



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.

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 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 a university in Australia, 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.

See: www.immi.gov.au/students/pdf/2011-university-sector-streamlined-processing.pdf

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.

See: www.immi.gov.au/students/pdf/2011-vet-schools-non-award.pdf

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.

See: www.immi.gov.au/students/pdf/2011-genuine-temporary-entrant.pdf

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.

See: www.immi.gov.au/students/pdf/2011-assessment-level-review.pdf

Post-study work visa

The government plans to give graduates of Australian 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. These new arrangements are planned to apply irrespective of the field of study and would not be tied to working in any particular occupation. It is likely that applicants would need to meet the Australian study requirement, English language requirement of competent English and health, character and security requirements.

This change provides an opportunity for graduates to gain a period of practical experience in Australia, after completing their studies here. The government plans to make this visa available to new student visa holders, so will likely be available from early 2013.

See: www.immi.gov.au/students/_pdf/2011-post-study-work.pdf

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.

See:

www.immi.gov.au/students/_pdf/2011-elicos.pdf

www.immi.gov.au/students/_pdf/2011-vet-schools-non-award.pdf

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.

See: www.immi.gov.au/students/_pdf/2011-higher-degree-by-research.pdf

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.

See: www.immi.gov.au/students/_pdf/2011-flexible-work-conditions.pdf

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.

See: www.immi.gov.au/students/_pdf/2011-existing-students.pdf

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.

See: www.immi.gov.au/students/_pdf/2011-post-study-work.pdf

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.

See: www.immi.gov.au/students/_pdf/2011-evcc.pdf

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/