

ARE YOU APPLYING FOR A SPOUSE VISA IN MANILA?

By Atty. Imelda Argel, Bachelor of Laws (UP), Master of Laws (University of Sydney)

After I conducted seminars on skilled migration in Manila and in Cebu City last February, I paid a courtesy call at the Australian Embassy. I met with Dr Leanne Blackley, First Secretary and Principal Migration Officer, and Messrs. Daman Chhabra, Glynn Ruddell and Kenneth Truelson, who all hold the rank of Second Secretary and Senior Migration Officer.

Our discussion focused on the various efforts of the Australian Embassy in Manila to improve their service. Mr. Kenneth Truelson who is currently in charge of the assessment of spouse visa applications briefed me particularly on streamlined processing of spouse visa applications, which took effect in February. For the benefit of our readers, I outline the new procedure, as follows:

- a. The spouse visa applicant makes an appointment for a pre-lodgement interview.
- b. The spouse visa applicant attends the pre-lodgement interview.
- c. The assessing officer provides a list of outstanding requirements to the spouse visa applicant at the pre-lodgement interview.
- d. If all outstanding requirements can be complied with within 28 days, the spouse visa applicant pays the fee and lodges the application. If not, the spouse visa applicant must first comply with the outstanding requirements and may lodge the application at a later date by courier.
- e. Within 28 days from lodgement, a letter stating an interview appointment, and enclosing the medical forms will be issued.
- f. The interview date time will be scheduled usually 2 to 2.5 months from lodgement.
- g. The spouse visa could be issued the two year temporary spouse visa at the interview, if all goes well.

According to Mr Truelson, the expected average processing time is 9 months but if all the requirements are complete, it could be reduced to 4.5 months, provided there are no problems with medical and character tests.

Because of the above streamlined process, it is very important to complete the visa application with all annexures and submissions before making the pre-lodgement interview appointment. If the application is lodged during the pre-lodgement interview and the documents required are not submitted within 28 days, the Assessing Officer could decide on the application solely on the basis of the available documents.

We suggest that character and health issues be first addressed before lodgement of application to avoid disappointment. This specially applies where the spouse visa applicant has a history of breach of condition, bridging visa or overstaying.

Dr. Blackley also advised that we can now talk to a DIMIA officer to enquire about an existing application or for case specific information by phone, between 3:00 PM-5:00 PM (Philippine time) on weekdays. Proper identification of callers including full

name, date of birth, file number, authority to follow up and other details will be required to ensure compliance under the Privacy Act.

Interested parties can also dial 632 750 2840, for the following selection:

- visa application requirements
- visa application charges
- procedures for lodgement of applications, including the process required to schedule a visit the Embassy to lodge personally or by courier
- average processing time

A new table of fees in PHILIPPINE PESOS took effect on 1 February 2002. Note that for a visa application to be valid, the correct filing fee or application charge must be paid, the correct visa class must be applied for and the correct visa application form must be lodged.

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This information is of a general nature and should not be taken as authoritative legal advice for specific cases. Australia has a scheme that requires persons who give immigration assistance to be registered as migration agent. The writer, Atty. Imelda Argel is a practising Filipino lawyer and a registered migration agent in Sydney, Australia. She is a Solicitor of the Supreme Court of New South Wales, the High Court of Australia, an Attorney at law in the Philippines and in the State of New York, USA. Her Registered Migration Agent no. is 9682957.