

# Australian Partner Visa Guide

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Everything you need to prepare  
a strong partner visa application



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By using this guide, you acknowledge that you do so at your own risk and that you are responsible for verifying any information that is important to your application.

This guide was last updated December 2025.

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# WELCOME TO THE MIGROO PARTNER VISA GUIDE

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**T**hank you for choosing Migroo to support you on your partner visa journey. We're genuinely excited to be part of this chapter in your life. Applying for a partner visa can feel complex, emotional, and sometimes overwhelming, but with the right guidance, it becomes a structured and manageable process.

Our mission at Migroo is simple:  
to make immigration information accessible, clear, and empowering, without ever compromising on accuracy, ethics, or compassion.

## **Who This Guide Is Written For**

This guide is written mainly for partner visa applicants. You'll notice that we often use the word "you" when explaining steps, requirements, and evidence. When we say "you", we are referring to the applicant unless we specifically mention the sponsor. Sponsors are an important part of the process too, and many sponsors will read this guide alongside their partner, but the main instructions are directed to the applicant to keep things simple and easy to follow.



**This guide has been designed to give you:**

- a clear understanding of how the partner visa process works;
- simple explanations of the laws and concepts involved;
- practical steps to help you feel organised and informed;
- confidence in preparing your application and your evidence; and
- a calm, structured way to progress through each stage.

You'll find the information presented in plain English, with legal terms explained in a way that is easy to digest. We aim to give you clarity, not confusion.

**What to Expect in This Guide**

- A chapter-by-chapter breakdown of the requirements behind partner visas.
- Clear explanations of de facto rules, bridging visas, sponsorship limits, and more.
- An overview of relationship evidence and permanent residency pathways.
- High-level summaries of each visa subclass in the partner program.
- Practical writing guidance to help you prepare relationship statements, Form 888s, and supporting documents.

Whether you are just starting your journey or are nearly ready to submit, this guide is designed to meet you where you are. Take your time, highlight what matters, and use this as your trusted companion throughout the process.

Thank you again for placing your trust in Migroo.  
We're with you every step of the way.

**Warmly,**

**Nick Muir, founder and CEO of Migroo**

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# UNDERSTANDING PARTNER VISAS

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**P**artner visas allow couples to build a life together in Australia, even when one partner is not an Australian citizen or permanent resident. This chapter gives you a simple, practical understanding of how partner visas work, the different visa types available, the key stages in the process, and what a genuine and continuing relationship really means in the eyes of the Department of Home Affairs.

## **1. What is a Partner Visa?**

A partner visa lets the non-Australian partner of an eligible sponsor live in Australia on a temporary visa, with a clear pathway to permanent residency. Partner visas sit under the Family stream of Australia's Migration Program and are designed for couples who can show they are in a genuine, committed relationship.

You can apply whether you are:

- already in Australia; or
- living outside Australia when you apply.

You only lodge one partner visa application. The Department makes an initial decision for the temporary visa and then reviews your relationship again for the permanent stage.



## 2. Who Can Sponsor a Partner Visa?

A sponsor for a partner visa must be one of the following:

- an Australian citizen;
- an Australian permanent resident; or
- an eligible New Zealand citizen.

Sponsors must also meet several requirements, including:

- meeting character requirements;
- providing police checks;
- not having sponsored more than one partner previously, and waiting at least five years between partner sponsorships unless exceptional circumstances apply; and
- agreeing to the sponsor obligations (explained in detail later in the guide).

The sponsor and applicant must also be in a relationship that fits into one of the recognised categories below.

## 3. Types of Partner Relationships Recognised

### ***Married couples***

Your marriage must be legally valid in Australia.

### ***De facto couples***

You live together or you do not live separately on a permanent basis.

There is no strict minimum time requirement if you have strong evidence, such as a relationship registration. Without registration, most applicants rely on around 12 months of de facto evidence.

***Fiancés (Prospective Marriage Visa subclass 300)***

This is a temporary visa granted before marriage. It allows the applicant to come to Australia, marry their partner, and then apply for the onshore partner visa.

**4. Onshore and Offshore Partner Visas*****Onshore partner visa (subclasses 820 and 801)***

If you're already in Australia, this is usually the pathway you'll take. You lodge the application from inside the country and the first stage is the 820 temporary visa. You only apply once and your application later rolls over into the permanent stage. Two years after the date you lodged your original application, the Department reassesses your relationship and, if everything checks out, you may move on to the 801 permanent visa.

***Offshore partner visa (subclasses 309 and 100)***

If you're living overseas when you apply, this is the pathway for you. The 309 temporary visa is assessed first and, once granted, you can travel to Australia and live with your partner. Later on, the Department reassesses your relationship for the 100 permanent visa.

***Prospective Marriage Visa (subclass 300)***

This option is designed for couples who are engaged but not yet married. You apply from outside Australia and, if granted, the visa gives you time to enter Australia, get married, and then move on to a partner visa from inside the country.

***Bridging visas for onshore applicants (820 pathway)***

If you apply for an onshore partner visa, you will usually be granted a Bridging Visa A, or BVA. This bridging visa does not start immediately. It only becomes active when your current visa expires, and from that point it keeps you lawful in Australia while your partner visa is being processed.

A BVA for partner visa applicants typically includes full work rights, full study rights, and Medicare access. This is one of the main advantages of applying onshore, because most

applicants can enrol in Medicare almost straight after lodging their 820 application, even if their BVA has not yet activated.

If you lodge your partner visa while you are on a visitor visa, such as an eVisitor or ETA, you will normally need to wait until your visitor visa expires before the BVA becomes active. This means you may have to wait out the remainder of your visitor visa stay period before you can begin working. During that waiting period, you can still access Medicare once you have lodged your 820 application, but your work rights do not begin until the BVA comes into effect.

There is one important travel point to understand. A BVA does not allow travel outside Australia. If you need to leave the country while waiting for your temporary partner visa grant, you will need to apply for a Bridging Visa B, or BVB. A BVB allows you to travel during a specific window and return to Australia without losing your place in the partner visa process. Leaving the country on a BVA without a BVB will cause the BVA to cease, which can complicate your application, so it's always safer to apply for a BVB before making any travel plans.

## **5. How the Two-Stage Partner Visa Process Works**

Partner visas are assessed in two parts.

### ***Stage 1: Temporary visa (subclass 820 or 309)***

The Department checks whether your relationship is genuine, whether the four legal pillars are met, whether you meet eligibility criteria, and whether the sponsor is eligible. If approved, the applicant receives temporary residency, which allows work, study, travel, and access to Medicare.

### ***Stage 2: Permanent visa (subclasses 801 or 100)***

Around two years after lodging the first stage, the Department reassesses the relationship to confirm that it has continued and remains genuine. If approved, the applicant becomes a permanent resident.

## 6. The Four Legal Pillars of a Genuine Relationship

To be granted a partner visa, you must demonstrate that your relationship is genuine and continuing across four categories:

### *Financial aspects of the relationship*

Examples include shared accounts, shared bills, savings, or financial support.

### *Nature of the household*

Examples include living together, sharing chores, receiving mail at the same address, or daily routines.

### *Social aspects of the relationship*

Examples include photos, social media posts, holidays, events, and statements from friends or family.

### *Nature of the commitment*

Examples include future plans, communication patterns, joint decision-making, or long-term goals.

**A strong application usually shows solid evidence across all four pillars.**

## 7. Processing Times: What to Expect

Processing times change frequently. As a general guide, temporary visas (820 and 309) often take between 6 and 18 months. Permanent visas (801 and 100) often take around 12 to 24 months after the eligibility date.

Your processing time can be influenced by the strength of your evidence, whether your sponsor has sponsored someone before, your immigration history, global processing volumes, and whether the Department requests any additional information.

## 8. Rights While Your Partner Visa Is Processing

Your rights depend on whether you applied onshore or offshore.

For onshore applicants, your Bridging Visa A usually gives you full work rights, full study rights, and Medicare access once it becomes active. You also have the option of applying for a Bridging Visa B if you need to travel.

For offshore applicants, you must remain outside Australia until the temporary partner visa (309) is granted. Once you enter Australia on the 309, you generally have full work rights, full study rights, and the ability to travel.

Your specific visa conditions will always appear in your grant letter and in VEVO.

## 9. What If Your Relationship Ends?

If your relationship ends after you have lodged your application, you may still have options in limited circumstances. These include situations involving family violence, the death of the sponsor, or children of the relationship. A full chapter on these provisions appears later in the guide.

### Who This Guide Is For

This guide is written for couples who are early in the process, couples already gathering evidence, both onshore and offshore applicants, and anyone who wants a clear explanation of what to expect without unnecessary legal jargon. Our goal is to make the partner visa process feel simple, manageable, and transparent, even though it is one of the most evidence-heavy visa categories in Australia.

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## ELIGIBILITY BASICS

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**B**efore diving into the partner visa process in detail, it's important to understand whether you and your partner meet the basic eligibility requirements.

If you haven't already checked your eligibility, you can try Migroo's free partner visa eligibility quiz. It gives you a quick overview of your likely eligibility and highlights any areas that might need extra attention before you apply.

### 1. Basic Applicant Eligibility

To apply for a partner visa, you must meet a few simple but essential requirements. You must hold a valid passport and meet the visa's character and health requirements. Character checks usually involve police certificates from every country where the applicant has lived for a certain period. Health requirements are assessed through a medical examination once the Department requests it.

You must also be in a genuine, ongoing relationship with their sponsor. The Department's definition of a genuine and continuing relationship is assessed through the same four pillars covered in Chapter 1, so if you have already read that section, you know exactly what the Department is looking for.

If you are applying onshore, you must hold a valid visa at the time of application. Most temporary visas are fine, including visitor visas, but if your current visa has a "no further

stay” condition, you will usually need to request a waiver before you can lodge a partner visa. Applicants who are unlawfully in Australia or whose visa has expired may also be affected by Schedule 3, which creates additional eligibility requirements.

## **2. Basic Sponsor Eligibility**

Sponsors play a central role in partner visas. The sponsor must be an Australian citizen, an Australian permanent resident, or an eligible New Zealand citizen. This part is straightforward and was outlined in Chapter 1, so here we focus only on the additional eligibility rules.

Sponsors must meet character requirements and provide police checks as part of the sponsorship application. There are also legal limitations on sponsorship. A person can usually sponsor only two partners in their lifetime and must wait at least five years between sponsorships unless exceptional circumstances apply.

Sponsors must also agree to the formal sponsorship obligations. These include providing financial support if needed, ensuring the applicant has appropriate accommodation, and helping them access essential services. These obligations remain in place for a specific period after the applicant arrives in Australia on their partner visa.

## **3. Relationship Eligibility**

The Department recognises three types of eligible relationships for partner visas. These are married, de facto, and engaged (for the Prospective Marriage Visa). Because Chapter 1 already covers these categories in detail, here we focus only on the eligibility rules attached to each one.

Married couples must have a marriage that is legally valid under Australian law. If your marriage took place overseas, most marriages are recognised, but some involving minors or certain cultural practices may require further assessment.

De facto couples must demonstrate they live together or do not live separately on a permanent basis. Most couples rely on showing around twelve months of evidence unless their relationship is registered in a state or territory that accepts relationship registration for migration purposes.

Engaged couples applying for the Prospective Marriage Visa must intend to marry within the visa's validity period and demonstrate a genuine intention to live together as a married couple.

#### **4. Onshore and Offshore Eligibility Factors**

Although the core relationship requirements are the same for both onshore and offshore partner visas, there are some important differences in eligibility depending on where you apply.

For onshore applicants, you must be inside Australia when you lodge your application and hold a valid visa. As soon as your current visa expires, your Bridging Visa A becomes active, allowing you to remain in Australia lawfully. The bridging visa often includes full work rights and access to Medicare. If you apply while holding a visitor visa, you will need to wait until that visa expires before the bridging visa activates. Travel is not permitted on a Bridging Visa A, so a Bridging Visa B is required if you need to leave Australia. If you are overseas on a Bridging Visa B when the Department is ready to finalise your application, they will simply wait until you return to Australia before granting the visa. A Bridging Visa B allows you to travel, but it does not allow the 820 visa to be granted while you are outside the country.

For offshore applicants, you must be outside Australia at the time you lodge your application and also when the temporary partner visa (309) is granted. This can require some planning if you are already visiting Australia or intend to travel soon. Once you enter Australia on the temporary visa, you generally have full work and study rights.

#### **5. Age Requirements**

Both the applicant and sponsor must meet certain age requirements. For a de facto relationship, both partners must be at least eighteen years of age. For marriages, the marriage must be valid under Australian law, which generally requires both parties to be at least eighteen. If the marriage was performed overseas and one party was under eighteen, you may need professional advice to determine whether the marriage is recognised for migration purposes.

## 6. Health and Character Requirements

All partner visa applicants must satisfy the Department's health and character requirements. Health examinations are scheduled once the Department requests them and usually involve a standard medical check at an approved clinic. Most applicants pass these without issues.

Partner visa health rules are generally more flexible than those for skilled visas or employer-sponsored visas, and many conditions that people worry about are not an issue at all. The Department is mainly concerned with conditions that may result in significant and ongoing costs to Australia's healthcare system, or conditions that may pose a public health risk.

Examples of conditions that **usually do not cause issues** include common mental health conditions managed with medication, mild or moderate anxiety or depression, asthma, ADHD, well-managed diabetes, high blood pressure, and many chronic conditions that are stable or controlled. Pregnancy is also not an issue for partner visas.

Conditions that may require closer assessment include those involving very high long-term healthcare or community service costs, such as advanced cancers, significant intellectual disabilities requiring ongoing support, or conditions requiring extensive, ongoing treatment or full-time care. Even in these cases, partner visa applicants may still be granted a visa because the health requirement allows for "waivers" in certain circumstances.

If you are concerned about a particular medical condition, it may be helpful to seek advice before lodging. A migration professional can help you understand whether the health requirement is likely to affect your application and whether a health waiver may be available in your situation.

Character checks are mandatory for both the applicant and the sponsor. This involves obtaining police certificates from each relevant country. Any serious criminal history may lead to additional scrutiny or, in some cases, make the applicant or the sponsor ineligible for a partner visa.

If the Department identifies a medical condition that could lead to significant healthcare or community service costs, they may consider a "health waiver." A health waiver allows

the Department to grant your visa even if the usual health cost threshold is exceeded. You do not need to apply for the waiver separately, the Department will tell you if a waiver is available in your situation.

Most partner visa applicants pass the health requirement easily.

## **7. Dependent Children**

If you have dependent children, they can usually be added to your partner visa application. Children must meet the legal definition of dependency and must also pass the health and character requirements. If your child holds a different type of visa or will be travelling at a different time, it's important to ensure all details are declared correctly so the Department can link the family unit.

### **Summary**

Eligibility for partner visas comes down to a few core requirements. The applicant and sponsor must meet health and character checks, the sponsor must be eligible and willing to meet the formal obligations, and the relationship must fall into one of the legally recognised categories. Onshore and offshore pathways each have additional rules to be aware of, especially around location at time of lodgement, bridging visas, and travel conditions.

Most couples meet these requirements without difficulty once they understand what the Department is looking for. If you haven't already, Migroo's free eligibility quiz is a simple way to check your situation and confirm your next steps.