

AYLWARD GAME SOLICITORS

# IMMIGRATION LAW

**Contact us today at Aylward Game Solicitors  
for a 20 minutes free case consultation.**

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# 20 MINUTE CONSULTATION

Do you want to know immigration law?

We provide a completely confidential, no obligation, [free 20-minute appointment](#) to discuss your unique situation and legal options.

[Call us now on \(07\) 3236 0001](#) and you can start to build some certainty and direction in this stressful and unsettling time.

# FIXED FEE APPOINTMENT

As an alternative to the 20 minute consultation, we offer an initial appointment for up to 2 hours for a fixed fee of \$440 (inc GST).

This longer appointment enables us to obtain more comprehensive information from you and provide you with more comprehensive information relevant to your circumstances.



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# IMMIGRATION LAW

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## ONCE UPON A TIME AUSTRALIA

There was a country, and then there were people. I saw it on the map, I went there, and I stayed. These phrases are probably used and owned by the majority migrants who made Australia their home. But, what is it that attracts most people to Australia as we speak?

Well, it is the question of fact that every one of us needs to have a decent life, have freedom of expression, love our neighbour and be loved by them, be safe, be prosperous, and the list continues.

Given the possible political, economic and social unrest in the World today, Australia is ahead by far and has a better economy, higher job prospects and more free trade processes than most developed countries.

So, the question is not if but when do you intend to migrate to Australia? This question is gripping most migrant communities who have some knowledge about Australia.

First, we need to address the lack of adequate information out there as far as knowing how and what to choose as the best pathway to migrate to Australia. We at Aylward Game Solicitors can answer many of your questions, and become your guidepost throughout the journey. Aylward Game Solicitors team of immigration lawyers' have a single-line commitment toward keeping you Ahead of the Game.

We are a team of dedicated Brisbane legal professionals, as well as genuine, down-to-earth people with a passion for making a real difference. Abolfazl is an immigration lawyer and team leader registered and accredited with the Migration Agents Registration Authority (MARA).



# VISA CATEGORIES

Family & Partner Visas

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Working & Skilled Visas

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Bridging Visa BVB

## FAMILY & PARTNER VISAS-

### Prospective Marriage Visa (Subclass 300)

This visa allows you to come to Australia and marry your intended spouse. You may then apply for a Partner visa.

When you and your future prospective partner/spouse are decided on applying for the Prospective Marriage Visa (subclass 300), there are a few critical points that you best consider before lodging your application.

To begin with, it is one of the golden rules that in any type of visa application you contemplate to lodge, you want to get the application right the first time. This mostly requires diligence and legal advice so you have your way navigated in accordance with the current rules and practices. It is one thing to think that you know something, or you read something, it is another if that something that you just read is still valid, or more importantly, if you have used the right interpretation for what you have just read. Remember, an application that is lodged incomplete, or an application with no valid supporting documents, not only may risk the application get refused but also it can cause a delay in the process of your application.

In addition to the above, any incomplete application that attracts negative outcome from the Department of Home Affairs (DHA) may put the applicant and anyone affected by that application, among other things, into unnecessary financial costs which can be avoided if prudent legal advice is sought prior to lodging your application. The rationale of understanding this is very simple; your lawyer who is about to take on a rejected application will now need to review your previous application before assisting you with the preparation of your new application and supporting documents. So you are paying for two fees now, one; reviewing the previous application to see what DHA's concerns were, and the other, for preparing a completely new application.

Practically, apart from other requirements, when you are to lodge this application, your prospective future partner or spouse, must be outside Australia, be 18 years old or older, and both have the intention to marry each other within 9 months from the date of grant of the visa. This visa allows the person who has been granted the visa to work in Australia and at his/her own expense study in Australia as well.

## Partner Provisional Visa (Subclasses 100 and 309)

This visa allows the partner or spouse of an Australian citizen, Australian permanent resident or eligible New Zealand citizen to live in Australia.

To lodge this application, the qualified candidate would need to apply this in the sequence as provided under the rules. That is to say, the first stage is a temporary visa, and the second one once approved leads to a permanent visa to reside in Australia. The candidate must be outside Australia when he/she applies for this visa

You may ask yourself “why do I need a lawyer?”.

Immigration law is very complex and many applicants require professional assistance in addition to what you may find, read and understand. As the rules keep evolving, it is essential that you seek the right legal advice..

*Abolfazi is an immigration lawyer and well experienced to walk you through this application process. He navigates your way step-by-step to ensure that you submit a correct application with correct supporting documents.*

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## WORKING & SKILLED VISAS-

### Employer Nomination Scheme Visa (Subclass 186)

This visa allows skilled workers who are nominated by an employer to live and work in Australia permanently. If you are granted this visa, you can also sponsor eligible family members to come to Australia, and ultimately if eligible, to apply for Australian citizenship.

To begin with, you must have an occupation that is on the list of eligible skilled occupations, have at least 3 years relevant work experience, and have a positive skills assessment, unless you are exempt.

### Skilled Independent Visa (Subclass 189) Point-Tested Stream

This visa allows skilled workers who are nominated by an employer to live and work in Australia permanently. If you are granted this visa, you can also sponsor eligible family members to come to Australia, and ultimately if eligible, to apply for Australian citizenship.

To begin with, you must have an occupation on the relevant skilled occupation list, have a suitable skills assessment for the occupation, be invited to apply for this visa and finally satisfy the points test.

### Business Talent (Permanent) Visa (Subclass 132) Significant Business History Stream

This visa allows experienced business owners, to operate a new or existing business in Australia.

To begin with, you must have a net value of at least AUD1.5 million (lawfully acquired), an annual business turnover of at least AUD3 million for at least 2 of the 4 years immediately before you are invited to apply.

In addition, you need to demonstrate a total net asset of at least AUD400,000 as the ownership interest in one or more qualifying businesses for at least 2 of the 4 fiscal years immediately before you are invited to apply.



## Distinguished Talent Visa (Subclass 124)

This visa allows an applicant with an internationally recognised record of exceptional and outstanding achievement to work, study and permanently reside in Australia. The recognised record must be related to a profession, a sport, the arts or academic and research.

You need a nomination by an Australian citizen, Australian permanent resident, eligible New Zealand citizen, or Australian organisation with a national reputation in relation to your area of talent.

## BRIDGING VISA BVB (SUBCLASS 020)-

This visa allows you to stay lawfully in Australia until your substantive visa application is finally determined. If granted, you can leave and return to Australia within the defined travel period while your request for a substantive visa is being processed. Work is subject to the conditions of your BVB.

This visa is temporary. A separate application for a BVB may be necessary where you have applied for judicial review. You can't use a bridging permit while you are waiting for the outcome of your citizenship application.

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PLAN  
TO GO OUT  
WITH A  
WINNING HAND

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