



Important – Please read this information carefully before you complete your application. Once you have completed your application we strongly advise that you keep a copy for your records.

Who can use this form?

Form 852 is an application for a Confirmatory (Residence) visa (subclass 808). This visa is a permanent visa to be granted to persons who have entered Australia on a 'conditional' basis, ie. persons who are eligible for a permanent visa subject to their satisfying criteria which they were unable to satisfy before entry. For their application to be successful, an applicant must hold:

- a Resident Return (Temporary) visa (subclass 159) because they applied outside Australia for a Return (Residence) visa; were unable to prove then their claim to be an Australian permanent resident at that time; and can now prove that claim; or
- an Emergency (Temporary) visa (subclass 302) because they were able to satisfy all the criteria for a permanent visa overseas except health and character criteria; have travelled to Australia before; and can now satisfy those criteria; or
- a Border (Temporary) visa (subclass 773) and can now satisfy the decision-maker that they would have been eligible for a Return (Residence) visa when the Border (Temporary) visa was granted.

How to apply

To apply for consideration under this subclass, each applicant should complete a separate application form and provide any supporting documents. They should then send or deliver this application to the nearest office of the Department of Immigration and Citizenship (the department).

For more information on the making and processing of visa applications, see the information form 1205i *Making and processing visa applications* available from the department's website at www.immi.gov.au/allforms/

There is currently no visa application charge for a Confirmatory (Residence) visa (subclass 808).

Integrity of application

The department is committed to maintaining the integrity of the visa and citizenship programs. Please be aware that if you provide us with fraudulent documents or claims, this may result in processing delays and possibly your application being refused.

About the information you give

The department is authorised to collect information provided on this form under Part 2 of the *Migration Act 1958* (the Act). The information collected will be used for assessing your eligibility for a visa to travel, enter and remain in Australia.

The information collected might also be disclosed to agencies who are authorised to receive information relating to adoption, border control, business skills, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation, review of decisions and registration of migration agents.

The collection, access, storage, use and disclosure by the department of the information you provide in this form is governed by the *Privacy Act 1988* and, in particular, by the 11 Information Privacy Principles. The information form 993i *Safeguarding your personal information* gives details of agencies to which your personal information might be disclosed. Form 993i is available from the department's website www.immi.gov.au/allforms/ or from any office of the department.

The department is authorised under the Migration Act 1958, in certain circumstances, to collect a range of personal identifiers including a facial image, fingerprints and a signature from non-citizens, including from visa applicants. The department requires personal identifiers to assist in assessing your identity. The department is authorised to disclose your personal identifiers and information relating to your name and other relevant biographical data to a number of agencies including law enforcement and health agencies and to other agencies who may need to check your identity with this department. Where the department obtains personal identifiers they will become part of your official record with the department.

The department is involved in international information exchanges with a number of other countries. These exchanges include the sharing of personal identifiers, including a facial image and fingerprint data collected by immigration agencies such as this department. If, as a result of this sharing between countries, there is a match with your personal identifiers, the department will disclose your biographic data and immigration history to the other agency. The purpose of such disclosure would be to determine if you are presenting to the department and the other agency under the same identity and making similar claims.

For more detailed information you should read information form 1243i *Your personal identifying information*, which is available from the department's website www.immi.gov.au/allforms/ or from any office of the department or Australian mission overseas.

Options for receiving written communications

You may authorise another person to receive all communications, both written and electronic, about your application with the department. You will be taken to have received any documents sent to that person as if they had been sent to you.

To do this you will need to complete Part E *Options for receiving written communications* and form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*. For an explanation of what a migration agent or exempt agent or authorised recipient can do please read the sections below.

To change or end the appointment of your migration agent or exempt agent or authorised recipient you must promptly advise the department in writing. You can do this by using form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*.

Continued on the next page ►

Authorised recipient information

An authorised recipient is someone you appoint to receive written communications about your application with the department.

All written communication about your application will be sent to your authorised recipient, unless you indicate that you wish to have health and/or character information sent directly to you.

The department will communicate with the most recently appointed authorised recipient as you may only appoint one authorised recipient at any time for a particular application.

Migration agent information

A migration agent is someone who can:

- advise you on the visa that may best suit you;
- tell you the documents you need to submit with your application;
- help you fill in the application and submit it; and
- communicate with the department on your behalf.

If you appoint a migration agent, the department will assume that your migration agent will be your authorised recipient, unless you indicate otherwise.

Your migration agent will be the person with whom the department will discuss your application and from whom it will seek further information when required.

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered migration agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires them to act professionally in their clients' lawful best interests.

Immigration assistance

A person gives immigration assistance to you if he or she uses, or claims to use, his or her knowledge or experience in migration procedure to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

If an unregistered person in Australia, who is not exempt from registration, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

Migration agents in Australia

Migration agents in Australia must be registered with the Migration Agents Registration Authority (MARA) unless they are exempt from registration.

Migration agents outside Australia

Migration agents who operate outside Australia do not have to be registered. The department may give some overseas agents an ID number. This number does not mean that they are registered.

Note: Some Australian registered migration agents operate overseas.

Exempt agents

The following people do not have to be a registered migration agent in order to provide immigration assistance, but they must not charge a fee for their service:

- a close family member (spouse, de facto partner, child, parent, brother or sister);
- a sponsor or nominator for this visa application;
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance (eg. a Legal Aid provider);
- a member of a diplomatic mission, consular post or international organisation.

Further information on migration agents

Information on migration agents, including a list of registered migration agents, is available on the Migration Agents Registration Authority (MARA) website www.themara.com.au

You can also access information about migration agents on the department's website www.immi.gov.au

Consent to communicate electronically

The department may use a range of methods to communicate with you. Electronic means such as fax or e-mail will only be used if you indicate your agreement to receiving communication in this way. The department may also contact people by mail, telephone or in person. However, if you have an e-mail address, this may speed up communication.

To process your application the department may need to communicate with you about sensitive information, eg. health, police checks, financial viability and personal relationships. Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. If you agree to the department communicating with you by electronic means, the details you provide will only be used by the department for the purpose for which you have provided them, unless there is a legal obligation or necessity to use them for another purpose, or you have consented to use for another purpose. They will not be added to any mailing list without your consent.

The Australian Government accepts no responsibility for the security or integrity of any information sent to the department over the internet or by other electronic means.

Home page **www.immi.gov.au**

General enquiry line Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours). If you are outside Australia, please contact your nearest Australian mission.

Please keep these information pages for your reference



Please use a pen, and write neatly in English using BLOCK LETTERS.

Tick where applicable

Part A – Your details

- 1** Applicant's full name
(as shown in your passport or travel document)
- Family name
- Given names
- 2** Name in your own language or script
(if applicable)
-
- 3** Other ways you spell your name
- Family name
- Given names
- 4** Have you been known by any other names?
(including name at birth, previous married names, aliases)
- No
- Yes Give details and provide supporting evidence eg. birth certificate/marriage certificate
- Family name
- Given names
- 5** Sex Male Female
- 6** Date of birth
- DAY MONTH YEAR
-
- 7** Place of birth
- Town/city
- Country

- 8** Details from your passport
- Passport number
- Country of passport
- Date of issue
- DAY MONTH YEAR
-
- Date of expiry
- Issuing authority/
 Place of issue as shown in your passport
- 9** Details of identity card or identity number issued to you by your government *(if applicable)* eg. National identity card.
Note: If you are the holder of multiple identity numbers because you are a citizen of more than one country, you need to enter the identity number on the card from the country that you live in.
- Identity number
- Country of issue
- 10** Of which countries are you a citizen?
- 11** Relationship status
- Married Separated Never married or
 Engaged Divorced been in a de facto
 De facto Widowed relationship
- 12** Your current residential address
Note: You are required to provide a residential address on this form for it to be a valid visa application. Under legislation, a post office box address is not acceptable as a residential address.
-
-
- POSTCODE
- 13** Your telephone numbers
- Office hours
- COUNTRY CODE AREA CODE NUMBER
-
- After hours
- 14** Do you agree to the department communicating with you by fax, e-mail or other electronic means?
- No
- Yes Give details
- Fax number
- COUNTRY CODE AREA CODE NUMBER
-
- E-mail address

Part D – Assistance with this form

19 Did you receive assistance in completing this form?

No ▶ Go to Part E

Yes ▶ Please give details of the person who assisted you

Title: Mr Mrs Miss Ms Other

Family name

Given names

Address

| |
|----------------------|
| <input type="text"/> |
| <input type="text"/> |
| POSTCODE |

Telephone number or daytime contact

| | COUNTRY CODE | AREA CODE | NUMBER |
|--------------|--------------|-----------|--------|
| Office hours | () | () | |

Mobile/cell

20 Is the person an agent registered with the Migration Agents Registration Authority (MARA)?

No

Yes ▶ Go to Part E

21 Is the person/agent in Australia?

No ▶ Go to Part E

Yes

22 Did you pay the person/agent and/or give a gift for this assistance?

No

Yes

Part E – Options for receiving written communications

23 All written communications about this application should be sent to:
(Tick one box only)

Myself ▶ All written communications will be sent to the address for communications that you have provided in this form.

OR

Authorised recipient

OR

Migration agent ▶

OR

Agent exempt from registration

You must complete form 956 *Appointment of a migration agent or exempt agent or other authorised recipient* and attach it to this application form. Form 956 is available from the department's website
www.immi.gov.au

Part G – Declaration

WARNING: Giving false or misleading information is a serious offence.

25 This declaration must be signed by the main applicant and each accompanying person aged 16 years or over.

- *I declare that the information I have supplied in this application is complete, correct and up-to-date in every detail.*
- *I understand that if I give false or misleading information, my application may be refused, or any visa granted may be cancelled.*
- *I understand that if this application is approved, any person not included in this application will not have automatic right of entry to Australia by way of this application.*
- *I will inform the department of any changes to my personal circumstances (including change of address) while my application is being considered. I understand this also applies to my permanent migrant/residence visa application.*
- *I authorise the Australian Government to make any enquiries necessary to determine my eligibility for permanent stay in Australia, and to use any information collected for that purpose. Information may be obtained from following agencies/organisations:*
 - *federal, state or territory government agencies;*
 - *federal, state or territory law enforcement agencies;*
 - *state or territory housing authorities (including private landlords);*
 - *local government authorities;*
 - *financial institutions;*
 - *educational institutions;*
 - *private businesses (including telecommunication and internet service providers, insurance companies); and*
 - *any other relevant businesses or agencies.*
- *I have read and understood the information supplied to me in this application.*

**Signature
of applicant**

DAY MONTH YEAR
Date / /

We strongly advise that you keep a copy of your application and all attachments for your records.

Office use only

Client ID