Boost to International Education Sector in Response to Knight Review

Thursday, 22 September 2011

Joint Media Release with Senator Chris Evans – Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Chris Bowen MP – Minister for Immigration and Citizenship

The Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Chris Evans, and the Minister for Immigration and Citizenship, Chris Bowen MP, today announced a suite of measures to enhance competitiveness in Australia's international education sector.

The new measures are in response to the report by the Hon Michael Knight AO, Strategic Review of the Student Visa Program 2011, which was released today.

'Our international education sector is world class, and the reforms announced today will help entrench Australia as a preferred destination for international students,' Senator Evans said.

'The reforms will assist in ensuring Australia remains an attractive study option and will offer practical support for international education providers that have been under pressure as a result of the high Australian dollar.'

Recognising that the Australian university sector has a track record of providing high quality international education at lower levels of risk, the government will introduce new streamlined visa processing arrangements for a range of Australian university courses for faster, easier visa access for prospective students in time for second semester next year.

The streamlined arrangements will apply to international students enrolled in courses at the level of bachelor degree or higher.

These students, regardless of their country of origin, will be treated as though they are lower risk, similar to the current Assessment Level (AL) 1 requirements.

'Our consultations found that the financial requirements for Student Visas were too onerous, so we are reducing the financial requirements for some applicants, with students now needing around $36 000 less in the bank when applying for a visa,' Mr Bowen said.

'This reduction in the AL financial requirements will particularly assist a significant number of Vocational Education and Training and private education providers.'
A two- to four-year post-study work visa will also be available for university graduates depending on the level of study completed. Other work visa options, such as the Temporary Skilled 457 visa and the Skilled Graduate Visa, continue to be available to graduates and to employers looking to meet genuine skills needs.

'Students are increasingly looking to augment their studies with graduate work experience and this further post-study work visa option will offer university students a more complete study experience in Australia,' Senator Evans said.

The government will also undertake a fundamental review of the Student Visa risk management framework, the ALs, to report by mid-2012. The AL framework review will specifically explore a provider risk model, in consultation with an external reference group.

The government will consider options for the early implementation of the findings of the AL framework review, targeting a small number of high quality education providers – including TAFEs – to recognise the lower migration risks associated with them.

'We need to move to a more targeted approach to assessing and responding to immigration risk in the Student Visa program that recognises and rewards high-quality education providers,' Mr Bowen said.

These reforms will be made possible through a new 'genuine temporary entrant' requirement for all Student Visa applicants that will enable the Department of Immigration and Citizenship to better assess applications.

As part of the response to the Knight Review, the government will also:

- Allow all English language students to apply for a visa without first meeting minimum English skills requirements;
- Extend the time a PhD student can stay in Australia while their thesis is marked;
- Establish an Education Visa Consultative Committee to improve information flow between the Australian Government and the international education sector; and
- Repeal the automatic cancellation and mandatory cancellation provisions for student visas.

Australia is widely recognised for the delivery of high quality, internationally recognised qualifications by a diverse range of international education providers. Australia's international education sector has undergone rapid growth over the past decade, with the number of Student Visas more than doubling from 108,000 in 1997-98 to 269,828 in 2009-10.

In December 2010, the government commissioned the Hon Michael Knight AO to review the Student Visa program to enhance the quality, integrity and competitiveness of Australia's international education sector. Mr Knight consulted with almost 300 stakeholders in Australia, India, China and Malaysia, and considered more than 200 submissions.

The government has accepted all 41 recommendations in the Knight Review, with the majority proposed to be implemented...
These measures build on the government's immigration reforms that strengthen pathways to studying in Australia and complement recent steps to strengthen Australia's international education sector, including the Baird Review of the Education Services for Overseas Students (ESOS) Act 2000 and the release of the Council of Australian Governments' (COAG) International Students Strategy for Australia.

Mr Knight's report, the terms of reference for the AL review and a range of fact sheets can be found on the Department of Immigration and Citizenship's website.


URL:

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Review of the Student Visa Assessment Level Framework - Terms of Reference

The assessment level framework is used to determine and manage the immigration risk posed by Student visa applicants according to their country and education sector. There are five risk tiers within the assessment level framework which impose greater visa requirements on applicants as the level of risk increases.

The assessment level framework was introduced on 1 July 2001. In his report of the Strategic Review of Student Visas, the Hon Michael Knight AO noted that, ten years on, the assessment level framework has not kept pace with changes in the scale and complexity of the Student visa program and recommended the government review the assessment level framework. In addition, the Australian National Audit Office recommended, in its audit report of the Management of Student Visas of May 2011, that the department review the process for determining country and education sector assessment levels.

This review responds to those recommendations.

The Review will recommend, with input from an External Reference Group, measures to reform the current Student visa risk management framework to enhance the integrity of the Student visa program while facilitating the competitiveness of Australia’s international sector. In particular, the Review will consider:

- The merits of applying an education provider-based risk management approach, particularly an approach that recognises and rewards high quality, low risk education providers.
- The efficiency of the current system of distinguishing risk by country and education sector, for example rather than by differences within countries and between individual education providers.
- Simplifying the number of risk categories, for example collapsing the existing five assessment levels into three risk categories of ‘low’, ‘medium’ and ‘high’. Particular consideration will be given to other approaches to risk management applied within the immigration portfolio.
- Whether eligibility requirements for a risk management framework should include current assessment level eligibility thresholds of English language, financial capacity and educational qualifications.
- The data and methodology used to determine immigration risk, including consideration of the relative significance placed on each risk factor.
- An ongoing review mechanism that is appropriately responsive to current and future immigration risks.

On the completion of the Review in mid-2012, the government will consider options for the interim implementation of its findings, to apply to a small number of high quality training and education providers, ahead of the full implementation of the Review’s findings by 2013.
Strategic Review of the Student Visa Program 2011 - Recommendations

The Foundation Stone

Recommendation 1
That a new element be introduced into the eligibility criteria for a student visa. That new criterion will be to assess whether the applicant is a genuine temporary entrant. This new criterion should be the first to be considered in assessing any application for a student visa.

Recommendation 2
A successful applicant must be both a genuine temporary entrant and a genuine student.

The Universities

Recommendation 3 – streamlined visa processing for universities
3.1 That all students in the categories set out below, irrespective of their country of origin – but subject to the provisions in 3.5, 3.6 and 3.7 should be treated as though they are all Assessment Level 1.

3.2 This treatment should apply to the following university student applicants:
- Bachelor Degree
- 2 plus 2 (or 3 plus 1) arrangements with partner universities
- Masters Degree by coursework.

3.3 The special treatment should not apply to:
- short courses
- Associate Degree
- Graduate diploma
- Graduate certificate
- Diploma and Advanced Diploma
- non-award courses (except as provided for in Recommendation 18)
- the non-university courses at the six universities which are dual sector (VET and university).

3.4 The benefits should also apply to courses which are explicitly packaged with an eligible university course at the time when the offer of university enrolment is made. This might include English language (ELICOS) and/or foundation or pathway courses in circumstances where non compliance by the student at any part of the package would be regarded as non-compliance with the university enrolment.
3.5 The government should continue to require appropriate health checks, health insurance, character (predominantly criminal record/connections) and security checks.

3.6 The underlying Department of Immigration and Citizenship (DIAC) powers in regard to every individual student application should continue to exist.

3.7 The government should also reserve the right to exclude certain high risk groups from the streamlined approach for university applicants. For example, the government might want to carefully assess all applicants from a persecuted minority group in a particular country. Applicants from such a group might have a huge incentive to apply for protection visas as soon as they reach Australia. The Australian Government may or may not wish to take such people on humanitarian grounds but that should be a separate decision and should not get mixed up with the process of granting visas for university students.

Recommendation 4 Post Study Work Rights

4.1 All graduates of an Australian university Bachelor degree, who have spent at least two academic years studying that degree in Australia, and who have complied with their visa conditions, should receive two years work rights.

4.2 All graduates of an Australian university Masters by Coursework degree, who have studied that degree in Australia, and who have complied with their visa conditions, should receive two years work rights on successful completion of their course.

4.3 This should apply irrespective of the nature of the course (for example whether it be Arts or Engineering) and not be tied to working in any particular occupation.

4.4 The mechanism for taking up these work rights should be administratively very simple with the following components:
   - the university must notify that the course has been successfully completed. (This will be earlier than the formal graduation which could be many months after the course has been completed);
   - DIAC should not undertake any detailed, time consuming, assessment of the applicant;
   - the scheme must be one which can be marketed by the universities to prospective students as almost guaranteeing post study work rights.

Higher Degrees by Research

Recommendation 5
That all Higher Degree by Research (HDR) students – visa subclass 574 - be treated as though they are all Assessment Level 1 applicants.
Recommendation 6
That where any English language or other preparatory course is required by the Higher Degree by Research provider then the whole package still be treated as Assessment Level 1.

Recommendation 7
That all Higher Degree by Research students be given unlimited work rights.

Recommendation 8
Masters by Research graduates should receive three years post-study work rights and PhD graduates four years.

Recommendation 9
That the visa arrangements for Higher Degree by Research students be such that an extension for up to six months after submission of their thesis is available if needed during the interactive marking process.

English Language

Recommendation 10
That, provided the integrity measures relating to the revised criteria for a student visa are implemented (as set out in Recommendation 1), the threshold English language test requirements for stand alone ELICOS students be removed.

Schools

Recommendation 11
That the English language requirements for school students in Assessment Level 4 be the same as those applying for Assessment Level 1 through to Assessment Level 3 and the associated waiver scheme abolished.

Recommendation 12
That the maximum period of time a school student visa holder can study English be 50 weeks across all assessment levels.

Recommendation 13
That the current restrictions on student guardians of a maximum of three months of study be maintained but unlimited part-time study rights for ELICOS study only be allowed.

Recommendation 14
That pre-paid homestay fees be included in financial assessments on the same basis as pre-paid boarding fees.

AusAID and Defence

Recommendation 15
That as a matter of some urgency AusAID, DIAC, Department of Health and Ageing (DOHA) and other relevant Australian government agencies develop an integrated policy in relation to the award of scholarships and how visa arrangements for awardees are to be managed. In particular they should address the situation of potential awardees who have a disability or HIV.
Recommendation 16
That PhD students entering under the subclass 576 visa have access to the same extension provisions recommended for Higher Degree by Research students in Recommendation 9, provided AusAID is prepared to fund their extended period.

Recommendation 17
That DIAC and Department of Education, Employment and Workplace Relations (DEEWR) meet with State education authorities to work out what can be done to avoid the situation where a visa for a child dependent cannot be granted until proof of enrolment is present and state education authorities will not grant such proof until proof of visa grant is made. Any agreed remedy should apply across all student visa subclasses.

Non-award

Recommendation 18
That students coming for semester or year long non-award courses at an Australian university as part of their home universities degree and/or as part of an agreed student exchange between universities be given access to streamlined processing as outlined in Recommendation 3.

Integrity Measures

Recommendation 19
That DIAC undertake specific research targeted at integrity and compliance issues into student visa outcomes, including both primary and secondary applicants, to inform policy development.

Recommendation 20
That DIAC be appropriately funded to further develop research capability across the program.

Recommendation 21
That DIAC, to the extent permitted by legislation, co-operate with its counterparts across all levels of government to facilitate information sharing, to inform evidence based decision making.

Recommendation 22
In the event that the research over the next 12 months reveals systemic abuse of dependant (secondary applicant) visas, that the government seriously consider mirroring the recent UK policy and restrict dependant visas to Masters and above courses unless the primary applicant is sponsored by a government.

Recommendation 23
Current arrangements whereby Student Course Variations (SCVs) automatically become Non-Compliance Notices (NCNs) should cease. SCV information should continue to be conveyed to DIAC who should use it as an input into a more targeted and strategic analysis of non-compliance.

Recommendation 24
Automatic cancellation of student visas should be abolished and replaced by a system in which information conveyed by SCVs is used as an input into a more targeted and strategic analysis of non-compliance.
Recommendation 25
The mandatory cancellation requirement for unsatisfactory attendance, unsatisfactory progress and working in excess of the hours allowed should be removed, giving DIAC officers the discretion to determine cancellation in particular cases on their merits.

Recommendation 26
DIAC should concentrate its compliance and integrity resources in relation to student visas on the highest risk areas.

Recommendation 27
DIAC should not only respond to information generated by PRISMS but also be proactive in detecting the sorts of breaches (for example sham marriages and exceeding permissible work hours) which are not reported in PRISMS.

Recommendation 28
That student work entitlements be measured as 40 hours per fortnight instead of 20 hours per week

Recommendation 29
That the necessary legislative changes be made to require the name of any agent involved to be entered into the student’s data into PRISMS.

Recommendation 30
That DEEWR take steps to encourage providers to voluntarily enter agent data into PRISMS in the interim before the ESOS Act is changed to make this mandatory.

Recommendation 31
That DEEWR and DIAC establish a single student identifier to track international students through their studies in Australia.

Assessment Levels

Recommendation 32
That DIAC undertake a review of the assessment level framework, with a mind to either abolishing the system entirely or modifying the framework to make it relevant to current and future challenges facing the student visa program. This review should be managed by DIAC but should include reference to an external panel or reference group.

Agents

Recommendation 33
That DIAC upgrade its liaison at overseas posts with migration and education agents in relation to the student visa program, including regular meetings to keep agents abreast of any changes in rules and procedures.
Transnational Education

Recommendation 34
That Austrade be asked to prepare a more detailed outlook document that provides effective business planning intelligence demonstrating the opportunities, for offshore provision of vocational education.

Recommendation 35
That the highest quality Australian VET providers including TAFEs, be encouraged to explore offshore market opportunities.

Recommendation 36
That the Australian Government, through programs such as the Export Market Development Grants Scheme and other forms of assistance, support high quality Australian vocational education providers in expanding their offshore training services.

A New Consultative Mechanism

Recommendation 37
That DIAC constitute an Education Visa Advisory Group as a primary means of regular two way communication between stakeholders in the international education sector and DIAC.

Other Matters

Recommendation 38
That the policy regarding Pre-Visa Assessment (PVA) be discontinued.

Recommendation 39
That student visas be allowed to be granted in advance of four months before the commencement of the relevant course. Where necessary visas should specify a date before which the holder cannot enter Australia.

Recommendation 40
That DIAC regularly reviews the current living cost amount, and based on the CPI or other measure amend the amount, as required.

Recommendation 41
That DIAC review the exclusion criteria and policy which relate to student visa non-compliance.
Fact Sheet - Government Response to the Knight Review of the Student Visa Program

International education is one of Australia’s largest export sectors, generating income of AUD16.4 billion in 2010–11. International students pay fees to Australian education institutions and spend money on accommodation and other living costs. All of these activities generate more jobs for Australians.

The international education sector also contributes to Australia’s international relations. This is demonstrated not only through dedicated visas for AusAID and Defence students, but through the creation of links with students who return home with an Australian education and experience of Australian life. These relationships lead to a better understanding of Australia internationally and can develop into long-term connections for individuals, businesses and communities.

For these benefits to continue, Australia’s international education sector needs to remain internationally competitive. In an increasingly global world, education is highly sought after and valued. There is a demand for quality educational experiences in English speaking countries from potential students seeking to improve their language abilities and gain a qualification that will assist them in developing their careers.

The Australian Government has made a number of recent reforms to strengthen the international education sector including:

- implementing the outcomes of the Baird Review of the Education Services for Overseas Students (ESOS) Act 2000
- amendments to the ESOS Act requiring all providers of international education to re-register by the end of 2010
- the release of the Council of Australian Government’s International Students Strategy for Australia
- a package of changes that was implemented in April 2011 that included reducing the student visa assessment levels for 38 countries across one or more student visa subclasses
- the recent announcement to include new English language test providers for student visas.

While these changes are significant, the government recognises that more can be done to make Australia a preferred destination for international students.

In December 2010, the government appointed the Hon Michael Knight AO to conduct the first independent review of the student visa program to complement the above reforms. Mr Knight reported to the government on 30 June 2011 and a copy of his full report can be viewed or downloaded from the Department of Immigration and Citizenship’s (DIAC) website. See: [www.immi.gov.au/students/knight/](http://www.immi.gov.au/students/knight/)
Knight Review recommendations

Mr Knight made 41 recommendations to enhance the quality, integrity and competitiveness of Australia’s international education sector and improve the integrity of the student visa program. A list of the 41 recommendations is available on DIAC’s website.
See: www.immi.gov.au/students/knight/

Government response

The government supports all of Mr Knight’s recommendations and will implement them with some modifications to enhance the performance of the sector and to further safeguard the integrity of the visa system.

The current risk management approach in the student visa program has been in place for a decade. While this approach continues to broadly support the integrity of the student visa program, it has not evolved to reflect the rapidly changing size and complexity of Australia’s international education market.

There are concerns with the time it takes to process student visas compared to Australia’s competitor countries and the framework does not in the first instance allow the government to distinguish between low-risk and high-risk providers.

For these reasons, the government plans to undertake and complete a fundamental review of the assessment level risk framework by mid-2012, with implementation as soon as possible thereafter.

The government recognises that high-quality, lower-risk education providers operate across all education sectors. Therefore, this review would give particular consideration to the merits of an education provider-based risk management model that recognises and rewards high-quality, lower-risk education providers.

As a first step towards this, the government will introduce new streamlined visa processing arrangements for a range of Australian university courses for faster, easier visa access for prospective students in time for the second semester next year. This recognises that the Australian university sector has a track record for providing high-quality international education at lower levels of risk.

The government will also take steps to support the competitiveness of the non-university higher education and vocational education training (VET) sectors by reducing the financial requirements for higher risk Assessment Level 3 and Assessment Level 4 student visa applicants.

Adding this flexibility to the student visa application process will be made possible through proposed integrity enhancements to the student visa program, such as the introduction of an upfront genuine temporary entrant criterion.

The government also plans to introduce other measures to enhance the competitiveness of the international education sector such as the post-study work visa dependent upon length of study and more flexibility to study English.

The measures are detailed below.

Streamlined visa processing

The government plans to introduce streamlined visa processing for international students enrolled in Bachelor or certain higher degree courses, to commence in the first half of 2012.
This recognises that universities, collectively, have a good track record as low-risk, high-quality providers.

International students who package their non-university courses with an eligible university course will also be able to access these streamlined arrangements. This would include students coming for semester or year-long non-award courses at an Australian university, for example, as part of an agreed student exchange program.

This change will reduce visa processing times and increase the competitiveness of the university sector. It means that these students, regardless of their country of origin, will be treated as though they are lower risk (similar to the current Assessment Level 1). The government’s planned implementation date will allow time to consult with universities on their responsibilities under the arrangements.


Reducing the financial requirements for some student visa applicants

The government plans to reduce the financial requirements for higher risk Assessment Level 3 and Assessment Level 4 student visa applicants, with students now needing up to AUD 36 000 less in the bank when applying for a visa. Applicants for the non-university sector in particular will benefit from these changes. These changes are slated to commence in late 2011.


Enhancing the integrity of the student visa program

The government plans to introduce a new genuine temporary entrant criterion for all student visa applications which will enable DIAC to better assess immigration risk without adding to the visa application or documentary requirements. This criterion would explicitly address whether an applicant’s individual circumstances indicate that their principal aim is for a temporary stay in Australia to study and then return home.

This new criterion makes possible other proposed changes to reduce the visa requirements for some prospective students, for example, streamlined visa processing and a reduction of the financial requirements for certain applicants.


The government will also undertake a fundamental review of the Student Visa risk management framework—the assessment levels—with the view to moving to a more targeted system as noted above. This assessment level framework review will receive input from an external reference group.

The current assessment level system for identifying student visa risk ranks applicants according to their nationality and education sector and determines the financial, educational and English language evidence applicants are required to provide.


Post-study work visa

The government plans to give university graduates in Bachelor, Masters and PhD courses access to a post-study work visa that will allow them to work in Australia for up to four years after they graduate. This new visa is planned to apply irrespective of the nature of the course and would not be tied to working in any particular occupation.

This change provides an opportunity for university graduates to gain a period of practical experience in Australia, after completing their studies here. The government plans to make this

More flexible arrangements for English language study

The government plans to make English language study in Australia more accessible for a range of people by removing the English language test requirements for stand-alone English Language Intensive Courses for Overseas Students (ELICOS) visa applicants. School student visa holders will also benefit from the government’s plans to:

- remove the English language requirements for schools sector visa applicants who are subject to Assessment Level 4
- allow all school student visa holders to study English for up to 50 weeks
- give student guardians unlimited part-time study rights for ELICOS.


Higher Degree by Research (HDR) sector

The government values the role that HDR students play in fostering and maintaining Australia’s innovation economy. To recognise the importance and contribution of overseas HDR students, the government plans to make it more attractive for international HDR students to study in Australia through:

- streamlined processing of HDR visas
- access to a three or four year post-study work visa
- unlimited work rights during study
- an increase to the visa validity of all HDR visas by six months for the purpose of interactive marking of a thesis.


Improved work entitlements

Changes to the way student work entitlements are measured will give students and their employers flexibility in relation to work arrangements. Specifically, the government plans to change the work restriction from 20 hours per week to 40 hours per fortnight. These proposed changes would commence from early 2012.


Improvements for existing student visa holders

The government plans to revoke the automatic cancellation and mandatory cancellation provisions of student visas. The new process would allow DIAC decision-makers to take all relevant circumstances into account when considering whether or not a student visa should be cancelled, providing a fairer outcome for clients.

Visa processing improvements
Streamlining visa processing and reducing the financial requirements for some visa holders will reduce visa processing times. The government will take steps to further simplify the student visa application process and the processing of student visas by:

- allowing prepaid homestay fees to be included in the financial requirements assessment for a student visa
- stopping DIAC’s Pre-Visa Assessment (PVA) policy which requires education providers to receive a PVA letter from DIAC before they can issue a confirmation of enrolment to Assessment Level 3 and Assessment Level 4 students from outside Australia
- granting student visas up to four months before the start of the course
- regularly updating the living cost component of student visa financial requirements.

The government plans to progressively introduce these changes from late 2011.

Education Visa Consultative Committee (EVCC)
A new ongoing consultative mechanism, the Education Visa Consultative Committee, will provide a forum for ongoing engagement between the Australian Government and the international education sector regarding education visas.

The first meeting of EVCC will be scheduled to take place before the end of 2011.

Implementation timetable
The government plans to implement the package in two major stages.

A number of changes are slated for implementation before the end of 2011. These include the:

- genuine temporary entrant criterion
- removal of the English language test requirements for Assessment Level 4 and above stand-alone ELICOS student visa applicants
- establishment and the inaugural meeting of EVCC
- reduction in financial requirements for Assessment Level 3 and Assessment Level 4 student visa applicants.

The majority of the remaining recommendations would be implemented in time for semester two 2012 enrolments. The post-study work visa change is proposed to come into effect in early 2013.

Further information
Frequently asked questions (FAQs) are available on DIAC’s website.

These FAQs will be updated with more information about the changes as they are progressively implemented.
See: www.immi.gov.au/students/knight/
The **Genuine Temporary Entrant (GTE) Requirement** (Recommendations 1 and 2)

Frequently asked questions

**Why is the GTE requirement being proposed?**
The proposed introduction of the GTE requirement will help improve the integrity of the student visa program.

A number of the proposed changes arising from the Strategic Review of the Student Visa Program would relax visa requirements for international students. These changes can only be made possible through the introduction of the GTE requirement.

**Will this make it harder to get a student visa?**
This measure would not make it more difficult for genuine student visa applicants to obtain a visa. It would, however, provide a useful way to help identify those applicants who are using the student visa program for motives other than gaining a quality education.

**What is the GTE requirement and how would it be introduced?**
The proposed GTE criterion, in conjunction with the existing genuine student criterion, would explicitly address whether the individual circumstances of an applicant indicate that their main aim is for a temporary stay in Australia to study and then return home.

It is proposed that student visa applicants must be both a GTE and a genuine student.

**What is a genuine student?**
Factors that are considered under the existing genuineness requirement for student visa applicants include: English language proficiency; financial capacity; prerequisite schooling; age requirements; and relevance of study.

**How would the GTE operate?**
To be granted a student visa, it is proposed that applicants would need to satisfy DIAC that they have a genuine intention to stay in Australia temporarily, for the purpose of study or to accompany a student as a guardian or dependant.

Factors that may be considered as part of a GTE assessment are, to a large extent, already considered as part of the assessment of student visa applications. The factors may include:

- circumstances in the applicant’s home country
- the applicant’s potential circumstances in Australia
- the applicant’s immigration history
- the value of the course to the applicant’s future.
Which visa will the GTE requirement apply to?
The government proposes to apply the GTE requirement to all student visa subclasses.

I am subject to Assessment Level (AL)1, would the genuine temporary entrant requirement apply to me?
Yes. The proposed new GTE requirement would not be linked to the AL of a student visa application.

Would I need to provide more supporting documentation with my application?
No. In general, student visa applicants would need to continue to provide evidence and supporting documentation consistent with existing AL requirements.
Applicants should refer to student visa application checklists to assist in preparing their applications for lodgement.
These are available for each subclass and AL on DIAC’s website.
See: www.immi.gov.au/students/checklists

As per current arrangements, DIAC may ask an applicant to provide more information or to attend an interview in order to determine whether they meet the criteria for grant of the visa. However, as with existing procedures, a decision on the visa application may be made solely on the information provided in the application.

When would the GTE requirement commence?
It is proposed that the GTE requirement would begin later in 2011.
Applications lodged prior to the commencement of the GTE would be assessed according to existing provisions.

Where do I go for more information?
DIAC is working to develop this measure. More information will be provided on DIAC’s website as it becomes available.
See: www.immi.gov.au/students/knight/
The University Sector Streamlined Visa Processing (Recommendation 3)

Frequently asked questions

What is the streamlined visa processing proposal?
The government proposes to treat student visa applicants with a Confirmation of Enrolment (CoE) from a participating Australian university at Bachelor, Masters or postgraduate by research degree as though they were a lower migration risk (similar to the current Assessment Level 1), regardless of their country of origin.

Which university applicants would be eligible for streamlined processing?
It is proposed that eligible applicants would include those enrolled in:

- Bachelor degrees
- 2 plus 2 (or 3 plus 1) arrangements with partner universities
- Masters degrees by coursework
- Masters degrees by research
- PhDs
- English Language Intensive Courses for Overseas Students (ELICOS) and/or foundation and other preparatory courses, including Vocational Education and Training (VET) courses, which are explicitly packaged with an eligible university course at the time when the offer of enrolment is made
- semester or year long non-award courses at an Australian university as part of their home university’s degree course and/or as part of an agreed student exchange between universities.

Which university applicants would not be eligible for streamlined processing?
It is proposed that streamlined processing arrangements would not be available for students enrolled in:

- short courses
- Associate degrees
- **Graduate diplomas**
- Graduate certificates
- Diplomas and Advanced Diplomas
- non-award courses (except as mentioned above)
- courses below Bachelor level delivered by universities which are dual sector (VET and university).

Access to streamlined arrangements would be subject to decisions by individual universities to be part of new processing arrangements.
Why are the proposed streamlined arrangements recommended only for the university sector?

In his report, the Strategic Review of the Student Visa program 2011, the Hon Michael Knight AO observed that there are sound public policy reasons for providing benefits to Australian universities, namely:

- the universities are the spearhead of Australia’s international reputation for education
- quality is high right across the entire Australian university sector
- governments and regulators traditionally treat universities differently to other education providers
- high quality is preserved by keeping the number of institutions recognised as universities relatively small
- because there are only 39 of them, the university sector is much easier to monitor and regulate
- the university sector is very stable
- Australian taxpayers have a huge financial stake in Australian universities
- international students generally stay longer in a university course than with other educational providers
- overall university students have proven to be relatively low risk from a migration integrity perspective.

How would the streamlined arrangements work?

It is proposed that students with a CoE for an eligible course in a participating Australian university would generally have reduced evidentiary requirements when applying for a student visa, regardless of their nationality, as they would be treated as though they were a lower migration risk (similar to the current Assessment Level 1).

The students would still have to satisfy requirements in regard to English-language and finances and would have to meet the new genuine temporary entrant requirement. However, they would not have the same documentary burdens that currently exist under the higher Assessment levels.

In addition, all applicants would still be subject to basic requirements such as having health insurance and not being a security or health risk. The Department of Immigration and Citizenship (DIAC) would also reserve the right to look more closely at applications from any group that pose a particular concern.

What would be the benefits of streamlined processing?

Under the proposed streamlined processing arrangements, universities could be confident that the majority of their students would have their visa applications processed quickly. In addition, student visa applicants applying under the proposed streamlining arrangements would generally have reduced evidentiary requirements.

Streamlined processing would help Australian universities to support increased numbers of high-quality, genuine international students and would help to make Australia a destination of choice for international students.
Would there be any changes to where I lodge my application in the future?
No. There are no proposals to change lodgement processes currently in place.
If students are currently required to lodge paper-based applications overseas then they would continue to do so under the streamlined arrangements.
If students are currently able to lodge applications via offshore student agents, which in turn means they can be lodged via the internet (including India, the People's Republic of China, Indonesia and Thailand under the eVisa student lodgement trial), then they would continue to do so under the streamlined arrangements.
If students are currently eligible to directly apply for eVisa lodgement, then they would continue to do so under the streamlined arrangements.

Would I need to provide additional documents if my university is a party to the proposed streamlined arrangements?
No. As with the current arrangements, DIAC may request additional evidence from applicants during the visa assessment processes.
Student visa applicants would still need to satisfy universities that they have the financial, educational and English language ability needed to complete their specific university course.

Would all of Australia’s universities be participating in the proposed streamlined visa processing arrangements?
The government will shortly consult with all of Australia’s universities, giving them the opportunity to participate in the proposed streamlined arrangements and outlining the requirements for participation.

When would the streamlined arrangements be implemented?
It is proposed that the streamlined visa processing arrangements will be implemented in the first half of 2012.
The proposed implementation date would allow time to consult with universities on their responsibilities under the arrangements.

What are assessment levels?
Currently, assessment levels serve to align student visa requirements to the immigration risk posed by applicants from a particular country studying in a particular education sector. Assessment Level 1 represents the lowest immigration risk and Assessment Level 5 the highest. The higher the assessment level, the greater the evidence an applicant is required to demonstrate to support their claims for the grant of a student visa.
Further information about student visa assessment levels can be found on DIAC’s website.
What is meant by 2 plus 2 (or 3 plus 1) arrangements with partner universities?

The 2 plus 2 program is described as a formal structured joint program undertaken through partner universities, with two years at the overseas university and two years at an Australian university.

The 3 plus 1 program is described as a formal structured joint program undertaken through partner overseas and Australian universities with three years at one university and one year at the other university.

Some joint programs can also last longer than four years in total, with students undertaking, for example, 3 plus 2 programs of study overseas and in Australia. These programs are also included in this definition.

Where do I go for more information?

DIAC is working to develop this measure. More information will be provided on DIAC’s website as it becomes available.

See: www.immi.gov.au/students/knight/
Review of the Assessment Level Framework (Recommendation 32)

Frequently asked questions

What will the review consider and what does the government want to achieve?

The review will consider how the current student visa risk management framework can be reformed to achieve enhanced integrity in the student visa program while at the same time facilitating the competitiveness of Australia's international sector. Consideration of how the student visa risk management framework can be informed by a **provider-based risk approach** will be a key issue for the review.

The review will also examine whether the current student visa risk framework is appropriately responsive to differences within countries and between education providers, what eligibility thresholds should apply, and how the framework will be reviewed to ensure future immigration risks are identified and managed.

The Terms of Reference (ToR) for the review of the assessment level framework is available on the department's website.


Why will the review consider a provider-based risk management approach?

The government recognises that **high-quality, low-risk education providers** operate across all education sectors, including those outside the university sector.

Considering a provider-based risk management approach will enable the department to identify these high-quality providers to ensure they benefit from measures to facilitate the competitiveness of Australia's international education sector, such as the streamlining of visa applications from certain students.

When will the outcomes of the assessment level framework review be known?

The review is expected to report its recommendations to government in mid 2012. Implementation of agreed recommendations is proposed by **mid 2013**.

Who is conducting the assessment level framework review?

The department will undertake the review of the assessment level framework, report the review's finding to government and implement the agreed recommendations.

An external reference group will provide input to the review. All members of the public will also have an opportunity to make a written submission to the review.
Who will be on the external reference group, and how were they chosen?
The external reference group will include experts in the field of international education. Each member will be invited to participate by the Minister for Immigration and Citizenship on the basis of their understanding and experience of the international education sector.

How can I provide input to the review?
Stakeholders will have the opportunity to respond to a discussion paper to be released on the department’s website in early 2012. The discussion paper will outline the review’s terms of reference and issues of particular concern to the review.

How will the review of the assessment level framework be different from the periodic review of Student visa assessment level settings?
The department undertakes periodic reviews of student visa assessment level settings to ensure each assessment level assigned to a country and education sector reflects the changing risk status of each student visa caseload. This risk status is based on analysis of immigration compliance statistics and feedback from departmental staff and external stakeholders.

The review of the assessment level framework differs in that it will make recommendations on the entire student visa risk management framework to enhance the integrity of the student visa program, while at the same time supporting the competitiveness of Australia’s international education sector.

What are assessment levels?
Currently, assessment levels serve to align student visa requirements to the immigration risk posed by applicants from a particular country studying in a particular education sector. Assessment Level 1 represents the lowest immigration risk and Assessment Level 5 the highest. The higher the assessment level the greater the evidence an applicant is required to demonstrate to support their claims for the grant of a student visa.

Further information about student visa assessment level can be found on the department’s website.

Does this change affect existing student visa holders?
No. The current assessment level system will continue to be applied during the review of the assessment level framework.

Where do I go for more information?
Further information about the review of the assessment level framework will be provided on department’s website as it becomes available.
See: www.immi.gov.au/students/knight/
Education Visa Consultative Committee (EVCC) (Recommendation 37)

Frequently asked questions

What is the Education Visa Consultative Committee (EVCC)?
The EVCC will provide a forum for the Australian Government to engage with the international education sector and other key stakeholders regarding student visas. The EVCC will provide a mechanism for consultation and information sharing about student visas and emerging issues and trends in the international education sector.

What is the objective of the EVCC?
The EVCC will provide a forum for members to:

- provide input and feedback on policy matters involving education related visas
- discuss emerging trends and issues in the international education sector that may impact on education visas
- share information on reforms and initiatives related to education visas.

Who will the EVCC members be?
Membership will comprise peak bodies representing the international education sector and other key stakeholders. The EVCC will be chaired by the Department of Immigration and Citizenship (DIAC) and will include Australian Government agencies with an interest in student visas. Following the first meeting of the EVCC, a list of members will be published on DIAC’s website.

When will the EVCC meet?
In order to commence work through this important consultative group, is proposed that the first meeting of the EVCC will take place before the end of 2011. Following this, the EVCC is expected to meet four times each year.

Does this change affect international students?
The establishment of the EVCC will not have a direct impact on international students. However, in the longer term the EVCC should help improve communication and delivery of visa services to international students.

Where do I go for more information?
DIAC is working to establish the EVCC. More information will be provided on DIAC’s website as it becomes available.
See: www.immi.gov.au/students/knight/
Visa Processing Improvements (Recommendations 3, 5, 6, 14, 18, 38 to 40)

Frequently asked questions

How is the government improving visa processing?

A number of the changes are being proposed in order to help simplify and improve the student visa application process and the processing of student visas. The main changes would include:

- a reduction in financial requirements for Assessment Level (AL) 3 and AL4 student visa applicants
- streamlined visa processing for some students
- stopping the Pre-Visa Assessment (PVA) policy
- student visas will be able to be granted in advance of four months before the start of the course
- the regular review and update of the living cost component of student visa financial requirements.

When would these changes be introduced?

These changes would be introduced progressively from late 2011 through to the first half of 2012. The proposed changes are described in more detail below.

Financial requirements reduction

How would the financial requirements for higher risk AL3 and AL4 student visa applicants change?

The government proposes to reduce the financial requirements for AL3 and AL4 student visa applicants in the following way:

- evidence of funds for AL4 applicants would be reduced from 36 to 24 months and their savings history reduced from six to three months
- evidence of funds for AL3 applicants would be reduced from 24 to 18 months.

This would reduce the financial requirements by around AUD36,000 for an AL4 applicant and around AUD18,000 for an AL3 applicant.

Where can I find more information on the proposed financial requirements reduction measure?

Streamlined processing

What is the streamlined processing proposal?
Under the proposal for streamlined visa processing, DIAC would treat student visa applicants with a Confirmation of Enrolment (CoE) from an eligible university as though they were lower migration risk (similar to the current AL1), regardless of country of origin.

Where can I get more information on streamlined processing?
More information is available.

Pre-Visa Assessment (PVA)

What is PVA?
PVA is a student visa processing policy where prospective international students in AL3 and AL4 groups are required to apply for a student visa on the basis of an ‘offer of a place in a course’ letter. The student visa applications are initially assessed by DIAC and, if the PVA assessment is successful, students are issued a ‘PVA letter’ to present to their education provider in order to obtain a Confirmation of Enrolment (CoE).

The intention of PVA was to assist education providers by providing an initial assessment of a Student visa application before a CoE could be issued. This ensured that some higher-risk students who were refused Student visas did not have to apply for a refund of their enrolment fees from education providers.

However, this policy results in lengthy visa processing times. Also, an application that has progressed through the PVA process may be inappropriately considered by prospective students as a guarantee of a visa grant, whereas in fact applications can be refused post-PVA assessment.

What does the proposed cessation of PVA arrangements mean?
AL 3 and AL 4 offshore student visa applicants would need to include CoEs as part of their student visa applications. Education providers would no longer need to receive a PVA letter before they can issue CoEs to students.

This would help streamline – and therefore speed up – the visa process.

Why cease the PVA arrangements?
Ceasing PVA arrangements would reduce double handling of student visa applications and should result in quicker visa processing times, provided that applications are complete when lodged.
How would DIAC process student visa applications that were lodged prior to the introduction of the proposed change that have not been Pre-Visa Assessed?

The proposed cessation of PVA arrangements, and therefore the issuance of PVA letters, would only apply to student visa applications lodged on or after introduction of the change expected in late 2011. Offshore student visa applications lodged prior to the change are proposed to be processed as per previous PVA arrangements. This means students would be issued a PVA letter once their application’s initial assessment is finalised.

CoEs provided to DIAC with student visa applications that were lodged prior to the change and prior to the applicant receiving a PVA letter would be processed without the issuance of a PVA letter.

What would happen to student visa applicants who have paid their enrolment fees and are then refused their student visa?

These applicants would need to seek a refund from the education provider.

When will this change be introduced?

The change to stop the PVA policy is expected to commence in late 2011.

Ability to grant student visas in advance of four months before the start of the course

Why would student visas be granted four months in advance of the start of the course?

This proposed change would help to provide more flexible visa arrangements for international students wishing to arrive in Australia earlier.

DIAC would still have to be satisfied that these applicants satisfy the legislated criteria for the grant of the visa, including adequate arrangements for health insurance for the length of the visa.

Which student visa applicants would be affected by this change?

This proposed change would apply to all student visas subclasses.

What would happen to student visa applications that are unfinalised when the changes are implemented?

It is proposed that these applications would be assessed under the new arrangements.
Would student visa applicants be required to provide any further documentation in support of their applications if this proposed change is implemented?
No. However, DIAC would need to be satisfied that the applicant has made adequate arrangements for health insurance cover for the duration of their intended stay in Australia as the holder of a student visa.

Would this mean that student visa holders can start working earlier?
No. As is the case currently, student would not be allowed to work until they have started their course.

Annual update of the living cost amount

Why would the living cost amount for student visa holders regularly be reviewed?
A regular review of the living cost amount would help DIAC set reasonable financial requirements relating to the funds students need to have to contribute towards their living costs.

How would DIAC review the living cost amount?
In order to better reflect the true cost of living for overseas students, DIAC would review annually the living cost amount and where necessary adjust the figure in reference with the Consumer Price Index (CPI) or a similar measure of cost of living in Australia.

Where do I go for more information?
DIAC is working to develop these measures. More information will be provided on DIAC’s website as it becomes available.
See: www.immi.gov.au/students/knight/
Improvements for Existing Student Visa Holders (Recommendations 24 and 25)

Frequently asked questions

What is the government doing to assist international students already in Australia?
The government is proposing changes to the student visa cancellation process to allow the Department of Immigration and Citizenship (DIAC) to determine cancellation on an individual’s circumstances, providing a fairer outcome for the client.

In addition, a change to the list education agents who recruit international students in the Department of Education, Employment and Workplace Relations’ Provider Registration and International Students Management System (PRISMS) would allow for better education agent monitoring and would help to enhance the integrity of the student visa program.

Removing the automatic and mandatory student visa cancellation provisions

What is the proposed change?
The government proposes to abolish the automatic cancellation of student visas and the mandatory cancellation of student visas for unsatisfactory attendance, unsatisfactory progress and working in excess of the hours allowed.

How will the change benefit student visa holders?
Removal of automatic and mandatory cancellation requirements would allow DIAC to determine cancellation in particular cases on their merits, taking all relevant circumstances into account and thereby providing a fairer outcome for international students.

What are the mandatory cancellation provisions?
If a student is currently found to have breached certain conditions concerning academic progress or employment attached to their visa, that visa must be cancelled unless the breach was due to exceptional circumstances beyond the student’s control.

What are the automatic student visa cancellation provisions?
Student visa holders are currently required to maintain satisfactory course attendance and/or progress. If a student fails to comply with this visa condition, the education provider is required to report the student to the government.

This information currently leads to an automatic cancellation of the student’s visa unless the student personally attends a DIAC office to explain the breach within a specified timeframe.

A student whose visa was subject to automatic cancellation but stopped that automatic cancellation by attending a DIAC office may still have their visa cancelled under the mandatory cancellation provisions.
Does this mean students who breach their visa conditions would not face any consequences?
No. The proposed change means that a student who breaches a condition attached to their visa still may be subject to the cancellation of their visa.

Would registered education providers still be required to report students who are in breach of their visa conditions after this proposed change?
Yes.

When would the changes be made?
The removal of mandatory and automatic cancellation provisions is proposed to commence in the first half of 2012.

Entering education agents names into the Provider Registration and International Students Management System (PRISMS)

What are the current arrangements?
International education providers are currently required to make publicly available the names of education agents who recruit international students for them.

What will change?
The name of an education agent that recruits an individual international student would be entered into the DEEWR’s Provider Registration and International Students Management System (PRISMS).

Why is this change being proposed?
The change would enable patterns of behaviour to be linked to individual education agents. This would help enhance the integrity of the student visa program.

When would the change be introduced?
The change would be introduced early in 2012. Providers of international education will be advised beforehand.

Where do I go for more information?
DEEWR and DIAC are working with stakeholders to develop these measures. More information will be provided on DIAC’s website as it becomes available.
See: www.immi.gov.au/students/knight/
More Flexible Work Entitlements (Recommendations 7 and 28)

Frequently asked questions

Proposed 40 hours per fortnight work entitlement

What are the current work entitlements?
Under the current arrangements, student visa holders and their dependant family members (except masters by research or doctoral degree student dependants who can work full time), can work a maximum of 20 hours per week during the term once the course has commenced, and unlimited hours when the course is not in session.

What is proposed to change?
Under the proposed arrangement, the student work visa entitlements would be measured as 40 hours per fortnight during any fortnight in the course session. A fortnight means a period of 14 days commencing on a Monday.

Why are we proposing the change?
This proposed arrangement would benefit international students who would be better able to respond to busy periods at work without breaching their visa conditions. This flexibility would also benefit employers.

When would the change to work hours begin?
The change to the measurement of work hours is proposed to commence in the first half of 2012. Further information will be provided closer to the date of implementation of this proposed change.

Note: Until this change is introduced, student visa holders will need to comply with the 20 hour per week condition.

Higher Degree by Research (HDR) students
Under the proposed changes, HDR students would be given unlimited work rights once their course has commenced. Work rights for dependants would remain unlimited once the student has commenced their course.


Where do I go for more information?
More information will be provided on DIAC’s website as it becomes available.

See: www.immi.gov.au/students/knight/
Higher Degree by Research (HDR) (Recommendations 5 to 9)

Frequently asked questions

What proposed changes would affect HDR students?
To recognise the importance and contribution of overseas HDR students, a number of changes are proposed to be made for the HDR sector including:

- streamlined processing of HDR visas
- access to a three or four year post study work visa
- unlimited work rights during study
- an increase to the visa validity of all HDR visas by six months for the purpose of interactive marking of a thesis.

Which students are classified as HDR students?
HDR students are students undertaking Masters by research and PhD studies. Overseas students are required to obtain Postgraduate Research (subclass 574) visas for them to undertake HDR study in Australia.

Streamlined processing

What is the streamlined processing proposal?
Under the proposal for streamlined visa processing, DIAC would treat HDR student visa applicants with a Confirmation of Enrolment (CoE) from an eligible university as though they were lower migration risk (similar to the current Assessment Level 1), regardless of country of origin.

Where can I get more information on streamlined processing?
Information on streamlining arrangements for the university sector is available


Post study work visa

What is the post study work visa proposal?
The government proposes to introduce a:

- three year post-study work visa for Masters by research graduates
- four year post-study work visa for PhD graduates.

More information on this change is available.

HDR student work entitlements

What would change regarding HDR students' work entitlements?
Under the proposed changes, all HDR students would be given unlimited work rights once their course has commenced. Work rights for dependants would remain unlimited once the student has commenced their course.
Currently, HDR visa holders can only work a maximum of 20 hours per week during course time and their dependants can work unlimited hours once the student has commenced their course of study.
This change would encourage HDR students to take up employment opportunities which may be closely related to their research.

When would the change come into effect?
It is proposed that this change would be introduced together with other changes concerning work conditions in 2012–13.

Increase to the visa validity of all HDR visas by six months

I am applying for a Postgraduate Research (subclass 574) visa. How would the visa validity period change affect me?
From the date this measure is implemented, it is proposed that all new Postgraduate Research (subclass 574) visa recipients would be given an additional six months on the length of their visa on top of what they would normally have been granted.
Students would still need to make sure they have Overseas Health Cover (OSHC) for the duration of their stay, including the additional stay period.

Why increase the visa validity of all HDR visas by six months?
This flexible approach would support these students during the interactive marking period which research students must undertake to complete their studies. These students would no longer have to apply for a further student visa and pay a further visa application charge to extend their stay.

I currently hold a Postgraduate Research (Subclass 574) visa. Would the six months extension affect me?
No. It is proposed that this change would only affect Postgraduate Research (Subclass 574) visa applications lodged on or after the date on which the change would take effect. Current Subclass 574 visa holders would need to apply for another visa and provide evidence (from their education provider) in their application that they require further stay for interactive marking purposes.

When would the change come into effect?
It is proposed that this change would be introduced in late 2011.
Where do I go for more information?

DIAC is working to develop these measures. More information will be provided on DIAC’s website as it becomes available.

See: www.immi.gov.au/students/knight/
The ELICOS Sector (Recommendations 3.4, 10, 12 and 13)

Frequently asked questions

What changes are being proposed to assist the English Language Intensive Courses for Overseas Students (ELICOS) sector?

A number of the proposed changes would assist the ELICOS sector including:

- a reduction in financial requirements for high risk Assessment Level 3 and Assessment Level 4 student visa applicants
- streamlined visa processing for students who package their ELICOS course with an eligible university course
- changes to ELICOS sector visas including removing the English language test requirements for higher risk Assessment Level 4 and above stand alone ELICOS visa applicants
- allowing all School student visa holders to study English for up to 50 weeks
- giving student guardians unlimited part-time study rights for ELICOS.

Financial requirements reduction

How would the financial requirements for higher risk Assessment Level 3 and 4 student visa applicants change?

The government proposes to reduce the financial requirements for Assessment Level 3 and Assessment Level 4 student visa applicants in the following way:

- evidence of funds for Assessment Level 4 applicants will be reduced from 36 to 24 months and, if evidence is being presented as a cash deposit, their savings history reduced from six to three months
- evidence of funds for Assessment Level 3 applicants will be reduced from 24 to 18 months.

This would reduce the financial requirements by around AUD36 000 for an Assessment Level 4 applicant and around AUD18 000 for an Assessment Level 3 applicant.

Where can I get more information on the financial requirements reduction measure?

More information can be found in Vocational Education and Training (VET), Schools and other Sectors—Frequently asked Questions document.

Streamlined processing

What is streamlined processing?
Streamlined visa processing will be available for students who package their ELICOS course with an eligible university course at the time when the offer of university enrolment is made. This means that DIAC would treat these applicants as though they were lower migration risk (similar to the current Assessment Level 1), regardless of country of origin.

Where can I get more information on streamlined processing?
Information on streamlined processing can be found in The University Sector—Streamlined Visa Processing Frequently asked Questions document.

Removal of English languages test requirements for stand alone ELICOS visa applicants

How would the application requirements for an ELICOS (subclass 570) visa change?
From late 2011, it is proposed that applicants for a stand alone ELICOS (subclass 570) visa who are subject to Assessment Level 4 or Assessment Level 5 would no longer be required to provide evidence of an English language proficiency test to support their claims for the grant of a student visa.

This is consistent with the treatment of Assessment Level 1, Assessment Level 2 and Assessment Level 3 applicants for ELICOS visas, who are currently not required to meet English language standards at the time of visa application.

When would the change begin?
This change is proposed to commence in late 2011.

Fifty weeks English study for School student visa holders

How would the English language study restrictions for Schools (subclass 571) visa holders change?
The government proposes to increase the maximum period of time a school student visa holder can study English to 50 weeks across all assessment levels. This compares to the current arrangements where Assessment Level 3 students are restricted to 40 weeks and Assessment Level 4 students to 30 weeks.

Would this change affect existing student visa holders?
No. This change would not affect existing student visa holders. The proposed change would only apply to new applicants.

When would the change begin?
This change is proposed to commence in the first half of 2012.
Unlimited part-time ELICOS study for student guardians

How would the study entitlements for student guardians change?
The government proposes to allow Student Guardian (subclass 580) visa holders to undertake unlimited part-time ELICOS study.

This is in addition to the existing conditions that allow Student Guardian visa holders to undertake up to three months of full-time study in any field.

Why would the unlimited ELICOS study change be limited to part-time study?
Only part-time study would be permitted so that a student guardian’s studies do not interfere with their guardianship responsibilities.

I currently hold a Student Guardian (subclass 580) visa. Would this change apply to me?
No. It is proposed that this change would only affect new applicants for Student Guardian (subclass 580) visas.

Would the restrictions on full-time ELICOS study for student guardians change?
No. It is proposed that the current restrictions on student guardians of a maximum of three months of full-time study would not change.

When would the change begin?
This change is proposed to commence in the first half of 2012.

Where do I go for more information?
More information will be provided on DIAC’s website as it becomes available.

See: www.immi.gov.au/students/knight/
The VET, Schools and Non-award Sectors  
(Recommendations 3.4, 11, 12, 14 and 15)

Frequently asked questions

What changes are being proposed to assist the vocational education and training (VET), schools and non-award sectors?  
A number of the proposed changes would assist the VET, schools and non-award sectors including:

- a reduction in financial requirements for high risk Assessment Level 3 and Assessment Level 4 student visa applicants
- streamlined visa processing for students who package their non-university courses with an eligible university course including for students coming for semester or year long non-award courses, for example, as part of an agreed student exchange program
- the inclusion of prepaid homestay fees in the financial assessments of student visa applicants
- allowing all School sector student visa holders to study English for up to 50 weeks
- removing the English language requirement for Schools sector visa applicants subject to Assessment Level 4
- the development of an integrated policy in relation to the award of scholarships and the management of visa arrangements, in particular, for awardees with a disability or HIV for AusAID or Defence (subclass 576) visa applicants
- support for high-quality Australian vocational education and training (VET) providers to expand their offshore training services through programs such as Austrade’s Export Market Development Grants Scheme.

In addition, the fundamental review of the existing student visa assessment level framework for assessing risk will examine ways to improve or reform the existing student visa risk management framework. The review will give particular consideration to an education provider risk model which recognises and rewards high-quality education providers. The government will consider options for the early implementation of the findings of the assessment level framework review, targeting a small number of high-quality education providers, to recognise the lower migration risks associated with those providers.

The government recognises that high-quality, low-risk education providers operate across all education sectors, including those outside the university sector. Considering a provider-based risk management approach will enable the government to identify these high-quality providers to ensure they benefit from measures to facilitate the competitiveness of Australia’s international education sector, such as the streamlining of visa applications from certain students.
Financial requirements reduction

How would the financial requirements for higher risk Assessment Level 3 and 4 student visa applicants change?

The government proposes to reduce the financial requirements for Assessment Level 3 and Assessment Level 4 student visa applicants in the following way:

- evidence of funds for Assessment Level 4 applicants will be reduced from 36 to 24 months and, if evidence is being presented as a cash deposit, their savings history reduced from six to three months
- evidence of funds for Assessment Level 3 applicants would be reduced from 24 to 18 months.

This would reduce the financial requirements by around AUD36,000 for an Assessment Level 4 applicant and around AUD18,000 for an Assessment Level 3 applicant.

What are assessment levels?

Currently, assessment levels serve to align student visa requirements to the immigration risk posed by applicants from a particular country studying in a particular education sector. Assessment Level 1 represents the lowest immigration risk and Assessment Level 5 the highest. The higher the assessment level, the greater the evidence an applicant is required to demonstrate to support their claims for the grant of a student visa.


Why are the changes being proposed?

The changes would help increase the competitiveness of the international education sector by reducing the requirement for financial evidence. The Hon Michael Knight AO noted during his strategic review of the student visa program that a number of genuine students are unable to meet the student visa criteria without spending a lot of time and effort in re-arranging their finances, or sometimes even by resorting to fraud.

How would the integrity of the student visa program be maintained following the proposed reduction in financial requirements?

The genuine temporary entrant (GTE) requirement would be introduced as an upfront integrity measure. The GTE would help to ensure that only those who genuinely intend a temporary stay in Australia for the purpose of study would be granted student visas.

When would the reduction to financial requirements change be made?

The change is proposed to be introduced in late 2011.

Streamlined processing

What is the streamlined processing proposal?

Streamlined visa processing would be available for students who package their non-university course with an eligible university course at the time when the offer of university enrolment is
made. This means that DIAC would treat these applicants as though they were lower migration risk (similar to the current Assessment Level 1), regardless of country of origin.

Where can I get more information on streamlined processing?

Fifty weeks English study for School student visa holders

How would the English language study restrictions for Schools (subclass 571) visa holders change?
The government proposes to increase the maximum period of time a school student visa holder can study English to 50 weeks across all assessment levels. This compares to the current arrangements where Assessment Level 3 students are restricted to 40 weeks and Assessment Level 4 students to 30 weeks.

Would this change affect existing student visa holders?
No. This change would not affect existing student visa holders. It would only apply to new applicants.

When would the change begin?
This change is proposed to commence in the first half of 2012.

Removing the English language requirement for Schools visa applicants subject to Assessment Level 4

I am applying for Schools (subclass 571) visa. How would this change affect me?
The government proposes to remove the requirement for all Assessment Level 4 schools sector visa applicants to provide evidence of an English language proficiency test to support their claims for the grant of a student visa.

This means that no school visa applicants are required to demonstrate minimum English language skills before applying for a visa.

Would this change affect existing student visa holders?
No. This change would not affect existing student visa holders. It would only apply to new applicants.

When would the change begin?
This change is proposed to commence in the first half of 2012.
Homestay arrangements

What policy is changing?
Currently, only prepaid fees for formal boarding arrangements with education providers for student visa applicants are taken into account when assessing whether an applicant meets the financial requirements for a student visa.

The government now proposes to include prepaid fees for formal homestay arrangements through education providers.

I want to apply for a student visa. How will this policy change affect me?
This will affect students who have prepaid some or all of their fees for formal homestay arrangements organised through their education provider. In particular, if you have prepaid your boarding or homestay fees, the amount you have prepaid may be deducted from the living costs component of the financial requirements for your student visa application, should DIAC be satisfied you have provided appropriate evidence of this payment.

What documentary evidence will be required?
It is proposed that student visa applicants will be required to supply evidence in the form of a contract or an authorised receipt of payment from the education provider. This evidence must clearly identify the portion of prepaid school fees that is attributed to formal boarding or homestay.

How will this work?
Example: A student visa applicant at Assessment Level 2 who is intending to stay in Australia for at least one year needs to show evidence that they have AUD18 000 to cover the living costs component of the financial requirements associated with their application. The student provides evidence that they have prepaid AUD7000 for formal homestay arrangements that have been organised through their education provider. The student will therefore only need to show a further AUD11 000 in funds to cover the living costs component.

How will payment of rent on private accommodation be treated?
Formal boarding and homestay arrangements do not include private boarding or homestay arrangements or rent on accommodation. Payment of rent on private accommodation arrangements will therefore not be deducted from the living costs component of the financial requirements. This is because these arrangements are not formally administered by education providers.

What will happen to student visa applications lodged prior to the introduction of the changes that have not been finalised?
If you have lodged a student visa application prior to the introduction of the change and are awaiting a decision, your application can be processed under the new arrangements. If you have prepaid homestay arrangements in place, you may provide this information to your case officer or the DIAC office processing your application so that this information can be taken into consideration when assessing your application.
AusAID and Defence scholarship applicants

What is DIAC doing to ensure an integrated visa arrangement for scholarship awardees?

DIAC will continue to work closely with all relevant government departments to ensure visa arrangements for awardees are managed appropriately.

Where can I find more information about the health requirement?

More information can be found about health requirements including how they apply to student visa applicants can be accessed on DIAC’s website.

See: www.immi.gov.au/allforms/health-requirements/

Where do I go for more information?

DIAC is working to develop these measures. More information will be provided on DIAC’s website as it becomes available.

See: www.immi.gov.au/students/knight/
The University Sector (Recommendation 4)—Post-Study Work Visa

Frequently asked questions

Who would be eligible for the post-study work visa?
University graduates who have completed a Bachelor degree or Masters by coursework in Australia are proposed to be eligible for a two year post-study work visa.

University graduates who have completed a Masters by research or PhD degree in Australia are proposed to be eligible for a post-study work visa for three or four years respectively.

When would this visa be available to graduating students?
This visa would be available to those students who obtain their first student visa following the proposed introduction of the Genuine Temporary Entrant (GTE) requirement. The GTE requirement is proposed to commence in late 2011.

As it is proposed that students must have completed a course of at least a Bachelor degree to be eligible for this visa, the post-study work visa is proposed to be available from early 2013.

What would be the visa eligibility requirements for the post-study work visa?
In the last six months before applying for the visa, it is proposed that the applicant must have completed at least a Bachelor degree (or a higher level course such as a Masters or PhD) obtained from a university in Australia.

It is also proposed that English language, health, character and security requirements must be met and that evidence of adequate health insurance for the duration of the visa must be provided.

It is likely that the visa applicant would have needed to study in Australia for a minimum period of time.

What level of English language would be required?
The proposed English language requirement would be competent English, which is a minimum score of 6 in each of the four components of the International English Language Testing System (IELTS) test.

Would applicants need to nominate an occupation on the Skilled Occupation List when applying for this visa?
It is proposed that applicants eligible for this visa would not be required to nominate an occupation on the Skilled Occupation List or undertake a skills assessment.
Would there be similar arrangements in place for students not studying at a university level?

No, this arrangement would only be for graduates of university courses. Existing arrangements for other students would continue to apply in line with the government’s commitment to the current transitional arrangements in place until the end of 2012.

Other students would continue to have access to the Temporary Skilled Graduate (Subclass 485) visa. The Subclass 485 visa is a temporary visa that allows an 18 month stay to work in Australia. The existing Subclass 485 visa is available to eligible students provided they satisfy the criteria for the grant of that visa, including that they:

- have recently completed an eligible qualification(s) as a result of at least two years study in Australia
- have a skills assessment for an occupation on the Skilled Occupation List (SOL)
- meet the English language requirement of competent English (equivalent to IELTS 6 in all four components)
- are under 50 years of age.

Information about the current Subclass 485 visa is available.


Would this change affect existing student visa holders?

No. The increased work entitlements would be available to new students who obtain their first subclass 573 (higher education sector) or 574 (postgraduate research sector) visa through the proposed GTE requirement, proposed to commence November 2011.

Students currently studying in Australia would still be entitled to apply for the existing Temporary Skilled Graduate visa (Subclass 485) before these proposed new arrangements come into effect. The Subclass 485 visa allows students to remain temporarily in Australia with work rights at the completion of their studies. Information about the current Subclass 485 visa can be found on the department’s website.


Will there be consultation with the international education sector on this proposed measure?

Yes. The department will work with key stakeholders to develop this measure.

Where do I go for more information?

More information will be provided on DIAC’s website as it becomes available.