

APPLYING FOR A NEW STUDENT VISA

From 1 July 2016 you will need to apply for the **Student visa (subclass 500)**. The steps are:

1. Apply for a new CoE (see previous page).
 2. Go to the visa page:
www.border.gov.au/Trav/Visa-1/500-
 3. Complete the **Document Checklist Tool** for a list of the documents required. This might include evidence of your:
 - (a) Identity, relationship, employment, qualifications
 - (b) English language test score
 - (c) Financial capacity
 4. Complete *My Health Declarations* to check whether you need to do a new **health examination**.
 5. Extend your **health insurance**.
 6. Write a paragraph explaining how you meet the **Genuine Temporary Entrant** requirement:
www.border.gov.au/StudyinginAustralia/Documents/direction-no-69.pdf
Prepare supporting evidence of your employment and Australian and overseas qualifications.
4. **Apply** and submit documents online via your ImmiAccount. Pay the application fee.

More information: <http://www.border.gov.au/Trav/Stud>

BRIDGING VISAS

If you apply for a new visa while in Australia, you will be granted a bridging visa to allow you to remain in Australia if your current visa expires before your new visa is granted. The bridging visa takes effect once your current visa expires.


Bridging Visa A

If you leave Australia while holding a Bridging Visa A, you will not be able to re-enter Australia until you have been granted the substantive visa you applied for.

Bridging Visa B

If you plan to be overseas while on a bridging visa, you can apply for a Bridging Visa B, which has re-entry rights.

ABOUT US



Sort it! Deakin Legal Service for Students provides free and confidential legal advice and information for all current Deakin University students.

Even if you are not sure if your problem is a legal one please visit our website. If we are unable to help, we can refer you to someone who can. Book your appointment by visiting:

eclc.org.au/deakin



Eastern Community Legal Centre
ph: (03) 9285 4822

Burwood Campus



Barwon Community Legal Service
ph: 1300 430 599

Warrnambool Campus

MORE PLACES FOR HELP & INFORMATION

DUSA Student Advocates
www.dusa.org.au/Advocacy

DSL International Student Advisers
www.deakin.edu.au/students/international

Migration Agents Registration Authority
Registered private Migration Agents
www.mara.gov.au

Study in Australia
www.studyinaustralia.gov.au

Sort it! Deakin Legal Service for Students is a partnership between Deakin University Student Association (DUSA), Eastern Community Legal Centre (ECLC) and Barwon Community Legal Service (BCLS).

DISCLAIMER: This information is intended as a guide only. It is not a substitute for legal advice.



DEAKIN LEGAL SERVICE FOR STUDENTS

STUDENT VISAS

KNOW YOUR RIGHTS!

For free information, referrals and appointments visit:

eclc.org.au/deakin

Updated: July 2016

5 STUDENT VISA CONDITIONS

8105 Work rights

Student (except PhD/Masters by Research) visa holders cannot work more than 40 hours in any two consecutive weeks while your course is in session (including exam periods).

You can work unlimited hours during official university vacation periods (and during T3 if you are not enrolled in any subjects). You cannot start working until after you have commenced your course in Australia.

“Work” is defined as any activity that you would normally be paid for.

8202 Maintain enrolment

You must:

⇒ Remain enrolled in a course that is registered on ‘CRICOS’. This means completing at least 16 credit points per year, unless otherwise approved by the university. You cannot do more than 25% of your total course online, and must be enrolled in one face-to-face unit in each compulsory study period (T1 ,T2).

⇒ Maintain satisfactory attendance in your course (usually, attending 80% classes); and

⇒ Maintain satisfactory course progress (eg. pass at least 50% course units).

If you are facing difficulties relating to your studies, contact your Faculty Course Adviser or a DUSA Advocate.

Deakin University is responsible for monitoring your compliance with these conditions.

8501 Maintain health insurance

You must maintain adequate health insurance (Overseas Student Health Cover) during your stay in Australia.

8516 Continue to satisfy reasons for visa grant

If you transfer into another course at a different level of study, you may need to apply for a new Student visa.

You must make sure you continue to have enough money to support your study and stay in Australia. If you are having difficulty paying your university fees, contact an International Student Adviser or the University Fees Office for advice.

More information: www.border.gov.au/Trav/Stud/More/Visa-conditions/visa-conditions-students

8533 Notify change of address & education provider

You must notify Deakin University:

⇒ of your current residential address in Australia within 7 days of arriving in Australia or changing your address, via StudentConnect:

<https://studentconnect.deakin.edu.au>

⇒ of a change in your education provider, within 7 days of receiving your new electronic Confirmation of Enrolment (CoE) certificate or evidence of enrolment.

Visa cancellation

Deakin University is required to cancel your CoE and notify the Department of Immigration and Border Protection (DIBP) within 14 days if:

- You discontinue your studies
- You enrolment is terminated for non-payment of fees, unsatisfactory academic progress, or academic/ general misconduct
- You are granted Intermission
- You fail to re-enrol in a compulsory study period (T1 or T2)
- You complete your course more than 2 months before the course end date on your CoE.

You have 28 days to make arrangements to enrol in a new course and/or apply for a new visa, or leave Australia.

If you do nothing, or if you breach a condition of your Student visa, you may receive a Notice of Intention to Consider Cancellation (NOICC) from the DIBP, posted to the last address registered with them. This Notice will set out how you have breached the conditions of your Student visa.

You will have an opportunity to respond and tell the DIBP if there were special or extenuating circumstances out of your control that led to the breach, for example, a failure on the part of the University or, in the case of breach of work conditions, abuse/misconduct by your employer, etc.

If you receive a NOICC, **get legal advice immediately.**

VISA FAQs

Visa expiring before end of course?

You will be allowed to apply for a new Confirmation of Enrolment (CoE) in the following circumstances:

1. Compassionate or compelling circumstances (eg. you have a medical certificate to show you were unable to attend class)
2. An intervention strategy has been implemented by University because you are at risk of unsatisfactory academic progress
3. The University has granted you deferment or Intermission.

Allow 10 working days for your CoE application to be processed. Apply for a new Student visa (see next page) before your current Student visa expires and within 45 days of receiving your new CoE.

Visa expiring before graduation?

You cannot get a new Student visa unless you are planning to enrol in another course.

You have a number of options:

1. **Apply for a tourist visa onshore**
You will not have work rights and may be prohibited from applying for subsequent visas onshore.
2. **Apply for another substantive visa**
(eg. A temporary graduate visa)
3. Return to your home country before your student visa expires, and **return to Australia on a tourist visa** for your graduation ceremony.
4. **Graduate in absentia** (without attending the ceremony) - your degree will be mailed to you.

Visa expiring after end of course?

If you complete your course in the time specified on your CoE, you can stay in Australia until your student visa expires.

If you complete your course early because you have fast-tracked your studies, your CoE will be cancelled as soon as your course status changes to “completed”. You will need to leave Australia within 28 days of completing your course, or apply for a new visa.

More information: www.deakin.edu.au/students/studying/international-students/compliance-and-visas