PRE LODGEMENT PACK – PROSPECTIVE MARRIAGE SUBCLASSE 300 VISA

Good morning

Thank you for your interest in lodging a prospective marriage visa. This pre-lodgement information pack aims to provide you with information about visa processing, commonly asked questions and includes the following documents:

- Covering letter from Suva permanent team
- Prospective Marriage Visa: document checklist (Suva checklist, generic checklist)
- Form 47SP: Application for migration to Australia by a partner
- Form 40SP: Sponsorship for a partner to migrate to Australia
- Form 956: appointment of a migration agent/other authorised recipient
- Form 886: Settlement details
- Form 888: Statutory declaration by supporting witness for partner application
- Form 26: medical examination
- Form 160: Radiological report on chest x-ray
- List of Fiji panel doctors
- Extract from Character Requirements, Penal Clearance Certificates
- Form A – Fiji Police Clearance
- Supplementary form for citizens and residents of Fiji

If you need more copies, forms can be downloaded from www.fiji.embassy.gov.au and www.immi.gov.au

The processing time for 300 visa applications is 6 months. This is if all requested documentation is provided and there are no unexpected difficulties. The processing time will vary depending on the complexity of the cases. We aim to process your application more quickly, which we can do if you lodge your application with all required information and respond promptly to our requests.

The Australian High Commission in Suva, Fiji is responsible for the processing and decision of migration applications from a number of countries in the South Pacific Region. To manage the volume of applications received in a fair and reasonable manner, applications are processed and decided in date order of lodgement. If you believe your circumstances are compelling and compassionate, you can request expedited processing. However, there is no guarantee that we will be able to facilitate your request.

Medicals clearances
You can do your medical checks before lodgement and submit them to the immigration section, Suva for clearance. We then forward them to Australia for assessment. This takes up to 4 weeks, therefore giving us these checks before lodgement will reduce the time it takes to process your application. If your checks arrive before you lodge an application, we will create a record of these to add to your application when you lodge.

Please ensure you indicate on your medical forms, the visa type you are applying for.
Police clearances
You can do your police check before lodgement. At present the clearance takes approximately 3 weeks from when it is lodged with Fiji police to when it arrives in the immigration section, Suva. Australian Federal police checks take approximately 4 weeks. If your checks arrive before you lodge an application, we will create a record of these to add to your application when you lodge.

Instructions for obtaining police clearances from various countries are at www.immi.gov.au, search on Character Requirements, Penal Clearance Certificates.

English Translations
Documents in language other than English must be accompanied by an English translation completed by a translator accredited by the National Accreditation Authority for Translators and Interpreters (NAATI). You can contact NAATI at www.naati.com.au

Interview
During application processing we will generally conduct an interview with you. This may occur over the phone or in person at the Australian High Commission, Suva. If you are able to provide sufficient documentary evidence of relationship, we may waive your interview.

Please contact this office if you have other queries.

Kind Regards

Suva Permanent Entry team
FREQUENTLY ASKED QUESTIONS

What will happen at my interview?
Interviews generally take between 15 – 60 minutes. You may be asked questions about how you met your fiancé, how your relationship developed, your engagement ceremonies, any previous relationships, question to show that you and your spouse fiancé have discussed a future life together, whether your families and friends know and acknowledge your engagement.

How long will it take to process my application?
On average subclass 300 visa applications are processed within 6 months however, this will depend on you. We recommend you provide all requirements at/before application lodgement. If you don’t, you may be requested to provide more information and this will delay a decision being made. It is important that if you are asked to undertake medicals that you do so immediately. If you don’t this may again delay a decision being made on your application.

If I send more evidence will this be acknowledged?
If you submit evidence in person to the High Commission this will not be acknowledged. If you send documents electronically the automatic response message that your email has been received will indicate whether your email has been received. Evidence sent by post or certificate email will not be routinely acknowledged.

Will my fiancé be interviewed if he or she accompanies me to interview?
Not necessarily. Depending on the evidence that you have provided it may not be necessary to interview your fiancé. Just because your fiancé attends the interview with you doesn’t mean that they will be interviewed.

Why does my sponsor need to undertake National Police Check (NPC)?
The Australian Government considers the safety of children is paramount and is strengthening the policies around the sponsorship of minors for visas. In particular it wishes to ensure that children migrating to Australia are protected from high risk situations, such as when the sponsor has convictions or outstanding charges for offences of a sexual or violent nature and it is likely the child will be residing with that sponsor. Consequently the Australian Government has introduced under policy a requirement that when an applicant under the age of 18 is included in an application for a Child, Partner, Fiancé and Extended Eligibility category visa, the sponsor is to provide a National Police Check (NPC). The information contained in the NPC will assist the Department to determine whether there is any compelling reason to believe that the grant of the visa would not be in the best interests of the visa applicant.

How long do I have to provide evidence of my relationship?
This letter outlines evidence which you have been requested to provide, this must be provided within 28 days of this letter. Please ask us for an extension of time if you need one.

At/after interview you may be asked to provide further evidence. You will be given 28 days to provide this evidence. If you do not provide any evidence that has been required a decision can be made based on the evidence on file. However, the decision that is made may not be a positive one. It is in your best interests to provide all documents in relation to your relationship and engagement before your interview.
Do I need to provide a notice of intended marriage (NOIM)?
Not to this office. However you need to lodge the NOIM with your marriage celebrant in the country you intend to marry in.

Do I need to provide a letter from the marriage celebrant?
Yes. The letter from the marriage celebrant will state the date you intend to get married. This letter will only be requested by this office once you have met all the other requirements for this visa subclass.

Do I require assurance of support (AoS)?
Maybe. An assessment of whether or not you need an AoS will be made after your application is lodged. It will be based on evidence provided of your sponsor’s income (eg tax assessment notice from the ATO and pay slips. If an AoS is needed a request will be made by this office. The AoS is lodged, processed and decided by Centrelink in Australia and not by this office. When Centrelink has made a decision they will advise the Suva office.

Do I have to provide a birth certificate?
If you have a birth certificate this must be provided. If you are unable to obtain a birth certificate you should provide a statement explaining this and provide other evidence showing your date of birth.

What if I cannot get a penal certificate?
If you cannot obtain a penal certificate you should provide a statement outlining why this is not possible.

What if we already have a child together?
Any child born to an Australian citizen is entitled to obtain citizenship by descent. A separate application for this can be lodged and you should discuss this with your case officer. Information regarding citizenship by descent is available at www.immi.gov.au and you can also contact us for more information.

What if I don’t have any of the evidence requested in this letter?
If you are engaged but have no evidence of this engagement then it may be difficult for you to satisfy the requirements that you intend to live in a genuine marital relationship with your fiancé.

If granted a visa when do I have to enter Australia?
If you are granted a fiancé visa you must enter Australia by a set date. You will be advised of this date when your visa is granted. If you do not enter Australia by this date you may need to reapply and pay a new application fee. If you are unable to enter Australia by this date for whatever reason, you must notify the Australian High Commission immediately.

You must travel to Australia before you marry.

Do I need to apply for another visa when I am in Australia?
Yes. You need to apply for a Spouse visa (subclass 820/801) within the 9 months validity of your fiancé visa in Australia.
**When is it OK to purchase plane tickets to Australia?**
You should never purchase any plane tickets on the expectation that you will be granted a visa. Even if you believe that you have completed all the requirements for the grant of a visa, please do not assume that a visa will be granted on a specific date and make travel arrangements based on this assumption.

**Can my fiancé apply for a visitor visa whilst her/his migration application is still in process?**
Should you wish to travel to Australia during the processing of this application, please advise your case officer. We can give no guarantee regarding the outcome of any temporary visa applications lodged whilst your migration application is being processed.

**What if I or my fiancé is pregnant?**
You must notify the High Commission of this fact at the time of lodgement and raise this at interview and provide medical evidence of this. If you become pregnant after interview you should contact the High Commission immediately and provide medical evidence of this.

**If my fiancé is pregnant can she apply for a visitor visa whilst her migration application is still in process?**
Yes, she can apply for a visitor visa, this will not allow her to give birth in Australia and if approved, the visa will require she depart Australia well before her due date.

**If my fiancé is pregnant can she give birth in Australia?**
If a fiancé visa is approved prior to the child’s birth, the child can be born in Australia. However, the fiancé visa cannot be approved until health criteria are satisfied. Heath criteria include having a chest x-ray. Where a woman is pregnant, she is requested to discuss her options with the panel doctor. These options being:
1. Have a chest x-ray with a shield to protect the unborn child. If the results are clear a visa can be granted and delivery can occur in Australia. The Australian High Commission does not recommend that pregnant women under go x-rays; or
2. Postpone having an x-ray until after the birth of the child. Once the child is born, the applicant is then required to undergo a full x-ray and, if clear, a visa can be granted. In this case, the applicant will not be able to give birth in Australia.

If a fiancé visa is unlikely to be approved in time for the applicant to give birth in Australia, a subclass 675 Medical Treatment visa can be considered. A chest x-ray and other requirements must be completed. Where a woman is pregnant, she is requested to discuss her options with the panel doctor. These options being:
1. Have a chest x-ray with a shield to protect the unborn child. If the results are clear a visa can be granted and delivery can occur in Australia. The Australian High Commission does not recommend that pregnant women under go x-rays; or
2. Postpone having an x-ray until after the birth of the child. Once the child is born, the applicant is then required to undergo a full x-ray and, if clear, a visa can be granted. In this case, the applicant will not be able to give birth in Australia.

**Can my application be expedited?**
The Australian High Commission in Suva, Fiji is responsible for the processing and decision of migration applications from a number of countries in the South Pacific Region. To manage the volume of applications received in a fair and reasonable manner, applications are processed in date order of lodgement so no Australian citizen/resident sponsor and their fiancés are disadvantaged. If you believe your circumstances are compelling and/or the evidence is compelling the Australian High Commission will consider this.
compassionate, you can request expedited processing. However there is no guarantee that we will be able to facilitate your request.

**Will my documentary evidence be returned?**
Yes, once a decision on your application is made your documentary evidence will be returned to you either in person or via mail.

**What happens if I require an interpreter?**
If you require an interpreter please notify your case officer well before your interview date. You are required to bring your own interpreter to the interview. Please note that your sponsor and immediate family members cannot act as interpreters.

**How can I contact my case officer?**
The sponsors and applicants can contact the Suva office by telephone (679) 3382219 or 3382211; fax (679) 3382684 or 3382065; and by emailing immigration.suva@dfat.gov.au. Please allow 48 hours before your query is responded to by this office.

**What happens if I do not respond to this office requests?**
If you do not respond to requests within the timeframe given to you by the Australian High Commission in Suva, Fiji, or if you do not attend a requested interview, a decision will be made on the basis of the information already held. However, the decision that is made may not be a positive one.

If you are unable to provide the required documentation within the specified timeframe please advise what action you have taken to obtain them, and request an extension of time.

**Who can check on the progress of my application?**
Only you, the applicant. Under Commonwealth Privacy law it is not possible for this office to disclose information regarding your application to anyone (this includes your sponsor) unless you have provided written authority for this office to do so. Should you wish someone else to act on your behalf/receive information, please complete Form 956, we will then correspond with that person rather than you.

**What happens if my circumstances change after lodging this application?**
If your circumstances change you must notify the Australian High Commission immediately. This includes the sponsor withdrawing their sponsorship and where you are no longer an aged dependent relative. These are all important factors that should be brought to the attention of your case officer.

**Should I use a migration agent / lawyer?**
If you wish to know whether an agent or a lawyer is registered to provide professional advice concerning Australian visas we recommend that you consult the website [http://www.themara.com.au](http://www.themara.com.au)
### 300 Applicant document checklist - Suva specific requirements

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<tr>
<th>Forms</th>
<th>Provided</th>
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<tbody>
<tr>
<td>Form 956 - to be completed by sponsor/person authorised to receive info on applicant's behalf</td>
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<td>Form 886 Settlement Information</td>
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<th>Relationship evidence</th>
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<td>Applicant detailed relationship statement of how met sponsor, how relationship developed</td>
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<td>Sponsor detailed relationship statement of how met sponsor, how relationship developed</td>
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<td>Legal marriage certificate</td>
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<td>Traditional marriage evidence</td>
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<td>Other (see below for suggested evidence)</td>
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<th>Character (police clearance for any country lived in more than 12 mths in last 10 yrs)</th>
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<td>Applicant - police clearance Fiji</td>
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<td>Applicant - police clearance Other</td>
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<td>Migrating Dependents aged over 16 - police clearance Fiji</td>
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<td>Migrating dependents aged over 16 - police clearance Other</td>
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<td>Non-migrating dependents aged over 16 - police clearance Fiji</td>
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<td>Non-migrating dependents aged over 16 - police clearance Other</td>
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<td>NZ citizen sponsor - police clearance NZ</td>
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<td>NZ citizen sponsor - police clearance Other</td>
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<th>Health</th>
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<td>Form 26 - applicant, dependents, non-migrating dependents, NZ citizen sponsor</td>
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<td>Form 160 - applicant, dependents/non-migrating dependents aged over 11 years, NZ citizen sponsor</td>
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<th>Child consent to migrate (for any migrating child aged under 18)</th>
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<td>Court order giving applicant full custody of child and permission to remove child from court's jurisdiction</td>
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<td>OR statutory declaration from child's other parent with name, photo and signature ID allowing child to migrate to Australia</td>
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<td>OR child's other parent personally comes to Australian immi office with name, photo and signature ID and signs consent for child to migrate to Australia in presence of immi officer</td>
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<td>Supplementary form - all migrating Fiji citizens/residents</td>
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<td>Values statement - all migrating aged over 18</td>
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<td>Debt to commonwealth - evidence of payment/repayment arrangement</td>
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Evidence of relationship. We need to establish that your relationship is genuine. To assist us in this, please documentary evidence of your relationship. This can include but is not limited to:

- Photographs of your engagement, wedding, reception, honeymoon and other social occasions in which you and your spouse attended together
- Copy of any invitation sent for your wedding
- Evidence of gifts sent to you by your spouse
- Wedding and engagement videos or DVDs
- All letters, postcard etc between you and your spouse including envelopes
- Evidence of telephone accounts between you and your spouse
- Evidence of money transfer or joint accounts between you and your spouse
- Evidence of cohabitation of you and your spouse i.e. rent receipts
- Evidence of joint travel with your spouse i.e. hotel bookings air tickets
- Statements from friends or family regarding your relationship
- Receipts relating to your engagement, marriage or honeymoon such as hotel accommodation, wedding costs, photographs religious service
- Printed extracts of any internet conversations
- Medical certificate if you or your spouse is pregnant
- Translated birth certificate of any children of you and your spouse