

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 9 FEBRUARY 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(10) Output 1.1: Visa and Migration

Senator Barnett (L&C 27) asked:

How many of those students onshore will potentially be affected? I am not saying 'adversely'. How many will potentially be affected under this new system?

Answer:

International students who are granted a student visa have an entitlement to remain in Australia on a temporary basis for a specified period to undertake study at an Australian educational institution. While many overseas students make a decision to apply for permanent residence upon completing their studies, this is an entirely separate process and there is no guarantee that, on the basis of having held a student visa, a person will meet the requirements to be granted permanent residence.

The changes will have no impact on those international students who have undertaken studies in Australia and intend on departing Australia at the completion of their studies, in accordance with the reason they were granted a student visa. Former international students who as at 8 February 2009, had made an application for a General Skilled Migration (GSM) visa or a Skilled Graduate (Temporary) Subclass 485 visa, or who held a Skilled Graduate (Temporary) Subclass 485 visa will not be affected by the changes, and will remain eligible to claim points, under the General Skilled Migration (GSM) Points Test, if their nominated occupation was on the Migration Occupations in Demand List (MODL) at the time they lodged their application.

The replacement Skilled Occupations List (SOL), which is currently under development by Skills Australia, may potentially affect some overseas students currently in Australia, who have an intention to apply for permanent residence, but the impact will not be known until the final list is published. Where their course qualifies them for an occupation that will remain on the revised SOL, they will continue to be eligible to apply for a permanent independent GSM visa as is currently the case.

Where their course qualifies them for an occupation that will not be on the revised SOL, they will no longer be able to apply for a permanent independent GSM visa. They will, however, remain eligible to apply for a Skilled Graduate (Temporary) Subclass 485 visa until 31 December 2012, which will allow them to remain in Australia for a period of 18 months following the completion of their studies, to gain work experience in their field of study. These persons will also retain a pathway to permanent residence through the Employer Nominated Scheme or through a State/Territory Government Sponsored visa.

As at 31 January 2010, there were 352,444 persons on student visas in Australia. This includes 298,241 persons studying in Australia and 54,203 dependents (secondary applicants).

Table 1 below shows a breakdown of primary and secondary student visa holders by visa subclass in Australia as at 31 January 2010 compared to 31 January 2009.

Table 1 - Student Visa Holders in Australia as at 31 January 2010

Visa Subclass	31-January-2009			31-January-2010		
	Primary	Secondary	Total	Primary	Secondary	Total
560 Student	6	9	15	7	8	15
561 Student (Category B)	1	3	4	1	3	4
570 Independent ELICOS Sector	16,029	1,454	17,483	16,925	1,644	18,569
571 Schools Sector	20,381	58	20,439	21,790	64	21,854
572 Vocational Education and Training Sector	84,845	14,991	99,836	102,856	24,647	127,503
573 Higher Education Sector	138,371	20,342	158,713	141,627	20,739	162,366
574 Masters and Doctorate Sector	6,671	4,045	10,716	8,338	5,257	13,595
575 Non-award Foundation/Other Sector	3,791	102	3,893	4,226	122	4,348
576 AusAID or Defence Sponsored	2,539	1,819	4,358	2,471	1,719	4,190
Total	272,634	42,823	315,457	298,241	54,203	352,444