



FORTY FOUR DEGREES
Lawyers and Consultants

Level 2, Suite 3, 50 Market St
Melbourne VIC 3000
+61 423 495 217
+61 3 9225 5266
info@fortyfourdegrees.com.au
www.fortyfourdegrees.com.au

MIGRATION



OVERVIEW

Services we provide

PARTNER
RELATED VISAS

BUSINESS
RELATED
VISAS

EMPLOYMENT
AND SKILLED
RELATED VISAS

CITIZENSHIP

REVIEW AND
CANCELLATION



FORTY FOUR DEGREES

Lawyers and Consultants

Thank you for engaging our firm to assist you with your Migration matter. Forty Four Degrees Lawyers and Consultants prides itself on the level of service provided and looks forward to assisting you in planning for your future and ensuring your wishes are fulfilled.

In an effort to reduce the amount of paper we use we endeavour, where possible, to communicate with you via either email or telephone. We invite you, where possible, to do likewise.

Your main contacts will be:

Leila Chalk

Mobile: 0423 495 217

Email: leila@fortyfourdegrees.com.au

Ensieh Bayat

Mobile: 0417 058 237

Email: ensieh@fortyfourdegrees.com.au

Celine Bodera

Mobile: 0427 013 837

Email: Celine@fortyfourdegrees.com.au

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Verification of Identity

We are obliged to verify:



Your identity

That you are a legal person; and

That you have the right to enter into the relevant instrument or dealing.

This means that you will need to attend our office for a meeting with one of our solicitors. You will need to bring to this meeting photo ID.

In some circumstances we may be able to verify your identity via video conference. Please contact us to discuss this option.

Alternatively, if you are unable to attend our office we will provide you with a verification of identity document for Australia Post. With this document and the required ID you can attend one of Australia Post's branches to have the verification of identity done. Please note however not every branch can provide this service, so please call ahead to ensure the verification of identity can be done.

PARTNER VISAS

Australia's Partner visas allow spouses or de facto partners of Australian citizens; permanent residents; and eligible New Zealand citizens to obtain visas in Australia on either a temporary or permanent basis. Partner visas also allow the holder to access Medicare and work in Australia. In some cases, simply lodging a Partner visa can provide the same effects.

VISA TYPES

- Prospective Marriage (Subclass 300) (offshore) visa
- Partner (Subclass 820/801) (onshore) visa
- Partner (Subclass 309/100)(offshore) visa

VISA REQUIREMENTS

- If your application is based on marriage you must be legally married to an Australian citizen, permanent resident or eligible New Zealand citizen. If you are yet to be married, you must make your intention known that you are going to marry in the near future.
- If your application is based on a de facto relationship you must demonstrate 12 months of evidence (unless in a registered de facto relationship).
- you and your partner must both be at least 18 years old, and must not be closely related.
- you and your spouse/partner must be in a mutually exclusive relationship.
- you and your spouse/partner must either live together or live apart on a temporary basis only.

SPONSOR REQUIREMENTS

- did not previously sponsor more than one partner.
- was not sponsored by a partner, within the last 5 years (unless there are compelling circumstances)
- provide police clearance certificates to the Department for each country in which he/she has lived for at least 12 months during the last 10 years.



BUSINESS & INVESTOR VISAS

Australia's Business and Investor visas are aimed at individuals with a high net worth. These visas are designed to provide temporary and permanent residence pathways to individuals with significant business talent, or funds to invest in to Australia.



VISA TYPES

- Business Talent (Subclass 132) visa; and
- Business Innovation and Investment (Subclass 188) visa

SIMPLIFIED 132 VISA ELIGIBILITY

- for business persons who have net business and personal assets of at least AUD \$1.5 million and an annual business turnover of at least AUD \$3 million.
- the Venture Capital Entrepreneur stream – for those who have obtained at least AUD \$1 million in venture capital funding to start the commercialisation and development of a high-value business idea in Australia

SIMPLIFIED 188 VISA ELIGIBILITY

- the Business Innovation stream (points-tested) – for people who want to own and manage a new or existing business in Australia (and have total net business and personal assets of at least AUD800,000 which are available for the conduct or establishment of a business in Australia)
- the Investor stream (points-tested) – for people who want to make a designated investment of at least AUD \$1.5 million into an Australian State or territory bond
- the Significant Investor Visa (SIV) stream – for people who want to invest at least AUD \$5 million into complying investments in Australia
- the Premium Investor Visa (PIV) stream – for people who want to invest at least AUD \$15 million into complying investments in Australia (note: this visa is available at the invitation of the Australian government only, with potential recipients to be nominated by AusTrade)
- the Entrepreneur stream – for entrepreneurs with innovative ideas and financial backing from a third party of at least AUD \$200,000

GENERAL SKILLED MIGRATION PROGRAM (GSM) —●

The General Skilled Migration program is designed to be used by the Australian government to fill skill gaps in the Australian economy. This is achieved by targeting specific occupations and people with relevant skills and experience. The program covers a number of visas, including pathways to direct permanent residence (the Skilled Independent (Subclass 189) visa, the Skilled Nominated (Subclass 190) visa) or a staggered provisional pathway through the Skilled Work Regional (Provisional) (Subclass 491) visa. Additional points are awarded to those willing to relocate to designated regional areas.

VISA TYPES

- Skilled Independent (Subclass 189)
- Subclass Nominated (Subclass 190)
- Skilled Work Regional (Provisional) visa (Subclass 491)

VISA REQUIREMENTS

IN GENERAL, FOR A SUBCLASS 189 VISA YOU MUST PROVIDE:

- your passport biodata page
- evidence of relationship to family members included in your application (such as birth certificates and marriage certificates)
- police clearances from any country you live in for 12 months or more in the last 10 years
- evidence you are competent in English at the time you are invited to apply for the visa
- evidence of a suitable skills assessment
- evidence of your qualifications and
- evidence of your employment history, such as payslips and employment reference letters.

FOR SUBCLASS 491, YOU MUST PROVIDE:

- evidence of a suitable skills assessment
- state/territory nomination from the relevant government authority
- if sponsored by a family member, you will need a completed visa Sponsor declaration form together with evidence the family member lives in a designated area
- competent English at the time of invitation and
- meet health and character requirements.



EMPLOYER SPONSORED RELATED VISAS

The Temporary Skill Shortage (TSS) visa (subclass 482), the Employer Nomination Scheme (ENS) visa (subclass 186) and RSMS programs are employer-sponsored visas for skilled foreign workers in certain occupations. The TSS visa is a temporary visa which has pathways to permanent residence, though this is dependent on a number of factors including the occupation, age, or salary.

VISA TYPES

- Temporary Skill Shortage Visa (Subclass 482)



EMPLOYEE

VISA REQUIREMENTS

- Qualifications that match the role
- At least 2 years of experience in the position
- Genuine intention to work in the nominated position
- Mandatory licensing, registration or professional membership requirements
- Adequate arrangements for health insurance
- Health, character and English requirements



POSITION (NOMINATION) REQUIREMENTS

- A genuine, full time position
- In the sponsor's business (or that of an associated entity)
- A salary in line with market rates
- Subject to Labour Market Testing (LMT)
- On the relevant occupation lists



EMPLOYER

VISA REQUIREMENTS

- Actively and lawfully operating in Australia or
- Actively and lawfully operating overseas but requiring the visa applicant to establish an Australian business or fulfill contractual obligations

AUSTRALIAN CITIZENSHIP

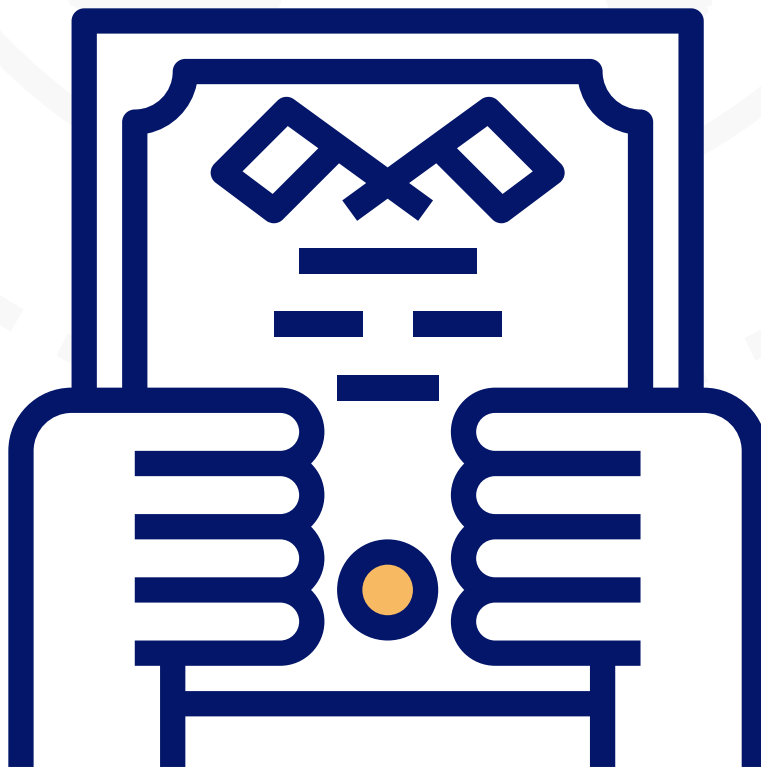
This is a process in which a non-Australian citizen voluntarily becomes an Australian citizen. Australian citizens pledge their loyalty to Australia and its people and are then entitled to its protection and to exercise their rights and responsibilities as citizens. You can become a citizen of Australia in different ways with each pathway having a distinct set of eligibility. Conferral and descent are the most common ways to apply.

RESPONSIBILITIES OF CITIZENSHIP

- Behave in accordance with Australian democratic beliefs
- Respect the rights and liberties of Australia
- Follow and obey the law
- Vote in federal and state or territory elections, and in referenda
- Defend Australia if necessary
- Serve on jury duty

FREEDOMS FOR CITIZENS

- Freedom of speech and freedom of expression
- Freedom of association
- Freedom of religion and secular government
- Equality in Australia
- Equality of men and women



VISA REFUSAL APPEAL & CANCELLATION

Background

The Administrative Appeals Tribunal (Tribunal) can review decisions made by officers of the Department of Immigration and Border Protection to refuse or cancel visas. The Tribunal can also review decisions relating to approval and cancellation of sponsorship and nomination.

What can we do for you?

With extensive experience in the litigation & review practice, our staff are well placed to assist with all issues relating to visa refusals and cancellations, including: appeals to the Tribunal, responding to notices of intention to cancel, merits review and judicial review.



Frequently Asked Questions

1 Will my visa application be processed more quickly if I use your services?

Unfortunately, no. However, it stands to reason that if your application is properly prepared, and all necessary documentation has been included, there will be fewer delays in processing the application. This will also ensure smooth processing of your application. If problems arise during the processing of the application, you can also be sure that your matter is in expert hands.

2 My visa has expired but I really want to stay in Australia, what can I do?

If you have stayed in Australia after your visa has expired, you are at risk of being detained by the Department of Home Affairs, and perhaps removed.

Depending on how long ago your visa expired, you may have an exclusion clause preventing the grant of a range of visas to come back to Australia. This clause can only be waived in limited circumstances.

In some circumstances it is possible to make another visa application onshore if you have overstayed your visa, but not always.

We always recommend that a person who has overstayed their visa attempts to 'regularise' their visa status with the Department as soon as possible.

3 What Costs Are Involved When Applying For A Visa?

The costs on applying for a visa widely vary on a number of factors but in all cases you should consider the following:

- Visa Application Charge (Government Charges)
- Immigration Lawyer/Migration Agent Professional Fees
- Medical Examinations
- Police Clearances
- Document Translation (if required)
- Insurances

PRICE LIST

Fixed fees for certainty and peace of mind.

Prices are exclusive of GST, government surcharges and government lodgement fees.

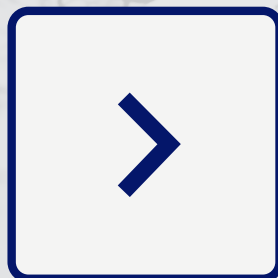


ADMINISTRATIVE APPEALS TRIBUNAL	\$5,000.00
BUSINESS / INVESTOR	\$17,000.00
BUSINESS SPONSORSHIP	\$2,000.00
CITIZENSHIP	\$1,500.00
GLOBAL TALENT PROGRAM (EXPRESSION OF INTEREST)	\$2,500.00
GLOBAL TALENT PROGRAM (GLOBAL TALENT VISA)	\$3,500.00
PARTNER VISA	\$4,000.00
TSS VISA	\$2,500.00
VISITOR VISAS	\$1,000.00

**READY TO START THE
PROCESS?**

MIGRATION - CLIENT DETAILS AND RETAINER INSTRUCTIONS

**CLICK ON THE LINK
BELOW TO COMPLETE
OUR QUESTIONNAIRE**



**One of our solicitors will be in touch to
confirm your instructions and arrange
for a signing meeting.**