volume of activity reflect a real relationship? One AUD \$50,000 transfer with no follow-up looks engineered; a 12-month pattern of AUD \$1,500 monthly transfers looks real.
- Do the dates here match the dates in your timeline (Appendix A) and your statutory declarations?

## Appendix C — Form 888 Witness Prep Sheet

Give this sheet to each Form 888 declarant before they sit down to write. It briefs them on what the form is, what makes a strong declaration, and what to avoid. They write the actual declaration in their own voice — you do not write it for them. Case officers can spot template-written Form 888s and discount them.

### Brief For The Witness

#### Who You Are

You are completing Form 888 (Statutory Declaration by a Supporting Witness) in support of [Applicant Name]'s Subclass 309/100 partner visa application, sponsored by [Sponsor Name].

To be eligible to complete Form 888, you must be:

- An Australian citizen or permanent resident.
- At least 18 years old.
- Able to confirm — truthfully — that you have personally observed the relationship between the applicant and sponsor and believe it to be genuine.

#### What The Department Wants From You

The Department wants specific, factual observations — not generic praise. The case officer will read your declaration looking for evidence that you personally know both people and have witnessed their relationship in real life.

#### The Four Things To Cover

269. How you know the couple. How long have you known each of them? How did you meet? What is the nature of your relationship to them (family, friend, colleague, neighbour)?
270. Specific events you attended together. The wedding? Family dinners? Birthdays? Religious festivals? Joint travel? Be precise about dates and locations.
271. Your observations of the relationship. Have you seen the couple interact? How do they relate to each other and to each other's families? Have they spoken to you about future plans?
272. Your honest belief that the relationship is genuine. State this directly at the end.

#### What To Avoid

- Generic praise (“they are a wonderful couple, I am sure they will be very happy”). The Department does not care about your blessings; it cares about what you have observed.

- Statements about facts you have not personally witnessed. If you have never met the applicant, you cannot say their relationship is genuine — you can only say what the sponsor has told you, which is much weaker.
- Mirroring the wording of other Form 888 declarations. Each witness should write in their own voice.
- Length under 200 words (looks thin) or over 1,000 words (looks overdone). Aim for 400–800 words.

### Practical Steps For You The Witness

273. Draft the declaration in your own words, on plain paper or a Word document.
274. Take the draft to an authorised witness in Australia. The full list of authorised witnesses is on the Australian Government website; common ones include a Justice of the Peace, a pharmacist, a police officer, a medical practitioner, a legal practitioner.
275. The witness will check your identity, watch you sign, and sign as a witness.
276. Send the signed and witnessed Form 888 to the applicant for inclusion in the application file.

### A Note On Honesty

#### **This Is A Statutory Declaration**

Form 888 is a statutory declaration under the Statutory Declarations Act 1959. Making a false statement in a statutory declaration is a criminal offence in Australia, punishable by imprisonment. Only declare what you have personally observed and honestly believe to be true. The applicant and sponsor cannot and should not ask you to declare anything you do not believe.

## Appendix D — Statutory Declaration Outline (Both Partners)

Each partner writes their own statutory declaration independently, then exchanges drafts only to check coherence. Do not write one declaration and then write the other to match it — case officers detect this. Use the structure below as a scaffold; fill in the content in your own voice.

### Declaration Structure (2,500–3,500 Words Total)

#### Opening Paragraph (~100 Words)

“I, [full name as on passport], of [current address], make this declaration concerning my relationship with my [husband/wife/de facto partner] [full name]. I am an [Indian/other] citizen, born on [date] in [city]. My partner is an Australian [citizen/permanent resident]. We are applying for a Subclass 309/100 partner visa...”

#### Section 1 — Personal Background (~300 Words)

- Where you grew up, your education, your career.
- Your family — parents, siblings.
- Any previous serious relationships and how they ended (if relevant).
- The state of your life at the time you met your partner.

#### Section 2 — How We Met (~400 Words)

- Specific date and circumstances of the first meeting.
- Who introduced you, or how the introduction happened (matrimonial site, mutual friend, family event).
- Your first impressions.
- How and when contact was established afterward.

#### Section 3 — Courtship / Pre-Engagement (~500 Words)

- Frequency and nature of communication during the early period.
- First in-person time together after the initial meeting (if relevant).
- Decisions about whether to take the relationship seriously.
- Conversations with family members about the relationship.

#### Section 4 — Engagement And Wedding (~400 Words)

- Date, location, and circumstances of the engagement.
- Family ceremonies (roka, engagement, etc.).
- Wedding date, venue, key family members present.

- Civil registration of the marriage.

### **Section 5 — Post-Wedding Life (~500 Words)**

- Where you lived (or have lived) together.
- Joint financial decisions — bank accounts, expenses, planning.
- Visits between India and Australia.
- Daily contact during separation periods.

### **Section 6 — Family Integration (~300 Words)**

- Your relationship with your partner's family.
- Your partner's relationship with your family.
- Joint participation in family events.

### **Section 7 — Plans For The Future (~300 Words)**

- Where you intend to live in Australia.
- Career and financial plans.
- Family planning.
- Long-term life vision.

### **Closing Paragraph (~100 Words)**

"I make this declaration with full knowledge that any false statement may render me liable to a charge under [relevant statutory declarations legislation]. The contents of this declaration are true and correct to the best of my knowledge and belief."

### **Editing Your Draft**

- Read aloud. Does it sound like you?
- Check every date against your passport and other documents.
- Have a friend who knows you read it. Would they recognise your voice?
- Resist polishing into bland prose. Honest specifics beat polished generalities.

## Appendix E — Full Specimen Applicant Declaration (With Commentary)

Below is an anonymised specimen of an applicant's statutory declaration that resulted in a successful Subclass 309 grant. Personal details have been altered to protect the original applicants. The declaration is approximately 2,700 words; commentary in bracketed italics highlights what each section is doing and why it works.

Use this as a model of structure, voice, and specificity. Do not copy the wording — your case officer has read thousands of partner visa declarations and will recognise template language.

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### Statutory Declaration of Ms Anjali Sharma

I, Anjali Sharma, of 412 Marigold Apartments, Aundh, Pune 411007, make this declaration concerning my relationship with my husband, Mr Vivek Kapoor, an Australian permanent resident currently residing at 27 Quentin Street, Brunswick, Victoria 3056, Australia. We were married on 14 February 2025 at the Office of the Sub-Registrar of Marriages, Pune, with religious ceremonies on 12 and 13 February 2025. We are applying for the Subclass 309 Partner Visa (Provisional) and Subclass 100 Partner Visa (Permanent) under combined lodgement.

*[Commentary: Opens with full names, addresses, marriage details, and visa subclass references. Establishes identities and the purpose of the document in 100 words. Case officer reading the first paragraph knows immediately who, what, and when.]*

### My Background

I was born on 18 March 1996 in Pune, Maharashtra. I am the elder of two daughters of Mr Suresh Sharma, a retired Bank of Maharashtra branch manager, and Mrs Vandana Sharma, a homemaker. My younger sister Pooja is studying medicine at B.J. Medical College, Pune.

I completed my Bachelor of Commerce at Fergusson College in 2017 and my MBA in Finance at Symbiosis International University in 2019. Since June 2019 I have worked at HDFC Bank Pune as a Senior Relationship Manager handling commercial accounts. I currently earn approximately INR 14 lakhs per annum.

Before meeting Vivek, I had been in one previous serious relationship between 2018 and 2020, which ended amicably when my then partner accepted a position in Singapore and we agreed we wanted different futures. I have not been previously married.

*[Commentary: Establishes the applicant's background concisely. Notes the prior relationship transparently — hiding it would have been a 4020 risk. Specific employer and salary lend credibility.]*

### How I Met Vivek

I met Vivek for the first time on 6 October 2023 at the wedding of my cousin Rakesh Sharma in Mumbai. The wedding was at the Renaissance Mumbai Convention Hotel in Powai. Vivek was a

guest of the groom's family — his elder brother Rohit Kapoor had been Rakesh's college roommate at IIT Bombay between 2010 and 2014.

At the wedding reception on 6 October, I was seated at table 14 with my parents and sister. Vivek was at table 11 with his brother's wife's family. After the dinner speeches, Vivek approached our table to congratulate my uncle, who he had been introduced to earlier. We were briefly introduced. We spoke for perhaps fifteen minutes about Mumbai, his work in Brisbane, and my work at HDFC Bank. He asked for my phone number before he left to attend the after-party. I gave him my WhatsApp number.

*[Commentary: Specific date, specific venue, specific table numbers, specific length of conversation, specific reason for the connection between the two families. The case officer can verify the wedding date independently. Detail at this level is the difference between a credible meeting story and a constructed one.]*

### **From First Meeting To Engagement**

Vivek messaged me on WhatsApp the next evening, 7 October 2023, asking whether I had returned safely to Pune. We exchanged messages over the following week. He was scheduled to fly back to Brisbane on 19 October 2023 and asked whether we could meet in Mumbai before his departure. I agreed to come to Mumbai for the weekend of 14–15 October.

On 14 October 2023 I travelled to Mumbai by train (Deccan Queen, 7:15 AM Pune to 10:25 AM Mumbai CST). Vivek met me at the station. We spent that Saturday afternoon walking around the Gateway of India and lunching at Trishna in Fort. We had dinner at Britannia & Co. The next day, Sunday 15 October, we visited the Chhatrapati Shivaji Maharaj Vastu Sangrahalaya and lunched at Mahesh Lunch Home before I caught the 6:00 PM train back to Pune.

After Vivek returned to Brisbane on 19 October 2023, we continued to communicate daily — video calls (typically 45–60 minutes, three or four evenings per week) and WhatsApp messages throughout the day. Records of this communication for the period from October 2023 through August 2024 are at Exhibit C-12.

In late November 2023 Vivek and I had a long conversation in which we both acknowledged that the relationship had become significant. We agreed to formally tell our families and to see whether the two families would be supportive of us pursuing marriage.

*[Commentary: Tracks a specific, plausible relationship development arc. Specific transport details, restaurant names, museum names. Records video call frequency and duration. Cross-references Exhibit C-12 directly. The reader can see, hour by hour, where this couple was on specific days.]*

### **Family Integration And Engagement**

Vivek's parents flew from Mumbai to Pune on 9 December 2023 to meet my parents at our home. We had lunch together. Vivek joined by video call from Brisbane. Photographs from this meeting are at Exhibits A-3 and A-4. Our families agreed in principle to support the marriage subject to Vivek and me meeting again in person, which we did during his visit to Pune on 16–26 January 2024.

During his January 2024 visit, Vivek stayed at the Hyatt Regency Pune. We spent eleven days together, including six days at my family home in Pune where Vivek met my extended family at a small gathering on 20 January 2024. He proposed to me at the Khadakwasla Dam on the afternoon of 23 January 2024. I accepted. Photographs from this period are at Exhibits A-5 through A-11.

Our roka ceremony was held on 25 January 2024 at my parents' home with approximately forty members of both families present. The engagement was formally announced. Vivek's parents attended; my parents and Vivek's parents had a long conversation about wedding planning during this visit. Vivek returned to Brisbane on 26 January 2024.

*[Commentary: Family integration is the social pillar. The declaration names parents, locations, hotel, dam, dates of every event, the size of the roka gathering. Multiple exhibit references make the document a map into the evidence bundle.]*

### **The Wedding**

Our wedding was held over three days in Pune from 12 to 14 February 2025. The mehndi and sangeet ceremonies were held at our home on 12 February. The main wedding ceremony was held at the JW Marriott Pune on 13 February 2025 with approximately 240 guests including thirty-six members of Vivek's extended family who travelled from Mumbai, Delhi, and overseas (Toronto, London, and Sydney). The civil registration was completed at the Office of the Sub-Registrar of Marriages, Pune on 14 February 2025. Our marriage certificate is at Exhibit M-1. Wedding photographs are at Exhibits A-12 through A-28.

Following the wedding, Vivek stayed in India through 8 March 2025. We honeymooned in Goa from 17 to 23 February 2025 and then returned to Pune where Vivek lived with me at my parents' home until his departure for Brisbane. Photographs and itinerary are at Exhibits A-29 through A-36.

*[Commentary: Wedding evidence anchors the social pillar firmly. Specific guest counts, source cities of family members travelling, hotel name, government office for civil registration, multiple exhibit ranges.]*

### **Joint Financial Life**

Vivek and I opened a joint NRE account at HDFC Bank Aundh branch on 6 March 2025, with Vivek as primary holder and me as co-holder. Since then Vivek has deposited an average of AUD 1,800 per month into this account from his Brisbane salary, which we use for our shared household expenses including utilities, groceries, and partial rent contribution to my parents. Account statements from March 2025 through January 2026 are at Exhibit B-1.

Vivek added me as the primary beneficiary on his Australian superannuation account (AustralianSuper, member number [redacted]) on 14 March 2025; the nomination confirmation is at Exhibit B-2. He also added me as a 50% beneficiary on his Australian life insurance policy with TAL Life on 20 March 2025; documentation is at Exhibit B-3.

I added Vivek as the primary nominee on my LIC Jeevan Anand policy (policy number [redacted]) on 1 April 2025 and as joint holder on my Provident Fund nomination. Documentation is at Exhibit B-4 and B-5.

Vivek and I are jointly pre-paying for a one-bedroom apartment at “Riverside Heights” in Brunswick, Melbourne. We signed the off-plan purchase contract on 22 August 2025 with completion expected in late 2026. Deposit payments to date total AUD 78,000, contributed from joint sources. Contract and payment receipts are at Exhibit B-6 through B-9.

*[Commentary: Specific amounts, specific institutions, specific dates of every action, every document indexed to an exhibit. The financial pillar is not asserted — it is built brick by brick.]*

### **Continuing Relationship Since Wedding**

Since Vivek returned to Brisbane on 8 March 2025, we have maintained daily contact — typically two video calls per day of 30–60 minutes each, with continuous WhatsApp messaging throughout. We have visited each other three times: Vivek visited Pune from 18–26 July 2025 (Exhibits A-37 through A-42); I visited Brisbane on a Visitor Visa Subclass 600 from 14 September to 8 October 2025 (Exhibits A-43 through A-52); Vivek visited Pune again from 21 December 2025 to 6 January 2026, including New Year’s with my family (Exhibits A-53 through A-60).

During my Brisbane visit in September 2025, I met Vivek’s closest friends and his Brisbane workplace colleagues. We had dinner together with the O’Brien family (James and Sarah O’Brien, Australian citizens, both close friends of Vivek for over five years) on 19 September 2025. James O’Brien attended our wedding and has provided Form 888 statutory declaration as Witness 1.

*[Commentary: Demonstrates continuing relationship after lodgement preparation, which is critical for the genuine-and-continuing test. References Form 888 witnesses by name and confirms their attendance at the wedding — corroboration across the file.]*

### **Plans For The Future**

Once my Subclass 309 is granted, I plan to relocate to Melbourne and live with Vivek at his current residence in Brunswick. I have already applied for assessment of my MBA and professional experience through the Australian Computer Society for IT consulting roles, and I have informal discussions with two recruiters in Melbourne about banking and finance positions. I anticipate being able to begin work within six months of arrival.

Vivek and I plan to live at his current rental in Brunswick until our Riverside Heights apartment is completed in late 2026, at which point we will move in together as our first owned home. We plan to begin trying for children within eighteen months of my arrival in Australia. We have discussed names — if a son, Aarav; if a daughter, Maya.

My parents will visit us in Melbourne for an extended stay in late 2027 once they have completed renovation of their Pune home, and we plan to apply for a Sponsored Parent Visa for them in due course.

*[Commentary: Future plans are specific and grounded — named recruiters, specific property, planned timing for children, even speculated names. This is the commitment pillar in action.]*

### Declaration

I declare that the contents of this declaration are true and correct to the best of my knowledge and belief. I make this declaration knowing that any false statement may render me liable to prosecution under the Indian Notaries Act 1952 and the Indian Penal Code, and that any false statement provided to the Australian Department of Home Affairs may render me liable under the Migration Regulations 1994.

Signed: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_

Anjali Sharma

Witnessed before me this \_\_\_\_\_ day of \_\_\_\_\_ 2026

Notary Public, [city], Notary Registration Number: \_\_\_\_\_

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### Final Commentary On This Specimen

The full declaration runs approximately 2,700 words. Notice what it does and does not do.

- It does name specific people, places, dates, and events with precision a case officer can verify.
- It does cross-reference exhibits in the application file, integrating the declaration with the document bundle.
- It does address all four pillars — financial (Joint NRE, super, insurance, property), household (cohabitation periods, visits, planned residence), social (wedding guests, Form 888 witnesses, family events), commitment (specific future plans).
- It does not use generic praise about the relationship's strength.
- It does not avoid the prior relationship — acknowledging it strengthens credibility.
- It does not mirror what the sponsor's declaration would say — the sponsor's parallel declaration would describe these same events from his perspective, with different emphasis (his train of thought during the proposal, his family's reaction to meeting Anjali's parents, his decisions about adding her to his super).

## Appendix F — Master Document Index Template

This master index goes at the front of your application file (in physical form) or as the first document in your ImmiAccount upload sequence (with a clear cover-letter label). The index lets a case officer navigate your evidence in under two minutes.

### Index Structure (Document Pyramid)

Exhibit	Document	Purpose / Pillar
— TIER 1: ANCHOR DOCUMENTS —		
M-1	Marriage Certificate (with NAATI translation)	Threshold proof
D-1	Applicant's Statutory Declaration	Master narrative
D-2	Sponsor's Statutory Declaration	Master narrative — sponsor side
F-1	Form 888 — Witness 1 (strongest declaration)	Social pillar anchor
FS-1	Financial Summary Sheet (one-page)	Pillar 1 navigation aid
— TIER 2: PILLAR EVIDENCE —		
B-1 to B-9	Financial pillar evidence — accounts, loans, insurance, wills, joint property	Pillar 1
H-1 to H-6	Household pillar evidence — cohabitation, visits, lease, future plans	Pillar 2
A-1 to A-60	Social pillar evidence — wedding, family events, photographs	Pillar 3
C-1 to C-12	Commitment evidence — communication records, joint plans, long-term commitments	Pillar 4
F-2 to F-4	Form 888 — Witnesses 2, 3, 4 (supporting declarations)	Social/commitment pillars
— TIER 3: IDENTITY AND CONTEXT —		
ID-A1	Applicant's passport bio + stamps	Identity
ID-A2	Applicant's birth certificate	Identity
ID-A3	Indian Police Clearance Certificate	Character

Exhibit	Document	Purpose / Pillar
ID-S1	Sponsor's Australian passport / PR grant evidence	Sponsor eligibility
ID-S2	Sponsor's Australian PCC (if required)	Sponsor character
FORMS-1	Form 47SP (applicant)	Application form
FORMS-2	Form 40SP (sponsor)	Sponsorship form
FORMS-3	Form 80 (applicant character form)	Character form
TR-1 to TR-5	NAATI translation certificates and translations	Translation
HE-1	Health examination receipt (results uploaded directly by panel doctor)	Health

### How To Use This Index

277. Number every document in your file according to this scheme.
278. Place the master index as the first document in your ImmiAccount upload, named clearly (e.g. "00\_Master\_Index.pdf").
279. In your statutory declarations and cover letter, refer to documents by their exhibit number.
280. If you add documents during processing (supplementary submissions), use the same scheme to extend the index.

## Appendix G — Refusal or RFI: Decision Tree

If you receive an adverse communication from the Department, work through this decision tree before taking any action. The wrong response — or the right response made too late — can convert a recoverable situation into a closed door. The 21-day deadline for review applications is real; do not let it expire while you decide.

### Step 1: What Has Actually Arrived?

#### Identify The Document Type

Departmental communications come in distinct types: (a) Acknowledgement of Receipt — routine, no action needed; (b) Request for Further Information (RFI) — supplement the file by the stated deadline; (c) Natural Justice Letter — the Department is considering refusal; respond before the deadline; (d) Refusal Notice — the application has been refused; review or fresh application options are available; (e) Grant Notification — you have the visa, follow activation steps. Identify which one you have before deciding what to do.

### Step 2: If It Is An RFI

The RFI asks for specific information or documents. Your task is to provide everything requested, plus any additional evidence that strengthens the application, before the deadline.

#### RFI Response Decision Flow

281. Read the RFI in full. Note every issue raised.
282. Note the deadline. Mark your calendar. Plan to respond at least 5 days before the deadline.
283. For each issue: identify what evidence resolves it. If you do not have the evidence, can you obtain it within the deadline?
284. Engage a MARA-registered agent if the issues are technical (Schedule 3, character matters, health threshold, prior visa refusals). Cost is typically AUD \$500–2,000 for an RFI response.
285. Prepare comprehensive response: supplementary cover note + each requested document indexed + any supporting additional evidence.
286. Upload to ImmiAccount before the deadline. Save the upload confirmation.

#### **WARNING — The One-Shot Rule**

Under current Departmental practice, you may receive only one RFI in a partner visa application. Treat your response as the only opportunity to address the case officer's

concerns. A partial response in the hope of a follow-up RFI is a serious miscalculation — the follow-up may not come.

### Step 3: If It Is A Natural Justice Letter

A natural justice letter explains the Department's concerns and invites your response before refusal. This is your last opportunity to change the case officer's mind.

#### Natural Justice Response Decision Flow

287. Read the letter in full. Identify every concern raised.
288. Note the deadline. Usually 28 days. Do not assume extensions are available.
289. Engage a MARA-registered agent immediately. Natural justice responses are almost always worth full agent representation — they are technical, time-pressured, and decisive.
290. For each concern: prepare specific factual and evidentiary rebuttal. Acknowledge the case officer's reading where it is plausible but explain why the conclusion is wrong.
291. Provide additional evidence where available.
292. Submit a structured response document plus supporting exhibits before the deadline.

### Step 4: If It Is A Refusal Notice

Multiple options exist depending on the grounds. Choose the right one within 21 days.

#### Refusal Recovery Decision Flow

##### First Question: What Was The Refusal Ground?

Refusal Ground	ART Review Suitable?	Fresh Application Suitable?	Notes
Relationship not genuine — case officer interpreted evidence differently	Yes — 30–40% overturn rate	Yes if relationship has strengthened since lodgement	Often both options work; choose based on cost and time
Relationship not genuine — fundamentally weak file	Risky — ART will see the same weakness	Better — build stronger evidence and lodge fresh	Use the wait to build the four pillars
Sponsor sponsorship refused (character, 5-year rule)	Limited grounds	Wait out the bar period, then fresh application	Time, not strategy, is the solution

Refusal Ground	ART Review Suitable?	Fresh Application Suitable?	Notes
Health — PIC 4005 failed without 4007 waiver	Strong if waiver case was not properly made	Better with prior MARA agent for waiver strategy	Always engage migration agent
Character — Section 501	Specialised — lawyer needed	Usually not viable without character change	Specialist legal advice essential
Misrepresentation — PIC 4020	Limited — 4020 is hard to overturn	3-year exclusion period applies first	Most serious refusal type
Schedule 3 (onshore only)	Limited grounds	Better: exit Australia and lodge offshore 309/100	Use offshore pathway instead

### Second Question: What Does The Case Look Like Now?

293. Has the relationship strengthened since the original lodgement? (Joint property purchased, child born, more cohabitation, more witnesses.) If yes, a fresh application starts from a stronger position.
294. Has the case officer's reasoning included a clear legal or factual error? If yes, ART review can succeed.
295. Is there fresh evidence available that was not before the case officer? ART review accepts fresh material.
296. How much time can you wait? ART review takes 12–24 months; fresh application processing takes 14–26 months for the 309 stage.
297. What is the budget? ART review costs AUD \$3,496 (partially refundable on success); fresh application costs AUD \$9,365 (non-refundable). Agent representation adds to either.

### Third Question: Should You Engage A Lawyer Or MARA Agent?

For refusals, the answer is almost always yes. Refusal recovery is technical work where small drafting differences change outcomes. Get advice from a MARA-registered agent (for fresh application strategy) or a lawyer with immigration practising rights (for ART review). The cost is small relative to a second refusal.

## Step 5: Documenting Everything You Do

From the moment any adverse communication arrives, keep a contemporaneous file:

- Date the document was received.
- Initial read — your notes on the concerns raised.
- Migration agent engaged (if any), date, and contact.

- Every email and document exchange.
- Submissions made and ImmiAccount confirmations.
- Outcomes and dates of any decisions.

Six months later you may need to reconstruct the sequence of events. The contemporaneous file is your memory aid and, in some cases, the basis for a complaint to the relevant regulator if your adviser handled the matter poorly.

## Conclusion — The Honest Truth About Partner Visa Success

Pinky and Rohan, the couple I introduced at the start of this book, lodged their application in March 2025 after eight months of preparation. They had received their Subclass 309 grant by December 2026 — twenty-one months from lodgement. They are now together in Brisbane. Their Subclass 100 is expected in early 2027, on the standard two-year track from their original lodgement date.

They are not unusual. Couples who prepare carefully, document genuinely, and respect the process succeed. Couples who treat the application as a fill-in-the-blanks exercise — or worse, who try to engineer evidence to fit a pre-existing template — fail more often than they succeed.

Here is the honest truth, condensed into seven points:

298. The partner visa is one of the more reliable migration pathways to Australia, with refusal rates around 8% for the 309 — lower than most skilled visa categories. But the 8% refusal rate is not random. It hits the applications that were assembled carelessly, lodged prematurely, or built on weak evidence.
299. The four pillars are not a checklist. They are a coherence test. The strongest applications show financial, household, social, and commitment evidence that all corroborate each other and tell a consistent story.
300. The Indian context creates specific challenges — cross-border financial co-mingling, arranged marriage documentation, family opposition, language and translation. These are all solvable problems, but they require Indian-context strategies, not generic Australian guides.
301. The decision-ready expectation and the one-shot rule mean you cannot lodge an incomplete application and rely on the Department to ask for more. Lodge complete or do not lodge.
302. Refusals are not the end. Around a third of refused applications are overturned at review. Choosing the right pathway — review, withdraw and reapply, or appeal — depends on the specific grounds. Take advice.
303. Special situation provisions — family violence, death of sponsor, children of the relationship — exist for genuine reasons. Use them when applicable; do not abuse them.
304. The visa is the start of a life, not the end of paperwork. The first 90 days in Australia matter for the next forty years.

Whatever your stage in this journey — pre-lodgement, mid-processing, post-refusal, or post-arrival — the same principle applies: prepare with rigour, present with honesty, respond with completeness. The framework in this book is what hundreds of couples have used to navigate the offshore partner visa pathway. It is not a shortcut. It is a map. The walking is still yours.

I wish you good luck. I wish you a quick processing time. Most of all, I wish you many years together in Australia with the person you chose.

— *Manoj Palwe*

*Ajax, Ontario, Canada · February 2026*

## Also by Manoj Palwe

This book is part of the Series 6 — Australia Migration Complete catalogue. If you found this book useful, the following related titles may also help:

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- Canadian Family Sponsorship Visa Guide 2026 — Canada's parallel partner visa programme.

- The 2026 Immigration Playbook for Australia and Canada — comparison reference.

See the Scanner Page (next section) for the complete 108-title catalogue across all eight series.

## A Final Word

If you have read this far, you are serious about your Australian partner visa application — and you have already done more preparation than most. The next steps are practical: gather the evidence, complete the forms, lodge a decision-ready application, and prepare for the wait.

Two requests, before you close this book.

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## Get in Touch

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*Best wishes for your journey*

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