

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 17 October 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE16/103) - Student visa cancellations - Programme 2.3: Visas

Senator Carr, Kim (L&CA) written:

How many cancellations were there in the student visa programme in 2015-16?

How many cancellations were there in the student visa programme in 2015-16 by source country?

How many cancellations were there in the student visa programme in 2015-16 by grounds for cancellation?

How many cancellations were there in the student visa programme in 2015-16 by visa subclass?

Answer:

There were 19,688 student visa cancellations, both onshore and offshore, in the 2015–16 programme year.

The following table provides figures of student visa cancellations in the 2015–16 programme year by source country, represented as both raw figures and as a percentage of the total:

2015-16 Onshore and offshore student visa cancellations by source country*		
Source country	Total	% of total
China	4,332	22.00
South Korea	1,676	8.51
India	1,460	7.42
Vietnam	1,426	7.24
Thailand	1,062	5.39
Malaysia	904	4.59
Saudi Arabia	673	3.42
Taiwan	580	2.95
Hong Kong	577	2.93
Indonesia	467	2.37
Pakistan	367	1.86
Brazil	365	1.85
Japan	331	1.68
Singapore	320	1.63
United Kingdom	308	1.56
United States of America	303	1.54

Italy	290	1.47
Nepal	224	1.14
Philippines	215	1.09
Colombia	200	1.02
France	179	0.91
Spain	175	0.89
Canada	164	0.83
Kuwait	156	0.79
Sri Lanka	155	0.79
Sweden	128	0.65
Bangladesh	121	0.61
Norway	114	0.58
Iran	111	0.56
Germany	98	0.50
Turkey	95	0.48
Mongolia	88	0.45
Greece	85	0.48
Russia	85	0.43
Ireland	78	0.40
Czech Republic	74	0.38
Mauritius	74	0.38
Papua New Guinea	74	0.38
Mexico	71	0.36
Poland	71	0.36
Slovakia	69	0.35
Myanmar	65	0.33
Iraq	63	0.32
Venezuela	61	0.31
Oman	58	0.29
Jordan	53	0.27
Lithuania	51	0.26
Chile	47	0.24
Lebanon	47	0.24
Hungary	46	0.23
Kenya	46	0.23
Cambodia	42	0.21
Peru	39	0.20
Nigeria	37	0.19
Portugal	36	0.18
Bhutan	35	0.18
Netherlands	35	0.18
Switzerland	34	0.17
Macau	32	0.16
South Africa	32	0.16
United Arab Emirates	24	0.12
Estonia	23	0.12
Egypt	22	0.11
Fiji	18	0.09
Bulgaria	17	0.09

Ecuador	17	0.09
Kazakhstan	17	0.09
Zimbabwe	16	0.08
Romania	15	0.08
Argentina	14	0.07
Unknown	14	0.07
Finland	12	0.06
Laos	12	0.06
Libya	12	0.06
Slovenia	12	0.06
Zambia	12	0.06
Israel	11	0.06
Maldives	11	0.06
Belgium	10	0.05
Brunei Darussalam	10	0.05
Ghana	<10	<0.05
Tanzania	<10	<0.05
Austria	<10	<0.05
Denmark	<10	<0.05
Macedonia	<10	<0.05
Seychelles	<10	<0.05
Azerbaijan	<10	<0.05
Cyprus	<10	<0.05
Uganda	<10	<0.05
Albania	<10	<0.05
Botswana	<10	<0.05
Guatemala	<10	<0.05
Serbia	<10	<0.05
Vanuatu	<10	<0.05
Bolivia	<10	<0.05
Costa Rica	<10	<0.05
East Timor	<10	<0.05
Iceland	<10	<0.05
Malawi	<10	<0.05
Stateless	<10	<0.05
Belarus	<10	<0.05
Morocco	<10	<0.05
Not Recorded	<10	<0.05
Solomon Islands	<10	<0.05
Ukraine	<10	<0.05
Uzbekistan	<10	<0.05
Afghanistan	<10	<0.05
Cameroon	<10	<0.05
Cuba	<10	<0.05
Dominican Republic	<10	<0.05
Ethiopia	<10	<0.05
Mozambique	<10	<0.05
Qatar	<10	<0.05
Samoa	<10	<0.05

Swaziland	<10	<0.05
Syria	<10	<0.05
Tajikistan	<10	<0.05
Algeria	<10	<0.05
Bahrain	<10	<0.05
Bermuda	<10	<0.05
Bosnia - Herzegovina	<10	<0.05
Burundi	<10	<0.05
Cayman Islands	<10	<0.05
Croatia	<10	<0.05
Dominica	<10	<0.05
El Salvador	<10	<0.05
Guyana	<10	<0.05
Honduras	<10	<0.05
Latvia	<10	<0.05
Luxembourg	<10	<0.05
Moldova	<10	<0.05
Namibia	<10	<0.05
New Caledonia	<10	<0.05
New Zealand	<10	<0.05
North Korea	<10	<0.05
Palestinian Authority	<10	<0.05
Panama	<10	<0.05
Paraguay	<10	<0.05
Sierra Leone	<10	<0.05
Tonga	<10	<0.05
Trinidad and Tobago	<10	<0.05
Tunisia	<10	<0.05
Tuvalu	<10	<0.05
Uruguay	<10	<0.05
Yemen	<10	<0.05
Yugoslavia	<10	<0.05
Total	19,688	100.00%

* 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, and 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.
- Student visa excludes Visa s/c 580 (Student Guardian).

A cancellation decision may be made on one or more grounds. The following table provides details of the 19,857 legislative grounds for cancellation associated with the 19,688 student visa cancellations in the 2015–16 programme year:

2015-16 Onshore and offshore student visa cancellations by ground *		
Ground**	Total	% of total
s116(1)(a) fact/circumstance no longer exists	13,363	67.30
s116(1)(g) prescribed ground - r 2.43 (1)(g)	2,600	13.09
s116(1)(b) breach of condition - 8202	1,840	9.27
s140(1) family unit member - s128	1,115	5.62
s116(1)(fa)(i) not a genuine student	260	1.31
s140(1) family unit member - s116	198	1.00
Ground for cancellation existed and not satisfied there is reason to revoke cancellation	65	0.33
s116(1)(b) breach of condition - 8516	43	0.22
Satisfied there is reason to revoke cancellation	41	0.21
s116(1)(b) breach of condition - 8532	29	0.15
s116(1)(aa) - fact/circumstance leading to visa grant never existed	28	0.14
s116(1)(e)(i) risk to the health, safety or good order (community or segment of the community)	28	0.14
Ground for cancellation did not exist	24	0.12
s116(1)(b) breach of condition - 8105	21	0.11
S116(1)(g), reg 2.43(1)(oa)	17	0.09
s116(1)(d) non-compliance with Subdivision C - s101	17	0.09
s140(2) associated visa holder - s128	17	0.09
s101 incorrect information – application form	15	0.08
s116(1)(d) non-compliance with Subdivision C - s102	14	0.07
s116(1)(g) prescribed ground - r 2.43 (1)(h)	14	0.07
s116(1)(d) non-compliance with Subdivision C - s103	13	0.07
s116(1)(e) risk to health, safety or good order	12	0.06
s116(1)(e)(ii) risk to the health or safety of an individual	<10	<0.05
s116(1)(b) breach of condition - 8101	<10	<0.05
s116(1)(b) breach of condition - 8102	<10	<0.05
s116(1)(b) breach of condition - 8107	<10	<0.05
S116(1)(g), reg 2.43(1)(ob)	<10	<0.05
s116(1)(g) prescribed ground - r 2.43 (1)(o)	<10	<0.05
s501(1)(6) - character test - s501(6)(a)	<10	<0.05
s116(1)(fa)(ii) conduct not contemplated by the student visa	<10	<0.05
s116(1)(g) prescribed ground - r 2.43 (1)(f)	<10	<0.05
s140(1) family unit member - s109	<10	<0.05
Cancellation of other visa revoked under s131	<10	<0.05
s116(1)(b) breach of condition - 8524	<10	<0.05
s103 bogus document	<10	<0.05
s105 incorrect information not corrected	<10	<0.05
s116(1)(b) breach of condition - 8104	<10	<0.05
s116(1)(d) non-compliance with Subdivision C - s104	<10	<0.05
s116(1)(g) prescribed ground - r 2.43 (1)(a)	<10	<0.05
s140(3) child born in Australia - s128	<10	<0.05
Primary Visa Holder Breached Student Visa Condition (Auto)	<10	<0.05

s102 incorrect information - passenger card	<10	<0.05
s104 changes in circumstances not notified	<10	<0.05
s116(1)(b) breach of condition - 8108	<10	<0.05
s116(1)(b) breach of condition - 8115	<10	<0.05
s116(1)(b) breach of condition - 8302	<10	<0.05
s116(1)(b) breach of condition - 8514	<10	<0.05
s116(1)(b) breach of condition - 8528	<10	<0.05
s116(1)(b) breach of condition - 8533	<10	<0.05
s116(1)(b) breach of condition - 8560	<10	<0.05
s116(1)(c) breach of condition by third party	<10	<0.05
s116(1)(g) prescribed ground - r 2.43 (1)(ia) and (1A)(a)	<10	<0.05
s140(2) associated visa holder - s116	<10	<0.05
Total	19,857	100.00%

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** Note the 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 figures may not match the actual total cancellation figure.

The following table provides figures of student visa cancellations in the 2015–16 programme year by student visa subclass and subclass type, represented as both raw figures and as a percentage of the total:

2015-16 Onshore and offshore student visa cancellations by visa subclass and subclass type*			
Subclass	Student visa subclass type	Total	% of total
573	Higher Education Sector	12,200	61.97
572	Vocational Education and Training Sector	4,994	25.37
571	Schools Sector	1,139	5.79
574	Postgraduate Research Sector	697	3.54
570	Independent ELICOS Sector	490	2.49
575	Non-Award Sector	115	0.58
576	Foreign Affairs or Defence Sector	53	0.27
	Total	19,688	100.00%

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Note that all figures provided in the above response were extracted from Departmental systems as at 11 July 2016. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.