



Student Visa Programme Processing Update: August 2017

The Department is currently experiencing the mid-year peak. Student visa applicants are encouraged to lodge a complete application at least six weeks prior to course commencement.

Commonwealth funded students

Recently, the Department of Education and Training wrote to universities in relation to the referencing of Research Training Program (RTP) scholarships.

Student visa applicants who are receiving full or partial funding under a Commonwealth scholarship are not required to pay the visa application charge. In addition, these students are not covered under the ESOS Act and as such, the Confirmation of Enrolment (CoE) is automatically cancelled in PRISMS.

Student visa applicants must correctly identify themselves as Commonwealth funded in the application form or their application will be considered invalid. Providers should ensure the applicant has evidence that their study is a training scheme approved by the Commonwealth. This can be stated in the *Provider Comments* section of the CoE or the provider's letter to the student about the training scheme / scholarship.

If a student visa applicant incorrectly applies as a Commonwealth sponsored student and the visa is granted, the student will be required to apply for a new student visa and pay the visa application charge. The Department will not reinstate CoEs in this circumstance.

Impact of deferral on student visa

In line with the National Code, education providers may enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

It has come to our attention that some providers who have approved a student's deferral are advising the student to depart Australia within 28 days. This is not a visa requirement. Where the provider considers the student's circumstances warrant deferral of studies, the Department does not expect the student to leave Australia.

The Department may consider cancelling a student visa in the following circumstances:

- the deferral was due to the conduct of the student
- the student deferred their studies for reasons other than compassionate or compelling circumstances
- the compassionate or compelling circumstances which warranted the deferral have ceased to exist
- the deferral was based on fraudulent evidence or document/s given to the education provider
- the student has breached other visa conditions, for example not being enrolled.

Regards
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