

Immigration and citizenship

Subclass 115

Remaining Relative visa

This permanent visa lets people move to Australia to be with their only close family members.

Personalise this page...

For Applicants

For Sponsors

Overview

Stay

Permanently

Cost

From AUD4,990.00

Processing times

For an indication of processing times for this visa, use the <u>visa processing time guide tool</u> (/visas/getting-a-visa/visa-processing-times/global-visa-processing-times). This will show the processing times for recently decided applications. It is a guide only and not specific to your application.

For more information, see Other Family Visa Queue (https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/family-visa-processing-priorities/other-family-visas-queue-release-dates)

With this visa you can

- stay in Australia as a Permanent resident
- work and study in Australia
- enrol in Australia's public healthcare scheme, Medicare (https://www.humanservices.gov.au/individuals/medicare)

See all conditions (/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions?product=115)

Check your eligibility (#Eligibility)

You must

Ask a question

- be outside Australia when you apply for this visa and when we decide your application
- be a remaining relative of an Australian citizen or Permanent resident or an Eligible New Zealand citizen
- have an eligible sponsor.

Help with your visa

If you are getting help with your visa, before you pay someone, read information on who can help with your visa application (/help-support/who-can-help-with-your-application/overview).

Process



About this visa

- With this visa you can (#aboutVisa-index-0)
- How long you can stay (#aboutVisa-index-1)
- Include family (#aboutVisa-index-2)
- Cost (#aboutVisa-index-3)
- Apply from (#aboutVisa-index-4)
- Processing times (#aboutVisa-index-5)
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With this visa you can

- stay in Australia indefinitely
- · work and study in Australia
- enrol in Australia's public healthcare scheme, Medicare (https://www.humanservices.gov.au/individuals/medicare).

- sponsor your relatives to come to Australia
- if eligible, apply for Australian citizenship (/citizenship/become-a-citizen)

Newly arrived residents may have to wait before they can access certain Australian Government payments and benefits.

Travel to and from Australia for 5 years

You can travel to and from Australia as many times as you want for 5 years from the date we grant this visa until the travel validity expires.

If you want to travel after the initial 5-year travel validity:

- you will need to apply for and be granted a Resident Return (RRV) so that you can re-enter Australia as a permanent resident
- you might also want to consider Australian citizenship. If you become an Australian citizen, you don't require a visa to enter Australia. You will need to apply for an Australian passport and use it to leave and re-enter Australia. See more about eligibility requirements and current processing times for Australian citizenship

To see when your travel validity ends, use VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview).

How long you can stay

This is a permanent visa. It lets you stay in Australia indefinitely.

For citizenship purposes, you become a permanent resident at the time:

- you enter Australia on this visa; or
- if you previously have been present in Australia and held a permanent visa immediately before last leaving Australia, when we grant this visa

Include family

You can include members of the family unit in your application when you apply. You an also add them to your application at any time before we make a decision.

You should include details of all your family members, whether they are migrating or not, in the application form.

Family members who apply for the visa with you must meet our <u>health (/help-support/meeting-our-requirements/health)</u> and character (/help-support/meeting-our-requirements/character) requirements.

Family members who are not coming to Australia might also have to meet our <u>health</u> (/help-support/meeting-our-requirements/health) and character (/help-support/meeting-our-requirements/character) requirements.

Newborn child

Find out what to do if your child is born after you apply (/change-in-situation/had-a-baby).

Cost

This visa costs from AUD4,990.00

There is an additional charge for each family member who applies with you.

You pay for this visa in 2 parts, called instalments.

Pay the first instalment when you apply and the second instalment when we ask you to.

You might also have to pay other costs for health checks, police certificates and biometrics.

To work out what your visa will cost use the <u>Visa Pricing Estimator (/visas/visa-pricing-estimator?visa=115)</u>. The estimator does not take into account the second instalment or other costs.

See more about visa fees and charges (/visas/getting-a-visa/fees-and-charges).

Apply from

You must be outside Australia when you apply and when we decide your application.

Processing times

The demand for Other Family visas is greater than the number of places available each year. As a result, processing times for these applications can be lengthy.

For an indication of processing times for this visa, use the <u>visa processing time guide tool</u> (<u>/visas/getting-a-visa/visa-processing-times/global-visa-processing-times)</u>. This will show the processing times for recently decided applications. It is a guide only and not specific to your application.

Your application might take longer to process if:

- you do not fill it in correctly
- · you do not include all the documents we need or we need more information from you and/or
- your information takes longer than usual to verify.

We can't process your application if you don't pay the correct visa application charge. We will notify you if this is the case and if necessary return your application.

Applications for this visa are subject to capping and queueing.

Learn more about the Other Family Visa (https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/family-visa-processing-priorities/other-family-visas-queue-release-dates) queues and processing priorities (https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/family-visa-processing-priorities).

The Reports on Migration Programs (https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/migration-program) have further information on Migration Program outcomes against planning for each migration program year.

Your obligations

You must enter Australia before the date specified in your grant letter. The first entry date is generally set at 12 months from the date of visa grant.

You and your family members must meet all visa conditions and obey Australian laws.

See what conditions might be attached to this visa on our visa conditions page (/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions?product=103).

Visa label

We will digitally link your visa to your passport. You will not get a label in your passport.

Eligibility

Have a sponsor

You must be sponsored by an eligible parent or step-parent, sibling or step-sibling, or an eligible partner of your relative.

We must approve the sponsorship.

Not have other near relatives

We will not grant you this visa if:

- you or your partner have a near relative who usually live outside Australia, or
- you or your partner have a near relative who live in Australia on a temporary visa (and are not an Eligible New Zealand citizen) or unlawfully. Temporary visas include bridging visas.

Have assurance of support

You must be able to obtain an assurance of support.

An assurance of support assures us that you will not have to rely on government assistance after you enter Australia on this visa. The assurance is for you and any family members who come to Australia with you on this visa.

We will let you know when you need to provide the assurance of support.

Learn more about assurances of support (https://www.humanservices.gov.au/individuals/services/centrelink/assurance-support).

Meet the health requirement

You and any family members who apply for the visa with you must meet our <u>health requirement (/help-support/meeting-our-requirements/health)</u>.

We might also ask that other family members also meet the requirement (/help-support/meeting-our-requirements/health).

Meet the character requirement

You and family members who apply for the visa with you must meet our <u>character requirement</u> (/help-support/meeting-our-requirements/character).

We might ask that other non-migrating family members meet the <u>requirement (/help-support/meeting-our-requirements/character)</u>.

Have paid back your debt to the Australian Government

If you or any family members owe the Australian Government money, you or they must have paid it back or have an approved arrangement to pay it back.

Not have had a visa cancelled or a previous application refused

We will consider your immigration history when we make a decision on your application, which means you might not be eligible for this visa if you have had a visa cancelled or refused.

In some circumstances you may still apply for a permanent visa if you have had a visa cancelled or an application refused, see Limitations on applications in Australia (/form-listing/forms/1026i.pdf).

If applying for a visa from outside Australia, see Can I go to Australia (/entering-and-leaving-australia/entering-australia/can-i-go-to-australia/re-entry-ban).

If you want immigration assistance, see Who can help with your visa application (/help-support/who-can-help-with-your-application/overview).

Sign the Australian values statement

If you are 18 years of age or older, you must:

- have read, or had explained to you, the Life in Australia (/help-support/meeting-our-requirements/australian-values) booklet
- sign an Australian Values Statement (/help-support/meeting-our-requirements/australian-values) that confirms you will respect the Australian way of life and obey Australian laws

Best interests of the child

We will not grant this visa if it is not in the best interests of an applicant under 18.

Meet all these criteria? Check how to apply in our step by step (#HowTo) guide.

Step by step

Step 1

Before you apply

Check your passport. If you need help with your application, get someone to act on your behalf.

Check your passport

You don't have to have a valid passport to apply but you must provide details of your most recent passport.

However, we will only grant the visa if you have a valid passport.

Get help with your application

Only some people can help you with your application. If you appoint someone to give you immigration assistance they must be:

- a registered migration agent (/help-support/who-can-help-with-your-application/using-a-migration-agent)
- a legal practitioner (/help-support/who-can-help-with-your-application/using-a-legal-practitioner), or
- an exempt person (/help-support/who-can-help-with-your-application/exempt-person).

You can appoint anyone to <u>receive documents</u> (/help-support/who-can-help-with-your-application/authorised-recipents) on your behalf relating to your visa matter.

Step 2

Gather your documents

Provide documents to support your application. You will also need your sponsor documents.

Provide accurate documents

Provide accurate information. See what happens if you <u>cannot prove your identity or do not provide</u> true information (/help-support/meeting-our-requirements/providing-accurate-information).

Identity documents

We need proof of your identity. If you cannot prove your identity:

- we will refuse your visa application
- we might not grant you another visa for 10 years
- we might not grant any family members you listed on your application a visa for 10 years

Provide the pages of your current passport showing your photo, personal details, and passport issue and expiry dates.

Also provide:

- a national identity card, if you have one
- proof of change of name

Documents that prove a change of name include:

- a marriage or divorce certificate
- change of name documents from an Australian Registry of Births, Deaths and Marriages, or the relevant overseas authority
- documents that show other names you have been known by

Sponsor documents

Your migration must be sponsored by your eligible relative or relative's eligible partner.

The sponsor must be:

- aged 18 years or older and
- a settled Australian citizen, Australian permanent resident, or eligible New Zealand citizen

Your sponsor must complete Form 40 Sponsorship for migration to Australia (/form-listing/forms/40.pdf).

To prove your relationship with your sponsor, you will need to give us:

- · birth certificate
- marriage certificates
- · death certificates
- · adoption certificates
- · family status certificates or family books if officially issued and maintained

To prove that your sponsor is an eligible citizen or permanent resident, give us:

- · citizenship certificate
- passport
- valid visa (for eligible New Zealand citizens)

Character documents

We might ask you for character documents, including police certificates. Do not arrange for police certificates until we ask you to. <u>Learn more about police certificates</u> (/help-support/meeting-our-requirements/character).

Tell us you are getting help

To nominate someone to:

- receive your correspondence, use <u>Form 956A Appointment or withdrawal of an authorised</u> recipient (/form-listing/forms/956a.pdf)
- provide immigration assistance, use Form 956 Appointment of a registered migration agent, legal practitioner or exempt person (/form-listing/forms/956.pdf).

Send written notification or your forms with your paper application.

Dependants under 18 documents

For every dependant under 18 years old who is applying with you, provide:

- identity documents
- proof of your relationship with them, like a birth or marriage certificate
- character documents, if applicable

Parental responsibility documents

You must get consent for any applicant under 18 years of age to migrate to Australia from anyone who:

- · has a legal right to decide where the child lives and
- is not coming to Australia with the child

They must complete either:

- Form 1229 Consent form to grant an Australian visa to a child under the age of 18 years (/form-listing/forms/1229.pdf)
- a statutory declaration giving their consent for the child to visit Australia on this visa

Alternatively, you can show us:

- an Australian court order that allows your child to migrate to Australia, or
- that the laws of your home country allow them to migrate

Include:

- an identity document that shows the signature and photo of the person who completed the form or declaration, such as a passport or driver's licence
- adoption papers or other court documents if applicable

If the child is not staying with a relative or legal guardian, provide Form 1257 Undertaking declaration (/form-listing/forms/1257.pdf). The person they are staying with must sign the form.

Dependants 18 or older

To be included in your visa application as a dependent child, your child must be:

- under 18 years, or
- over 18 years of age but not yet turned 23, and dependent on you or your partner, or
- over 23 years of age, unable to earn a living to support themselves due to physical or cognitive limitations and dependent on you or your partner

For every dependant 18 years old or older who is applying with you, provide:

- identity documents
- documents about their other relationships, if applicable
- · character documents
- proof of dependency

Proof of dependency

You need to prove that this person is dependent on you. Provide:

- a completed Form 47a Details of a child or other dependent family member aged 18 years or over (/form-listing/forms/47a.pdf)
- proof of your relationship with the dependent such as a birth certificate or adoption papers

You must also prove this person has been financially dependent on you for at least 12 months before you apply. You could provide:

- proof they live with you
- · their tax records
- proof they are currently studying

Usually, your child or stepchild must be under 23 years old to be included in your application.

However, a dependant older than 23 years can be included if they are unable to earn a living to support themselves due to physical or cognitive limitations. In this case, provide information about the physical or cognitive limitation.

Partner documents

Provide:

- · identity documents
- · character documents
- · documents about other relationships, if applicable

Provide either:

- · your current marriage certificate or
- enough documents to prove you have been in a de facto relationship with your partner for at least 12 months before you apply

Documents that prove your de facto relationship include:

- joint bank account statements
- · billing accounts in joint names
- joint leases or mortgages
- · documents that show your partner has lived at the same address as you

Prepare your documents

Translate

Have all non-English documents translated into English.

Translators in Australia must be accredited by the <u>National Accreditation Authority for Translators</u> and Interpreters *(https://www.naati.com.au/)*.

Translators outside Australia do not have to be accredited. But on each translation, they must include their:

- full name
- address and telephone number
- qualifications and experience in the language they are translating

These details must be in English.

Certify

Do not certify police certificates. You need to send us the originals.

Have all other documents certified copy. This includes:

- non-English documents
- English translations

Keep

Keep a copy of your completed application.

Send

Send us:

- · original police certificates
- · certified copies of all other documents
- as much information as possible to help us decide your application
- each document only once, even if you are using to show more than one thing
- all documents with your application, if you can

Step 3

Apply for the visa

You must apply for the visa on paper. You must be outside Australia when you apply.

Provide accurate information

Provide accurate information. See what happens if you can't prove your identity or don't provide true information (/help-support/meeting-our-requirements/providing-accurate-information).

Apply on paper

Complete Form 470F Application for migration to Australia (/form-listing/forms/47of.pdf).

Your sponsor must complete:

• Form 40 Sponsorship for migration to Australia (/form-listing/forms/40.pdf)

Complete the form in English.

You can't pay for this visa in person.

You must pay the first instalment when you apply. Pay for the application before it is submitted using the online portal payment function in lmmiAccount (https://online.immi.gov.au/lusc/login). Include evidence the application is paid for with your application.

For other payment options see how to pay (/help-support/applying-online-or-on-paper/on-paper/how-to-pay).

You can't submit this application in person. Send the application by post or courier to the Parent, Child and Other Family Processing Centre in Perth at the address on the form. Include all required documents and forms with your application.

If any of the above steps are incomplete, your application may be invalid. We do not process invalid applications. We will notify you if this is the case, and if requested, return your application.

Do not send original documents with your application, only send <u>certified copies</u> <u>(https://immi.homeaffairs.gov.au/help-support/applying-online-or-on-paper/on-paper/certified-copy)</u>. Keep a copy of your completed application for your own records, including any supporting documents.

Step 4

After you apply

We will let you know when we have received your application and documents. See what you can and must do after you apply.

Status updates

We can't provide you with updates on your application's progress within normal processing times. There may be other things you need to know and might have to do.

Travel

Do not arrange to travel to Australia until we let you know, in writing, that we have granted you the visa.

Health exams

We will let you know if you need health examinations (/help-support/meeting-our-requirements/health).

Biometrics

We might ask for <u>biometrics</u> (fingerprints and photo). We will let you know if you need to provide them.

Send more information

If you did not send us all documents when you applied, send them to the Parent, Child and Other Family Processing Centre in Perth at the address on the form. We might also ask you to provide more information.

Stay lawful

If you travel to Australia on a different visa and that visa ends, you can't get a bridging visa to stay in Australia. You must be outside Australia when we make a decision on your application.

Pay the second instalment

Pay the second instalment when we tell you to. We will send you an invoice for the instalment after you have met all other requirements for the visa.

You must pay the instalment or we can't grant the visa.

Mistakes on your application

Let us know as soon as you can if you made a mistake on your application.

Complete Form 1023 Notification of incorrect answers (/form-listing/forms/1023.pdf).

Help with your application

Let us know if you no longer want someone to:

- receive your correspondence complete Form 956A Appointment or withdrawal of an authorised recipient (/form-listing/forms/956a.pdf)
- provide immigration advice complete <u>Form 956 Appointment of a registered migration agent,</u> legal practitioner or exempt person (/form-listing/forms/956.pdf).

Send written notification or your forms to the office your submitted your application.

For more information see Who can help you with your application (/help-support/who-can-help-with-your-application/overview).

Tell us if things change

Things you need to let us know about after you have applied include:

- changes to your phone number, email, address or passport
- changes to your maritial or de facto status
- · the birth of a child
- you want to withdraw the application

See how to tell us if your situation changes (/change-in-situation).

Assurance of support

You need to provide an assurance of support when we ask you to.

Learn more about assurances of support

(https://www.humanservices.gov.au/individuals/services/centrelink/assurance-support).

Step 5

Visa outcome

You must be outside Australia when we decide on your application. We will let you know our decision in writing.

We will let you know:

- your visa grant number
- the date your visa starts
- your visa conditions

Keep a copy of our decision.

If we refuse your visa we will let you know in writing. We will tell you:

- why we refused the visa
- whether you have a right to a review of the decision

We will not refund the application fee if we refuse your application.

When you have this visa

- Coming to Australia (#haveThisVisa-index-0)
- In Australia (#haveThisVisa-index-1)
- Leaving Australia (#haveThisVisa-index-2)

Coming to Australia

Before you travel

Check your travel documents

You must have:

- a valid visa to enter Australia
- · a valid passport or other travel document.

Arrive before first entry arrival date

You must enter Australia before the date specified in your grant letter.

If your visa is still valid and the date specified in your visa grant letter has passed or will pass before you can travel to Australia, you must ensure that:

- you plan to travel to Australia within the next 12 months
- you submit the travel facilitation letter request form (/help-support/departmental-forms/online-forms/travel-facilitation-letter-request-form).

We may then send you a travel facilitation letter. This will state that we allow you to enter Australia after the first entry arrival date of your visa.

We will not issue a travel facilitation letter unless there is less than 3 months remaining on your first entry arrival date.

At the border

Complete an Incoming Passenger Card

All people arriving into Australia must complete the <u>Incoming Passenger Card</u> (https://www.abf.gov.au/entering-and-leaving-australia/crossing-the-border/at-the-border/incoming-passenger-card-(ipc)).

Using the SmartGate

We have an automated process that uses facial recognition technology and your ePassport. You might be able to leave the airport using the SmartGate (https://www.abf.gov.au/smartgates).

In Australia

What you must do when you have this visa

You and your family members must meet all visa conditions and obey Australian laws.

You can check visa details and conditions in <u>VEVO</u> (/visas/already-have-a-visa/check-visa-details-and-conditions/check-conditions-online).

Tell us if things change

See what to do if your situation changes (/change-in-situation).

What you can do on your visa

Check your visa conditions and expiry.

Check your Resident Return visa expiry, visa conditions, work and study entitlements in <u>VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview)</u>.

See how long you can stay

This is a permanent visa. It lets you stay in Australia indefinitely.

For citizenship purposes, you become a permanent resident at the time:

- you enter Australia on this visa; or
- if you previously have been present in Australia and held a permanent visa immediately before last leaving Australia, when we grant this visa

To see your specific conditions, work and study entitlements use <u>VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview)</u>.

Access Australian Government benefits

As a newly arrived resident, you may have to wait before you are able to access certain Australian Government payments and benefits. Learn more about newly arrived residents' waiting period from Services Australia (https://www.humanservices.gov.au/individuals/enablers/newly-arrived-residents-waiting-period).

Travelling on your visa

You can travel to and from Australia as many times as you want for 5 years from the date we grant this visa until the travel validity expires.

If you want to travel after the initial 5-year travel validity:

- you will need to apply for and be granted a Resident Return (RRV) so that you can re-enter Australia as a permanent resident
- you might also want to consider Australian citizenship. If you become an Australian citizen, you don't require a visa to enter Australia. You will need to apply for an Australian passport and use it to leave and re-enter Australia. See more about eligibility requirements and current processing times for Australian citizenship

To see when your travel validity ends, use VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview).

Proving you have a visa

To prove you have a visa and show your conditions to someone, use <u>VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview)</u>.

You can request your international movement records by completing <u>Form 1359 Request for international movement</u> records (/form-listing/forms/1359.pdf).

Working

With this visa you become a permanent resident. You are protected by Australian workplace law. See your workplace rights and entitlements (https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/visa-holders-and-migrant-workers-workplace-rights-and-entitlements).

Becoming an Australian citizen

After a certain time, you might be eligible for Australian citizenship. Find out more about <u>becoming a citizen</u> (/citizenship/become-a-citizen).

For citizenship purposes, you become a permanent resident at particular time:

- when you enter Australia on this visa; or
- if you previously have been present in Australia and held a permanent visa immediately before last leaving Australia—when we grant this visa

Leaving Australia

Before you leave

Check your travel documents

You must have a valid passport or other travel document to leave Australia.

Ensure your visa is still valid

See what to do if your visa has expired or is about to expire (/visas/visa-about-to-expire).

At the border

Departures SmartGate

We have an automated process that uses facial recognition technology and your ePassport. You might be able to leave the airport faster if you use SmartGate (https://www.abf.gov.au/smartgates).

After you leave

Proving you have been to Australia

To prove you have been to Australia, request your international movement records by completing <u>Form 1359 Request for international movement records</u> (*/form-listing/forms/1359.pdf*).

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