



More Flexible Work Conditions (Recommendations 7 and 28)

The following information provides further detail on Knight Review changes to the student visa program.

Frequently asked questions

40 hours per fortnight work condition

What has changed?

From 26 March 2012, the student work visa conditions are measured as 40 hours per fortnight. A fortnight means a period of 14 days commencing on any Monday and ending on the second following Sunday.

Students are restricted to 40 hours per fortnight once their course has commenced and during any period in which their course is in session. They are able to work unrestricted hours during any scheduled course break.

Example: A student visa holder works the following numbers of hours over a four week period (after their course has commenced):

- week 1 - 15 hours work
- week 2 - 25 hours work
- week 3 - 25 hours work
- week 4 - 10 hours work.

In the fortnight comprising weeks 1 and 2 above (40 hours worked in that 14 day period) or in the fortnight comprising weeks 3 and 4 above (35 hours worked in that 14 day period), the work condition is not breached. However, the student visa holder has breached their work condition in the fortnight comprising weeks 2 and 3 above (50 hours worked in that 14 day period). Students found to have breached their work conditions may be subject to cancellation of their visa.

What were the previous work conditions?

Prior to 26 March 2012, student visa holders and their dependant family members (except masters or doctoral degree student dependants who can work full time), could work a maximum of 20 hours per week during the term once the course had commenced, and unlimited hours when the course was not in session.

Are there changes to work conditions for family members?

Family members are restricted to 40 hours of work per fortnight once the student has commenced their course of study.

The only exception is dependents of students who have commenced a Masters or Doctoral degree. These dependents have unlimited work rights.

Why were the changes made?

This new arrangement benefits international students as they are better able to respond to busy periods at work without breaching their visa conditions. This flexibility also benefits employers.

When did the change to work hours begin?

The change to the measurement of work hours commenced on 26 March 2012.

Higher Degree by Research (HDR) students

From 26 March 2012, HDR students on a Subclass 574 (Postgraduate Research Sector) Student visa have unlimited work rights once their masters by research or doctorate course has commenced. Work rights for dependants remain unlimited once the student has commenced their masters or doctorate course.

Important: Unlimited work rights only apply once the student has commenced their HDR course. A student studying a preliminary course (such as. ELICOS) on a subclass 574 (Postgraduate Research Sector) visa is limited to 40 hours per fortnight of work while the student is undertaking the preliminary course.

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

Where do I go for more information?

More information will be provided on the Department of Immigration and Citizenship's website as it becomes available.

See: www.immi.gov.au/students/knight/