



Charles Sturt
University

Charles Sturt Agent training 2021- 2022

Modules 2, 3, and 4



Module 2. Simplified Student Visa Framework (SSVF)

Simplified student visa framework

The Australian Department of Home Affairs (DHA) sets the minimum evidence requirements for a student to obtain a visa.

DHA allocates a risk rating to each country and to each Australian college. Each time a student visa is refused, cancelled or overstayed, it impacts the risk rating of the institution that issued the student's confirmation of enrolment.

The lower the risk rating for the institution, the country, or both, the more streamlined the evidence can be.

SSVF - Department of Home Affairs

The Simplified Student Visa Framework was introduced by the Department of Home Affairs on 01 July 2016, following review of the previous Streamlined Visa Processing (SVP) arrangements and Assessment Level (AL) framework.

Key changes

Designed the simplified student visa framework (SSVF) to:

- make the process of applying for a student visa simpler to navigate for genuine students
- deliver a more targeted approach to immigration integrity
- reduce red tape for business

Financial capacity requirement

- Student visa applicants must have [sufficient funds available](#) for the duration of their stay in Australia.
- The living costs that students are asked to declare or provide with their visa application are intended to be indicative of the cost of living in Australia. Students should research actual living costs in Australia as this varies according to the area in which they intend to live.
- Students should not rely exclusively on work to support themselves or family while in Australia.

English language requirement

- To be granted a student visa, applicants must meet the [English language requirement](#).
- It does not mean students are eligible to enrol in a particular course. Education providers have separate responsibilities under the [Education Services for Overseas Students Act 2000](#) to ensure that students have sufficient levels of English for their intended course of study.

Other requirements

- Applicants must also meet all other [student visa criteria](#).

Evidence of enrolment

- Students outside Australia - must provide Confirmation of Enrolment in a registered course of study when they lodge their student visa application.
- Students in Australia - can apply with a letter of offer or an offer of a Confirmation of Enrolment but must have a Confirmation of Enrolment to be granted the visa.
- Secondary exchange students - provide an Acceptance Advice of Secondary Exchange Students form
- Postgraduate research students required to remain in Australia for marking of their thesis - provide a letter from their education provider
- Department of Foreign Affairs and Trade (DFAT) and Department of Defence sponsored students - provide a Letter of Support from DFAT or Defence

Changing courses

- On 1 July 2016, a new condition was introduced requiring all Student visa (subclass 500) holders to maintain enrolment at the same level or a higher Australian Qualification Framework (AQF) level for which they were granted a visa, unless they are undertaking a doctoral degree (AQF10) and transfer to a master's degree (AQF9).
- Transferring to a lower AQF level course or transferring from an AQF level course to a non-AQF Award course is a breach of the student visa condition and might result in the visa being cancelled.
- Students who want to change to a lower level course or non-award course must apply for, and be granted, a new student visa before they change their course. More information is available about [changing courses](#).
- Standard 7 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2007* also applies to transfers between Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)-registered providers. More information is available from the [Department of Education and Training](#).

Course packaging

- Students can [package 2 or more courses](#) on one student visa where there is progression from one course to another. This is currently not available with Charles Sturt programs.

Family members of students

- Family members of existing student visa holders need to apply for a [Student visa \(subclass 500\)](#) if they do not currently hold a student visa and wish to join the student in Australia.
- There are no restrictions on the duration of particular courses that the student must study to be accompanied by family members, including dependants who later join the student in Australia.

Eligible students for streamlined evidentiary requirements under SSVF

The below table provides an overview of the students that will notionally have streamlined evidentiary requirements under the SSVF.

Eligibility for streamlined evidentiary requirements is determined on the combined immigration risk rating of the student's country and citizenship and intended education provider. Where the student intends to package courses to combine their preliminary course of study with their main course of study, the education provider immigration risk rating applied to the Student visa application would correspond to the student's main course of study.

In the table S refers to streamlined evidentiary requirements while R refers to regular evidentiary requirements. Where regular evidentiary requirements apply the student will generally be required to provide evidence of their financial and English language capacity with their visa application.

| | | Country Immigration Risk | | |
|-------------------------------------|-------|--------------------------|-----|-------|
| | | One | Two | Three |
| Education Provider Immigration Risk | One | S | S | S |
| | Two | S | S | R |
| | Three | S | R | R |

For more information visit:

Department of Home Affairs <https://immi.homeaffairs.gov.au/what-we-do/education-program/what-we-do/simplified-student-visa-framework>

Online document checklist tool

<https://immi.homeaffairs.gov.au/visas/web-evidentiary-tool>

Module 3.

Discretionary biosecurity-related cancellation ground to student visas

Changes to Australian immigration law from
January 2021

Extending the discretionary biosecurity-related cancellation ground to student and temporary work visas

From 1 January 2021, student and temporary work visa holders may have their visa cancelled at the point of entry to Australia by a delegate of the Minister who reasonably believes that the visa holder has contravened certain provisions of the *Biosecurity Act 2015* (the Biosecurity Act). Visas may be cancelled if the visa holder has:

- knowingly provided false or misleading biosecurity-related information on incoming passenger cards, such as by failing to correctly declare all food, plant material and animal items;
- knowingly provided a biosecurity officer with false or misleading documents;
- failed to answer a biosecurity officer's questions about goods or provide written information about goods requested by a biosecurity officer; or
- failed to comply with the directions of a biosecurity officer in relation to the movement of goods.

My visa has been cancelled – what happens next?

If your visa has been cancelled on biosecurity-related cancellation ground, you will be refused immigration clearance and returned to your country of origin or citizenship on the next available flight.

If the next available flight is not available until the following day or a later date, arrangements will be made to transfer you to an immigration detention facility.

What are the impacts if my visa is cancelled?

If your visa is cancelled:

- you may be placed in immigration detention and removed from Australia as soon as reasonably practicable.
- you cannot generally be granted a visa unless three years have passed since the date your visa was cancelled.
- Any dependants who hold a visa because you hold a visa will also have their visa automatically cancelled by operation of law.

The agent's role

- Visit the government's website and learn the full changes on the legislation and how it will affect international students entering to Australia
- Ensure your students are aware of this changes and understand the legislation, as well as the consequences of breaching the Australian bio-security laws
- Include this update in the pre-departure information package of your students
- Broadcast through any of your communication channels to future and current students in your data base that may be affected by these changes

For more information visit:

- Department of Home Affairs <https://immi.homeaffairs.gov.au/entering-and-leaving-australia/entering-australia>
- Australian Border Force: <https://www.abf.gov.au/entering-and-leaving-australia/can-you-bring-it-in>
- Department of Agriculture, Water and the Environment <https://www.agriculture.gov.au/travelling>

Module 4.

Standards for Charles Sturt Agents

The Australian International Education and Training Agent Code of Ethics (Code of Ethics)

An Agent must always act honestly, in good faith, and in the best interests of the student:

- be straightforward, fair and ethical in business dealings
- be objective – don't be biased
- be professional and focus on the student's success
- be truthful, open and honest
- respect confidentiality
- respect Australia's laws
- earn the trust of Charles Sturt University, students, parents and the Australian government

Suggested review

- The Australian International Education and Training Agent [Code of Ethics](#)
- The [Charles Sturt Agent Guidelines](#).

Marketing

Agents must not

- market Charles Sturt programs in a false or misleading way,
- claim that a student can get permanent residency by completing a course, or
- guarantee that a student can get a successful educational outcome by completing a course.

Agents required to

- Give students accurate and up to date information on Charles Sturt products.
- Use Charles Sturt Agent portal to access product training and the most up to date marketing materials.
- Remove any outdated Charles Sturt marketing materials and old logo from your website and social media accounts.

Marketing materials must include Charles Sturt University's CRICOS registered name and number.

Written agreements

- Charles Sturt University must have a written agreement with each of its Agents.
- The agreement specifies the markets (territories) where the agent is allowed to recruit students from.
- Agent must ensure to have accepted the latest written agreement – Charles Sturt Admissions will be unable to process your students' applications if the latest written agreement is not valid.

Expectations of Agents who sign the written agreement

By signing the written agreement, Agents agree to:

- represent Charles Sturt University and its courses accurately when providing information to students
- comply with the ESOS Act and National Code
- agree to be ethical and honest in recruiting genuine students
- cooperate with Charles Sturt processes for monitoring the Agent's activities
- accept corrective actions that may be taken by Charles Sturt University if an Agent breaks the agreement
- expect to be terminated for fraud, misleading students or misrepresenting Charles Sturt University
- accept that Charles Sturt University will disclose the Agent's information to the Australian government

Action required

Please review your latest written agreement with Charles Sturt University in detail. Note that if you breach the ESOS Act or National Code, Charles Sturt University will be held responsible for your actions by TEQSA.



Charles Sturt
University

Thank you for your time
taking this training.

