



**Commonwealth of Australia**

*Migration Regulations 1994*

**STUDENT VISA ASSESSMENT LEVELS**

(Subregulation 1.41(1))

I, *MICHAELIA CASH*, Assistant Minister for Immigration and Border Protection, acting under subregulation 1.41(1) of the *Migration Regulations 1994* ('the Regulations'):

1. REVOKE Instrument Number IMMI 14/003, signed on 16 March 2014, specifying an assessment level for a kind of eligible passport, in relation to each subclass of student visa, for the purposes of regulation 1.41 of the Regulations; AND
2. SPECIFY, in relation to an application for a student visa made on or after 1 July 2014, an assessment level for a kind of eligible passport, in relation to each subclass of student visa referred to in the Schedule to this Instrument, for the purposes of subregulation 1.41(1) of the Regulations.

This Instrument, IMMI 14/014, commences on 1 July 2014, immediately after the commencement of *Migration Legislation Amendment (2014 Measures No.1) Regulation 2014*.

Dated 13 June 2014

Michaelia Cash

Assistant Minister for Immigration and Border Protection

## Schedule

### **SUBCLASS 570 (INDEPENDENT ELICOS SECTOR)**

#### **Kind of eligible passport – Assessment level 1**

Andorra	Ireland, Republic of	Norway
Austria	Italy	Oman
Bahrain	Japan	Poland
Belgium	Korea, Republic of	Portugal
Bulgaria	Kuwait	Qatar
Brunei	Latvia	San Marino
Canada	Liechtenstein	Saudi Arabia
Chile	Lithuania	Singapore
Cyprus	Luxembourg	Slovenia
Czech Republic	Macau Special Administrative Regions of the People's Republic of China	Spain
Denmark	Malaysia	Sweden
Estonia	Malta	Switzerland
Finland	Mauritius	Taiwan
France	Mexico	United Arab Emirates
Germany	Monaco	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Greece	Netherlands, Kingdom of the	United States of America
Hong Kong Special Administrative Regions of the People's Republic of China	New Caledonia	Vatican City (Holy See)
Iceland		

#### **Kind of eligible passport – Assessment level 2**

Argentina	Guatemala	Puerto Rico
Bahamas	Honduras	Seychelles
Barbados	Hungary	Slovak Republic
Bhutan	Indonesia	Solomon Islands
Botswana	Israel	South Africa
Brazil	Lao People's Democratic Republic	St Kitts-Nevis
British National (Overseas)	Maldives	St Lucia
Colombia	Montenegro, Republic of	St Vincent & Grenadines

Costa Rica	New Zealand	Thailand
Croatia	Nicaragua	Trinidad and Tobago
Cuba	North Mariana Islands	Ukraine
East Timor (Timor Leste)	Papua New Guinea	Uruguay
El Salvador	Paraguay	Vanuatu
Grenada	Peru	Venezuela
Guam		

**Kind of eligible passport – Assessment level 3**

Ecuador	Lebanon	Sri Lanka
Bangladesh	Mongolia	Tanzania
Cambodia, Kingdom of	Myanmar	Tonga
Egypt	Nauru	Turkey
Fiji	Nepal	Tuvalu
Ghana	Nigeria	Vietnam
India	Pakistan	Western Samoa
Iran, Islamic Republic of	People's Republic of China (excluding passports issued by the Special Administrative Regions of Hong Kong and Macau)	Zambia
Jordan	Philippines	Zimbabwe
Kenya	Romania	All eligible passports not elsewhere specified
Kiribati	<b>Russian Federation</b>	

**SUBCLASS 571 (SCHOOLS SECTOR)**

**Kind of eligible passport – Assessment level 1**

Andorra	Italy	Portugal
Argentina	Japan	Qatar
Austria	Korea, Republic of	San Marino
Bahrain	Kuwait	Saudi Arabia
Belgium	Latvia	Seychelles
Botswana	Liechtenstein	Singapore
Brazil	Lithuania	Slovak Republic
Brunei	Luxembourg	Slovenia
Canada	Macau Special Administrative Region of the People's Republic of China	Solomon Islands
Chile	Malaysia	South Africa
Czech Republic	Maldives	Spain
Denmark	Malta	Sweden
Estonia	Mauritius	Switzerland

Finland	Mexico	Taiwan
France	Monaco	Thailand
Germany	Netherlands, Kingdom of the	United Arab Emirates
Greece	New Caledonia	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Hong Kong Special Administrative Region of the People's Republic of China	Norway	United States of America
Hungary	Oman	Vanuatu
Iceland	Peru	Vatican City (Holy See)
Indonesia	Philippines	Venezuela
Ireland, Republic of	Poland	

**Kind of eligible passport – Assessment level 2**

Afghanistan	Guatemala	Puerto Rico
Bahamas	Honduras	Romania
Barbados	India	<b>Russian Federation</b>
Bhutan	Jordan	St Kitts-Nevis
British National (Overseas)	Kenya	St Lucia
Bulgaria	Lao People's Democratic Republic	St Vincent & Grenadines
Colombia	Lebanon	Tanzania
Costa Rica	Nepal	Trinidad and Tobago
Cyprus	New Zealand	Turkey
East Timor (Timor Leste)	Nicaragua	Ukraine
Ecuador	North Mariana Islands	Vietnam
Grenada	Papua New Guinea	Zambia
Guam	Paraguay	Zimbabwe

**Kind of eligible passport – Assessment level 3**

Cambodia, Kingdom of	Kiribati	Sri Lanka
Bangladesh	Mongolia	Tonga
Egypt	Myanmar	Tuvalu
Fiji	Nauru	Uruguay
Ghana	Nigeria	Western Samoa
Iran, Islamic Republic of	Pakistan	All eligible passports not elsewhere specified
Israel	People's Republic of China (excluding passports issued by the	

	Special Administrative Regions of Hong Kong and Macau)	
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**SUBCLASS 572 (VOCATIONAL EDUCATION AND TRAINING SECTOR)****Kind of eligible passport – Assessment level 1**

Andorra	Ireland, Republic of	Poland
Austria	Italy	Portugal
Bahrain	Japan	Qatar
Belgium	Korea, Republic of	Reunion
British National (Overseas)	Kuwait	San Marino
Brunei	Latvia	Seychelles
Bulgaria	Liechtenstein	Singapore
Canada	Lithuania	Slovenia
Chile	Luxembourg	Spain
Cyprus	Macau Special Administrative Region of the People's Republic of China	Sweden
Denmark	Malaysia	Switzerland
Estonia	Malta	Taiwan
Finland	Mexico	United Arab Emirates
France	Monaco	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Germany	Netherlands, Kingdom of the	United States of America
Greece	New Caledonia	Vatican City (Holy See)
Hong Kong Special Administrative Region of the People's Republic of China	Norway	Venezuela
Iceland	Oman	

**Kind of eligible passport – Assessment level 2**

Argentina	Guatemala	Peru
Bahamas	Honduras	Puerto Rico
Barbados	Hungary	Saudi Arabia
Belize	Indonesia	Slovak Republic
Bhutan	Israel	Solomon Islands
Bosnia-Herzegovina	Jordan	South Africa

Botswana	Lao People's Democratic Republic	St Kitts-Nevis
Brazil	Maldives	St Lucia
Costa Rica	Mauritius	St Vincent & Grenadines
Croatia	Montenegro, Republic of	Thailand
Czech Republic	New Zealand	Trinidad and Tobago
East Timor	Nicaragua	Turkey
El Salvador	North Mariana Islands	Uruguay
Grenada	Papua New Guinea	Vanuatu
Guam	Paraguay	

**Kind of eligible passport – Assessment level 3**

Cambodia, Kingdom of	Lebanon	Russian Federation
Bangladesh	Mongolia	Sri Lanka
Colombia	Myanmar	Tanzania
Ecuador	Nauru	Tonga
Egypt	Nepal	Tuvalu
Fiji	Nigeria	Vietnam
Ghana	Pakistan	Western Samoa
India	People's Republic of China (excluding passports issued by the Special Administrative Regions of Hong Kong and Macau)	Zambia
Iran, Islamic Republic of	Philippines	Zimbabwe
Kenya	Romania	All eligible passports not elsewhere specified
Kiribati		

**SUBCLASS 573 (HIGHER EDUCATION SECTOR)**

**Kind of eligible passport – Assessment level 1**

Andorra	Hungary	Poland
Argentina	Iceland	Portugal
Austria	Ireland, Republic of	Qatar
Bahamas	Italy	Reunion
Bahrain	Japan	San Marino
Barbados	Korea, Republic of	Saudi Arabia
Belgium	Kuwait	Seychelles
Botswana	Latvia	Singapore
Brazil	Liechtenstein	Slovak Republic
British National (Overseas)	Lithuania	Slovenia
Brunei	Luxembourg	Solomon Islands
Bulgaria	Macau Special	South Africa

	Administrative Region of the People's Republic of China	
Canada	Malaysia	Spain
Chile	Maldives	Sweden
Costa Rica	Malta	Switzerland
Cyprus	Mauritius	Taiwan
Czech Republic	Mexico	Thailand
Denmark	Monaco	United Arab Emirates
Estonia	Netherlands, Kingdom of the	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Finland	New Caledonia	United States of America
France	Norway	Vanuatu
Germany	Oman	Vatican City (Holy See)
Greece	Papua New Guinea	Venezuela
Hong Kong Special Administrative Region of the People's Republic of China	Peru	

**Kind of eligible passport – Assessment level 2**

Bhutan	Jamaica	<b>Russian Federation</b>
Bolivia	Kazakhstan	St Kitts-Nevis
Belize	Kiribati	St Lucia
Bosnia-Herzegovina	Lao People's Democratic Republic	St Vincent & Grenadines
Colombia	Malawi	Suriname
Croatia	Montenegro, Republic of	Syria
East Timor (Timor Leste)	Namibia	Tonga
Ecuador	Mozambique	Trinidad and Tobago
El Salvador	New Zealand	Turkey
Grenada	North Mariana Islands	Ukraine
Guam	Paraguay	Uruguay
Guatemala	Philippines	Vietnam
Honduras	Puerto Rico	Yemen
Indonesia	Romania	Zambia
Israel		

**Kind of eligible passport – Assessment level 3**

Bangladesh	Kenya	People's Republic of
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		China [excluding passports issued by the Special Administrative Regions of Hong Kong and Macau]
Cambodia, Kingdom of	Lebanon	Sri Lanka
Egypt	Mongolia	Tanzania
Fiji	Myanmar	Tuvalu
Ghana	Nauru	Western Samoa
India	Nepal	Zimbabwe
Iran, Islamic Republic of	Nigeria	All eligible passports not elsewhere specified
Jordan	Pakistan	

**SUBCLASS 574 (POSTGRADUATE RESEARCH SECTOR)**

**Kind of eligible passport – Assessment level 1**

Andorra	Ireland, Republic of	Philippines
Argentina	Israel	Poland
Austria	Italy	Portugal
Bahamas	Japan	Qatar
Bahrain	Jordan	Romania
Barbados	Korea, Republic of	Russian Federation
Belgium	Indonesia	San Marino
Bhutan	Kazakhstan	Saudi Arabia
Botswana	Kuwait	Seychelles
Brazil	Lao People's Democratic Republic	Singapore
British National (Overseas)	Latvia	Slovak Republic
Brunei	Lebanon	Slovenia
Bulgaria	Liechtenstein	Solomon Islands
Canada	Lithuania	South Africa
Chile	Luxembourg	Spain
Costa Rica	Macau Special Administrative Region of the People's Republic of China	Sweden
Cyprus	Malaysia	Switzerland
Czech Republic	Maldives	Taiwan
Denmark	Malta	Tanzania
East Timor (Timor Leste)	Mauritius	Thailand
Ecuador	Mexico	Tonga
Egypt	Monaco	Turkey



Estonia	Nepal	Ukraine
Finland	Netherlands, Kingdom of the	United Arab Emirates
France	New Caledonia	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Germany	North Mariana Islands	United States of America
Greece	Norway	Uruguay
Guam	Oman	Vanuatu
Hong Kong Special Administrative Region of the People's Republic of China	Papua New Guinea	Vatican City (Holy See)
Hungary	Peoples Republic of China [excluding passports issued by the Special Administrative Regions of Hong Kong and Macau]	Venezuela
Iceland	Peru	Vietnam
India		

### Kind of eligible passport – Assessment level 2

All eligible passports not elsewhere specified

### Kind of eligible passport – Assessment level 3

None specified

### **SUBCLASS 575 (NON-AWARD SECTOR)**

### Kind of eligible passport – Assessment level 1

Andorra	Ireland, Republic of	Portugal
Argentina	Israel	Qatar
Austria	Italy	San Marino
Bahrain	Japan	Saudi Arabia
Belgium	Korea, Republic of	Seychelles
Botswana	Kuwait	Singapore
Brazil	Latvia	Slovak Republic
Brunei	Liechtenstein	Slovenia
Bulgaria	Lithuania	Solomon Islands
Canada	Luxembourg	South Africa
Chile	Macau Special Administrative Region of	Spain

	the People's Republic of China	
Colombia	Malaysia	Sweden
Cyprus	Malta	Switzerland
Czech Republic	Mexico	Taiwan
Denmark	Monaco	Thailand
Estonia	Netherlands, Kingdom of the	Turkey
Finland	New Caledonia	United Arab Emirates
France	Norway	United Kingdom [excluding British National (Overseas), British Dependent Territories Citizen, British Overseas Citizen, British Protected Person, British Subject]
Germany	Oman	United States of America
Greece	Peru	Vanuatu
Hong Kong Special Administrative Region of the People's Republic of China	Philippines	Vatican City (Holy See)
Hungary	Poland	Venezuela
Iceland		

**Kind of eligible passport – Assessment level 2**

Bahamas	Grenada	North Mariana Islands
Barbados	Guam	Papua New Guinea
Bhutan	Guatemala	Paraguay
Bosnia-Herzegovina	Honduras	Puerto Rico
British National (Overseas)	Indonesia	Romania
Costa Rica	Iran	<b>Russian Federation</b>
Croatia	Kazakhstan	St Kitts-Nevis
East Timor (Timor Leste)	Lao People's Democratic Republic	St Lucia
Ecuador	Mauritius	St Vincent & Grenadines
El Salvador	Montenegro, Republic of	Suriname
Fiji	New Zealand	Trinidad and Tobago
Former Yugoslavian Republic of Macedonia	Nicaragua	Ukraine

**Kind of eligible passport – Assessment level 3**

Bangladesh	Maldives	Tanzania
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Cambodia, Kingdom of	Mongolia	Tonga
Egypt	Myanmar	Tuvalu
Ghana	Nauru	Uruguay
India	Nepal	Vietnam
Jordan	Nigeria	Western Samoa
Kenya	Pakistan	Zambia
Kiribati	People's Republic of China [excluding passports issued by the Special Administrative Regions of Hong Kong and Macau]	Zimbabwe
Lebanon	Sri Lanka	All eligible passports not elsewhere specified

**SUBCLASS 576 (FOREIGN AFFAIRS OR DEFENCE SECTOR)**

**Kind of eligible passport – Assessment level 1**

None specified

**Kind of eligible passport – Assessment level 2**

All eligible passports

**Kind of eligible passport – Assessment level 3**

None specified

## **EXPLANATORY STATEMENT**

### *Migration Regulations 1994*

#### **STUDENT VISA ASSESSMENT LEVELS** (Subregulation 1.41)

1. This Legislative Instrument is made under subregulation 1.41(1) in Part 1 of the *Migration Regulations 1994* ('the Regulations').
2. The purpose of the Legislative Instrument is to specify the assessment levels for eligible passports and student visa subclasses.
3. The Legislative Instrument operates to specify the assessment levels applicable to applicants for student visas from different countries in relation to each subclass of student visa (education sector). The Instrument amendment is a result of machinery of government changes regarding the integration of AusAID into the Department of Foreign Affairs and Trade (DFAT) and updates any reference to ensure the visa programs operate as intended.
4. Consultation was undertaken with DFAT and the Department of Education before the instrument was made.
5. Under subsection 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
6. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference 17020).
7. The Legislative Instrument, IMMI 14/014, commences on 1 July 2014, immediately after the commencement of *Migration Legislation Amendment (2014 Measures No. 1) Regulation 2014*.