



Partner Visa for Students in Australia – Ultimate Guide 2024

AUSTRALIAN VISA

PARTNER VISA FOR STUDENT IN AUSTRALIA

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Partner Visa for Students in Australia: the Process and the Effect

Are you an international student in Australia who wants to apply for a partner visa? Is your goal to live together with your partner in Australia while studying in Australia?

Understanding and dealing with the complexities of maintaining these connections within the limits of Australia's immigration system is crucial, especially if you are wondering if a student can apply for a spouse visa or are interested in switching from a student visa to a partner visa in Australia.

Partner Visa Australia serves as a pathway for you to join your loved ones in Australia, supporting the reuniting of spouses separated geographically. By clarifying this complex journey, you may make decisions that align with your goals and obligations, facilitating a more seamless transition into a new stage of life in Australia with your loved ones.

Get Closer to Partner Visa for Students

Partner visas are a beacon of hope, designed to reunite couples by allowing the partner of an Australian citizen, permanent resident, or eligible New Zealand citizen to live, work, and study in Australia.

Who qualifies as a 'Partner' Under Australian Migration Law? Australian migration law is inclusive, defining a partner as a spouse, [de facto](#) partner, or registered partner of the sponsor, [regardless of the gender of the partners](#).

There are primarily two types of partner visas available: the onshore Partner visa ([subclass 820/801](#)) and the offshore Partner visa ([subclass 309/100](#)).

If you're in Australia holding a Student Visa and looking to remain with your loved ones, the onshore Partner Visa (subclass 820/801) will suit your intent. The subclass 820 visa allows the partner to live in Australia temporarily, while the subclass 801 visa grants permanent residency.

Read more: [De Facto Relationship: How Important It is to Prove Your Relationship](#)



Understanding the Application Process for a Partner Visa

Here is the application process for converting a Student Visa to a Partner Visa:

1. Determine Your Eligibility

You must confirm that your relationship meets the eligibility criteria for a partner visa. The eligibility criteria for a partner visa are as follows:

- Be in a genuine and continuing relationship with an Australian citizen, Australian permanent resident, or eligible New Zealand citizen.
- You are in either a marriage or a de facto relationship.
- You and your partner must be over 18 years old.
- Not had a visa cancelled or an application refused.
- Be in Australia when you apply.
- You must meet health and character requirements.

Get a free initial assessment of your eligibility for a Partner Visa with our professional consultants [here](#).

2. Gather All of the Required Documents

You must provide relationship evidence such as joint bank accounts, lease agreements, utility bills, photos, and communication history. These are just a few examples of the types of evidence you can provide to demonstrate the genuineness of your relationship. Also, prepare your identification documents, including passports and birth certificates. Furthermore, you have to obtain police clearance certificates and medical examination results. You can ask [a professional consultant agent](#) for advice to ensure all your documents are complete and error-free.

Learn more: [Document Checklist For Australian Spouse Visa 2024](#)

3. Register for the Partner Visa Application

There are two main types of partner visas— the 820/801 (onshore or if you're in Australia) and the 309/100 (offshore or outside Australia). As a student, you can consider applying for an onshore partner visa Subclass 820/801.

You can apply through the Department of Home Affairs' [ImmiAccount](#) portal. Ensure all documents are attached, and the form is completed accurately. Note that the fee must be paid at the time of application submission.

Once submitted, you will receive a Bridging Visa A (BVA), allowing you to stay in Australia while your partner visa is processed.

Learn more: [The fee of partner visa \(subclasses 820 and 801\)](#)

4. Wait for a Temporary Visa Grant (Subclass 820) Approval

The processing time for the temporary partner visa can vary. During this period, you must maintain your current student visa conditions until the BVA comes into effect.

5. Receive Temporary Partner Visa (Subclass 820)

Once the temporary partner visa (subclass 820) is granted, you can live, work, and study in Australia until a decision is made on your permanent partner visa (subclass 801).

6. Apply for Permanent Partner Visa (Subclass 801)

Two years after the initial partner visa application, you can apply for the permanent partner visa (subclass 801). This application process is similar to the initial partner visa application, but you must provide updated evidence that your relationship is ongoing and genuine. This could include recent joint bank statements, photos, or other evidence of your continued relationship.

7. Permanent Partner Visa (Subclass 801) Approval

After the assessment period, if everything is in order, you will be granted the permanent partner visa (subclass 801), allowing you to stay in Australia indefinitely.

Read more: [4 Pillars Partner Visa: Evidence of Genuine Relationship](#)



Effects on Students Who Apply for a Partner Visa

Obtaining a partner visa may have some effects on students. You may have some questions in your head when you are finally sure to switch your student visa to a partner visa:

What would happen to my student visa if my partner visa was granted? Do I need to cancel my student visa?

Suppose your partner visa is granted before your student visa expires. In that case, the partner visa will automatically replace your valid student visa. You do not need to cancel your student visa; the partner visa will automatically supersede upon its grant. Additionally, you can continue your studies in Australia while holding a partner visa, as this visa permits you to study in Australia if your studies are still ongoing.

Is there any significant effect on my studies if I apply for a partner visa when my student visa is still valid?

There is no significant impact on your studies if you apply for a partner visa onshore while holding a valid student visa in Australia. You can continue your studies as usual since your student visa remains valid.

Do I need to continue my studies while my partner visa is processed?

You must continue your studies in Australia if your studies have not been completed while processing your partner visa application. The conditions of your student visa still apply to you. Failure to complete your studies while your student visa is valid and your partner visa application is in process may lead to the cancellation of your student visa, which could also affect your partner visa application.

Read more: [Partner Visa Refused in 2024: Why? And How to Avoid It?](#)

What happens if my student visa expires while my partner visa is processed?

Upon submitting an onshore partner visa application while holding a valid student visa, you will be granted a Bridging Visa A (BVA) to stay lawfully in Australia while waiting for the decision on your partner visa application. This Bridging Visa A (BVA) will become active once your student visa expires. Therefore, when your student visa expires, the Bridging Visa A (BVA) will replace it, allowing you to stay in Australia lawfully.

Can I travel outside Australia while my partner visa application is still being processed?

While processing your partner visa application, you can travel outside Australia by applying for a Bridging Visa B (BVB) once your Bridging Visa A (BVA) is active. The Bridging Visa B (BVB) allows you to travel in and out of Australia while awaiting the decision on your partner visa application. You can only apply for a Bridging Visa B (BVB) while onshore in Australia and when your Bridging Visa A (BVA) is active; additionally, you must return before your Bridging Visa B (BVB) expires.

However, suppose your substantive visa is still valid, and the Bridging Visa A (BVA) is inactive. In that case, you can travel with your substantive visa and must return before it expires. Once you return to Australia, you must reinstate your Bridging Visa A (BVA).

What are the effects on you after being granted a partner visa?

By holding a temporary Partner Visa (subclass 820/309), you are generally granted full work rights upon arrival in the country. It means you can seek employment in any field or industry of your choosing without the need for sponsorship or additional work visas.

Additionally, by holding a permanent Partner Visa (subclass 801/100), you can enjoy even greater work rights with no restrictions on the type of employment you can pursue. This unrestricted access to the Australian labour market empowers individuals to build fulfilling careers and contribute to the country's workforce and economy.

Any Limitations or Conditions Attached to the Partner Visa

Certain partner visas may have conditions restricting the holder's ability to work or study in Australia. Understanding and complying with these conditions is crucial to avoid visa breaches.

- **Residency Requirement:** Suppose your Temporary Partner Visa (subclass 820/309) was granted when you're offshore; you must enter Australia on the specified date on the grant letter. Ensure to enter Australia on the specified date to avoid cancellation or refusal of your Temporary Partner Visa.
- **Relationship Validation:** Both you and your sponsoring partner must provide compelling evidence, such as joint financial commitments, shared household responsibilities, and social connections, to demonstrate the authenticity of their relationship.
- **Transition to Permanent Residency:** Holders of Temporary Partner Visas must fulfil particular requirements to become permanent residents. It could include demonstrating

that you and the sponsoring partner have been living together constantly and maintaining a genuine and continuous connection during the temporary visa period.

In summary, a student can apply for a partner or spouse Visa, and obtaining a partner visa while studying in Australia offers both opportunities and challenges for international student couples. Understanding the Partner visa application process, its effects on study and work rights, financial implications, and visa compliance is essential for a successful transition. Seeking professional advice and utilizing available resources can facilitate a smoother journey toward building a life together in Australia.

If you're unsure about completing the process yourself, consider getting professional assistance from a registered migration agent. Find out how a Registered Migration Agent can assist you [here](#).

Does my application have a 100% chance of being approved?

It depends on how thorough your documents are and how eligible you are for the Australian government to grant you a partner visa. The process of applying for a partner visa might be complex. There are many things to manage, but getting professional migration assistance can help you understand your options, streamline the application process, and avoid costly mistakes. They could offer individualized advice based on your specific circumstances and assist you in preparing an effective Partner Visa application in Australia.