

## QUESTION TAKEN ON NOTICE

**ADDITIONAL ESTIMATES HEARING : 27 February 2017**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(AE17/229) - Student Visas - Student visa cancellations - Programme 2.3: Visas**

Senator Carr, Kim (L&CA) written:

In terms of student visa cancellations in 2016-17:

- Can you please provide student visa cancellations in 2016-17 to date?
- How many cancellations were there in the student visa programme in 2016-17 to date by source country?
- How many cancellations were there in the student visa programme in 2016-17 to date by grounds for cancellation?
- How many cancellations were there in the student visa programme in 2016-17 to date by education sector?

*Answer:*

In 2016-17 to date there have been a total of 13, 654 student visa cancellations.

The following table states the number of student visa cancellations by ground from 1 July 2016 to 28 February 2017.

| <b>Student visa cancellations by cancellation ground *</b>                                       |                |                 |               |
|--|----------------|-----------------|---------------|
| <b>Cancellation Ground</b>   | <b>Onshore</b> | <b>Offshore</b> | <b>Total</b>  |
| s116(1)(a) - fact/circumstance no longer exists  | 61             | 8,132           | <b>8,193</b>  |
| s116(1)(b) breach of condition - 8202  | 2,768          | 360             | <b>3,128</b>  |
| s116(1)(g) prescribed ground - r 2.43 (1)(g)   | 85             | 790             | <b>875</b>    |
| s140(1) family unit member - s128  | 27             | 656             | <b>683</b>    |
| s140(1) family unit member - s116  | 176            | 27              | <b>203</b>    |
| s116(1)(fa)(i) not a genuine student   | 135            | 24              | <b>159</b>    |
| s116(1)(b) breach of condition - 8516  | 122            | 16              | <b>138</b>    |
| Ground for cancellation did not exist  | <5             | 39              | <b>&lt;45</b> |
| s116(1)(b) breach of condition - 8532  | 11             | 25              | <b>36</b>     |
| Ground for cancellation existed and not satisfied there is reason to revoke cancellation         | 0              | 33              | <b>33</b>     |
| Satisfied there is reason to revoke cancellation   | 0              | 30              | <b>30</b>     |
| s116(1)(e)(i) - risk to the health, safety or good order (community or segment of the community) | 25             | <5              | <b>&lt;30</b> |
| s101 incorrect information - application form  | 18             | <5              | <b>&lt;25</b> |
| S116(1)(g), reg 2.43(1)(oa)  | 16             | <5              | <b>&lt;25</b> |
| s116(1)(d) non-compliance with Subdivision C - s101  | 7              | 12              | <b>19</b>     |
| s116(1)(b) breach of condition - 8105  | 13             | <5              | <b>&lt;20</b> |
| s501(1)(6) - character test - s501(6)(a)   | 14             | 0               | <b>14</b>     |

|   |              |               |               |
|---|--------------|---------------|---------------|
| s116(1)(e)(ii) - risk to the health or safety of an individual      | 14           | 0             | 14            |
| s116(1)(d) non-compliance with Subdivision C - s102                 | 10           | <5            | <15           |
| s116(1)(e) risk to health, safety or good order                     | 6            | <5            | <10           |
| s116(1)(aa) - fact/circumstance leading to visa grant never existed | <5           | 5             | <10           |
| s140(2) associated visa holder - s128                               | 0            | 6             | 6             |
| s116(1)(d) non-compliance with Subdivision C - s103                 | 0            | <5            | <5            |
| S116(1)(g), reg 2.43(1)(ob)   | 0            | <5            | <5            |
| s103 bogus document   | <5           | 0             | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(f)                        | 0            | <5            | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(h)                        | 0            | <5            | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(o)                        | <5           | <5            | <5            |
| s140(1) family unit member - s109                                   | <5           | <5            | <5            |
| s140(2) associated visa holder - s116                               | <5           | <5            | <5            |
| s140(3) child born in Australia - s116                              | 0            | <5            | <5            |
| s140(3) child born in Australia - s128                              | 0            | <5            | <5            |
| Cancellation of other visa revoked under s131                       | <5           | 0             | <5            |
| s501 (6)(e)(i)  | <5           | 0             | <5            |
| s116(1)(b) breach of condition - 8102                               | <5           | <5            | <5            |
| s116(1)(b) breach of condition - 8107                               | 0            | <5            | <5            |
| s116(1)(fa)(ii) conduct not contemplated by the student visa        | <5           | 0             | <5            |
| Primary Visa Holder Breached Student Visa Condition (Auto)          | <5           | 0             | <5            |
| s102 incorrect information - passenger card                         | <5           | 0             | <5            |
| s105 incorrect information not corrected                            | <5           | 0             | <5            |
| s116(1)(b) breach of condition - 8101                               | 0            | <5            | <5            |
| s116(1)(b) breach of condition - 8103                               | 0            | <5            | <5            |
| s116(1)(b) breach of condition - 8104                               | 0            | <5            | <5            |
| s116(1)(b) breach of condition - 8207                               | 0            | <5            | <5            |
| s116(1)(b) breach of condition - 8517                               | <5           | 0             | <5            |
| s116(1)(d) non-compliance with Subdivision C - s105                 | 0            | <5            | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(a)                        | <5           | 0             | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(b)                        | 0            | <5            | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(d)                        | 0            | <5            | <5            |
| s116(1)(g) prescribed ground - r 2.43 (1)(i)                        | 0            | <5            | <5            |
| <b>Total</b>  | <b>3,531</b> | <b>10,203</b> | <b>13,734</b> |

The following table states the number of student visas that have been cancelled by citizenship from 1 July 2016 to 28 February 2017:

| <b>Student visa cancellations by citizenship - top 30</b> |                |                 |                |
|---|----------------|-----------------|----------------|
| <b>Citizenship</b>  | <b>Onshore</b> | <b>Offshore</b> | <b>Total</b>   |
| China   | 735            | 2,565           | <b>3,300</b>   |
| Vietnam   | 742            | 400             | <b>1,142</b>   |
| India   | 564            | 555             | <b>1,119</b>   |
| South Korea   | 81             | 891             | <b>972</b>     |
| Malaysia  | 180            | 565             | <b>745</b>     |
| Thailand  | 276            | 409             | <b>685</b>     |
| Taiwan  | 44             | 352             | <b>396</b>     |
| Saudi Arabia  | 9              | 374             | <b>383</b>     |
| Hong Kong   | 44             | 322             | <b>366</b>     |
| Pakistan  | 187            | 178             | <b>365</b>     |
| Indonesia   | 56             | 233             | <b>289</b>     |
| Brazil  | 19             | 255             | <b>274</b>     |
| Italy   | 21             | 209             | <b>230</b>     |
| Nepal   | 141            | 65              | <b>206</b>     |
| United Kingdom  | 22             | 171             | <b>193</b>     |
| Singapore   | <5             | 159             | <b>&lt;165</b> |
| Japan   | 5              | 157             | <b>162</b>     |
| Colombia  | 29             | 132             | <b>161</b>     |
| United States of America                                  | <5             | 157             | <b>&lt;160</b> |
| Sri Lanka   | 44             | 96              | <b>140</b>     |
| Philippines   | 23             | 115             | <b>138</b>     |
| France  | <5             | 107             | <b>&lt;115</b> |
| Spain   | <5             | 99              | <b>&lt;105</b> |
| Bangladesh  | 33             | 66              | <b>99</b>      |
| Canada  | <5             | 83              | <b>&lt;90</b>  |
| Sweden  | <5             | 72              | <b>&lt;80</b>  |
| Mauritius   | 28             | 43              | <b>71</b>      |
| Greece  | <5             | 62              | <b>&lt;70</b>  |
| Mongolia  | 8              | 56              | <b>64</b>      |
| Germany   | <5             | 59              | <b>&lt;65</b>  |
| All Other Citizenships                                    | 209            | 1,124           | <b>1,333</b>   |
| <b>Total</b>  | <b>3,523</b>   | <b>10,131</b>   | <b>13,654</b>  |

The following table states the number of student visa cancellations by education sector from 1 July 2016 to 28 February 2017.

| <b>Student visa cancellations by education sector (subclass type)</b> |                |                 |               |
|---|----------------|-----------------|---------------|
| <b>Type of Education Sector</b>                                       | <b>Onshore</b> | <b>Offshore</b> | <b>Total</b>  |
| HIGHER EDUCATION SECTOR   | 2,774          | 5,478           | <b>8,252</b>  |
| VOCATIONAL EDUCATION AND TRAINING SECTOR                              | 657            | 3,014           | <b>3,671</b>  |
| SCHOOLS SECTOR  | 35             | 717             | <b>752</b>    |
| POSTGRADUATE RESEARCH SECTOR  | 11             | 406             | <b>417</b>    |
| INDEPENDENT ELICOS SECTOR   | 32             | 334             | <b>366</b>    |
| STUDENT (TEMPORARY)   | 9              | 114             | <b>123</b>    |
| NON-AWARD SECTOR  | <5             | 50              | <b>&lt;55</b> |
| FOREIGN AFFAIRS OR DEFENCE SECTOR                                     | <5             | 18              | <b>&lt;25</b> |
| <b>Total</b>  | <b>3,523</b>   | <b>10,131</b>   | <b>13,654</b> |

Figures were extracted from Departmental systems on 7 March 2017. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

A visa may be recorded as cancelled more than once. An example of a visa being recorded as cancelled more than once is if the visa is cancelled, the cancellation is subsequently revoked or set aside, and then the visa is cancelled again.

A cancellation may be revoked or set aside for a number of reasons, including further legal proceedings, and administrative or jurisdictional errors. Duplicates may exist.

\* **Note** - the cancellation by ground table provides a count of all grounds associated with a cancellation and is not a count of individual cancellations. A cancellation may have multiple grounds associated to it and as a result the totals will be higher than the individual student visa cancellation count.