

Q&A with the Department of Home Affairs

22 July 2020



The Q&A with the Department of Home Affairs webinar provided some further clarification around new visa policy measures to support the recovery of Australia's international education sector.

IEAA will continue to lobby for clarification and concessions for students classified as having:

1. applied for student visa and have not yet received, but have commenced study online offshore;
2. not applied for student visa, but have commenced their studies online offshore.

Key takeaways from the webinar were as follows:

Visa lodgement data

- Overall student visa lodgements offshore are down 33.3% Y/Y (2018-19 / 2019-20) including, China -20%, India -47%, Nepal -61%. However, onshore lodgements show a 10% increase for the same period, reflecting a longer-term growth trend onshore.

Temporary Graduate visa (subclass 485) / Post-study work stream (PSW)

- Graduates who hold a student visa will be eligible to apply for PSW outside Australia if they are unable to return due to COVID-19. The maximum period of time applicable is to be determined at a later date.
- Current and new students visa holders studying online outside Australia due to COVID-19 will have that offshore online study count towards the Australian study requirement for post-study work visa. However, our national regulators will need to determine the maximum time the student can spend offshore as a result of COVID-19.
- Student visas will not be backdated in an attempt to qualify for post-study work for students currently studying online without a visa. (Note: IEAA is lobbying with the Department for inclusion).
- Legislative changes are required to enable eligible graduates to apply for Temporary Graduate visa outside Australia, it is hoped that these changes will come into effect in September 2020. Further information will be available on the Department of Home Affairs website.

Fee waiver for students effected by COVID-19

- A straightforward and simple form will be made available on the DHA website which students and education providers will need to complete and submit with visa lodgement. The key elements include: evidence of original course start and end date, confirmation the student's studies were affected by COVID-19 and how they were impacted e.g. course was deferred, suspended, moved online or reduced course hours.
- Nil-fee visa will be available for international students, subject to legislative changes. These changes are expected to occur in the next few weeks (IEAA will update members). This will enable students to lodge a further student visa application to complete their study if they are unable to complete their course within the original visa period due to COVID-19.
- Students that have already applied and paid for a new student visa will not be eligible for a refund.

Student visa

- International students will be able to lodge a further student visa application free of charge, if they are unable to complete their studies within the original visa period due to COVID-19.
- Government has recommenced granting student visas for applications lodged outside of Australia. This will ensure that when borders are re-opened students will immediately be able to make travel arrangements.
- Additional time will be granted for applicants to provide English Language results, biometrics and health check where COVID-19 has impacted services. Timeframes are up to 90-days but the Department will be considerate and flexible if country restrictions prohibit this.
NB: Approximately 75% of student visa applicants are not required to provide evidence of English language proficiency as per streamlined visa regulation
- IELTS Indicator / TOEFL Home Addition will not satisfy the requirements for English Language provision, the current framework will apply.
- Department advised that all offshore commencing students should apply for a student visa online if it meets their circumstances / to ensure PSW eligibility.
- The OSHC requirements apply as per standard visa application requirements even if student is offshore. No additional health checks are required for student visa, the Department is applying the same regulation and policy, therefore the standard process applies.
- Financial requirements are applicable for the time they will be in Australia and include evidence of being able to afford any quarantine costs, if applicable.
- Department recommended that a 'decision ready' application is submitted to increase the speed of response.