



IMMIGRATION & VISAS

AUSTRALIA

FAMILY MIGRATION

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Last Remaining Relative

- (1) An applicant for a visa is a **remaining relative** of another person who is an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen if the applicant satisfies the Minister that:
- (a) the other person is a parent, brother, sister, step-parent, step-brother or step-sister of the applicant; and
 - (b) the other person is usually resident in Australia; and
 - (c) the applicant, and the applicant's spouse (if any), have no near relatives other than near relatives who are:
 - (i) usually resident in Australia; and
 - (ii) Australian citizens, Australian permanent residents or eligible New Zealand citizens; and
 - (d) if the applicant is a child who:
 - (i) has not turned 18; and
 - (ii) has been adopted by an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen (the adoptive parent) while overseas:
at the time of making the application, the adoptive parent has been residing overseas for a period of at least 12 months.
- (2) In this regulation: **near relative**, in relation to an applicant, means a person who is:
- (a) a parent, brother, sister, step-parent, step-brother or step-sister of the applicant or of the applicant's spouse (if any); or
 - (b) a child (including a step-child) of the applicant or of the applicant's spouse (if any), being a child who:
 - (i) has turned 18 and is not a dependent child of the applicant or of the applicant's spouse (if any); or
 - (ii) has not turned 18 and is not wholly or substantially in the daily care and control of the applicant or of the applicant's spouse (if any).

