

Family Reunion options for ROS visa holders

It is not possible to sponsor your family for an XB Special Humanitarian visa.

The only way to bring your partner or children to Australia if you hold a Resolution of Status 851 visa is via a family stream visa. This factsheet sets out two common options: a partner visa and a child visa.

The BC-309/100 Partner Visa

If you are married, have lived together for 12 months or have registered your relationship with the NSW registry, you can sponsor your partner for a Partner visa.

The cost is:

- \$8,850 Application fee +
- \$4,430 per child who is 18-23
- \$2,215 per child who is under 18.

At both the time of the application, and at the time of a decision, the child must meet the definition of a dependent child, which means they are either:

- under 18; or
- have turned 18 but have not turned 23 and is dependent on the family head or their partner. Dependent here means that the child has been for at least 12 months wholly or substantially reliant for financial support to meet their basic needs for food, clothing and shelter, and their reliance is greater than on any other person.
- have turned 23 but be incapacitated for work due to the total or partial loss of their bodily or mental functions with a medically accepted disability.

If a child turns 23 before a decision, they won't qualify unless they meet the incapacitated criteria.

The process to apply is through ImmiAccount.

The AH-101 Child Visa

The cost is \$3,055 per child.

At the time of the visa application, the child must be:

- under 18; or
- have turned 18 but have not turned 25 and:
 - are financially dependent on the sponsor more than any other person;

- not be engaged, and not have a spouse or de facto partner and not have ever had a spouse or defacto partner;
 - not be working full time;
 - since turning 18 or within six months of completing high school they must have been undertaking full time study.
- be incapacitated for work due to the total or partial loss of the child's bodily or mental functions. There must be evidence by medical or other reports (a child of any age);

At the time of decision children may age out of their bracket above, but those who were 18-24 when they applied must continue to show they meet the dependency criteria, and those aged 25 or over must continue to show incapacity.

The process to apply is that Form 47CH must be completed and posted with the receipt for payment made through ImmiAccount, to

Department of Home Affairs, Child and Other Family Processing Centre
Locked back 7,
Northbridge WA 6865 Australia

Getting help from RACS

RACS is entirely independent of the Department of Home Affairs. All assistance is free.

If you would like advice or assistance, RACS offers the following service options:

Service	Day	Time	Address/Number
Client Line	Monday to Friday	11AM to 1PM and 2PM to 4PM	(02) 8355 7227 or admin@racs.org.au
Auburn Drop-in	Wednesday	Register in person from 10 AM to 12 PM	Visit 44A Macquarie Road, Auburn

Please note: This fact sheet contains general information only. It does not constitute legal or migration advice. This factsheet was prepared in October 2023.