



Post-Study Work Arrangements—Recommendation 4

The following information provides further detail on the planned Knight Review changes to the student visa program.

Information regarding the Knight Review is available on the Department of Immigration and Citizenship's website.

See: www.immi.gov.au/students/knight

New post-study work arrangements are to be introduced in early 2013. These arrangements will operate as a new Post-Study Work stream of the existing Temporary Skilled Graduate (subclass 485) visa. The subclass 485 visa will be renamed the Temporary Graduate (subclass 485) visa. More information is available on the department's website.

See: www.immi.gov.au/skilled/general-skilled-migration/485

Under Australia's legislative system, regulations must be approved by the Governor-General. The information provided below explains how the department intends the post-study work arrangements to operate. This should be read as a proposed set of arrangements for the Governor-General's consideration in due course.

Frequently asked questions

Who will be able to access the post-study work arrangements?

Graduates of an Australian Bachelor degree, Masters by coursework degree, Masters (extended) degree, Masters by research degree or Doctoral degree will have access to the new post-study work arrangements, provided they meet the other eligibility requirements of this visa.

Will the new arrangements be available for graduates who made their first student visa application before the introduction of the genuine temporary entrant requirement (GTE)?

The new post-study work arrangements will only be available to students who have applied for their first student visa (including subclasses 570, 571, 572, 573, 574, 575, 576 or 580) after the introduction of the GTE on 5 November 2011.

Further information about the GTE is available on the department's website.

See: www.immi.gov.au/students/pdf/2011-genuine-temporary-entrant.pdf

Will there be a requirement for applicants to have previously held a student visa?

Yes. To be eligible for the new arrangements, graduates must have completed their studies in Australia while on a qualifying student visa. A qualifying student visa is a subclass 572, 573 or 574.

English Language Intensive Courses for Overseas Students (ELICOS) Sector, Schools Sector and AusAID or Defence Sponsored Sector students will not be eligible unless they subsequently complete an eligible degree level qualification on a qualifying student visa.

Applicants who have undertaken studies while on other visas that allow study, such as dependents of Temporary Work (Skilled) (subclass 457) visa holders, will not be eligible for this visa.

When will the new post-study work arrangements be available?

It is anticipated the new arrangements will commence in early 2013.

What will the visa eligibility requirements be?

To be eligible for the new arrangements, primary visa applicants must:

- be in Australia
- be under 50 years of age
- have attained an eligible degree level qualification within six months of applying for the visa.

Graduates must also meet the Australian study requirement. The Australian study requirement is defined as study in Australia in a course registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) for a period of at least two academic years (92 weeks). The course itself must be conducted in English and must be completed in no less than 16 calendar months.

Further information regarding how the Australian study requirement will operate under the Temporary Graduate (subclass 485) visa is available

See: www.immi.gov.au/students/knight/pdf/temp-graduate-485-visa.pdf

English language, health, character and security requirements will also need to be met and evidence of adequate health insurance for the duration of the visa will need to be provided.

For the purposes of accessing the new arrangements, what study will be considered towards meeting the Australian study requirement?

To be eligible for the new arrangements, graduates must have obtained an eligible degree level qualification. Aligning these arrangements with the Australian Qualifications Framework (AQF), for the purposes of accessing the arrangements, only study undertaken at AQF Level 7 or above (Bachelor degree level or above), which leads to the conferral of an eligible degree level qualification, may be considered towards meeting the Australian study requirement.

Further information regarding the AQF is available.

See: www.aqf.edu.au

This means that degree level courses that are packaged with a Graduate Certificate or Graduate Diploma course may be eligible, provided the total duration of study satisfies the Australian study requirement. For example, a student may be eligible for the new arrangements on the basis of completing a Graduate Diploma in Educational Studies which articulates (or leads) into a Masters of Education, provided the student successfully completes this Masters degree.

Note: Graduates will be unable to access the new arrangements solely on the basis of having obtained a Graduate Certificate or Graduate Diploma qualification. To access the new arrangements, graduates must have obtained an eligible degree level qualification (Bachelor, Masters or Doctoral degree).

Are there any restrictions on where the study must be undertaken?

For the purposes of accessing the new arrangements, all courses used to satisfy the Australian study requirement must have been undertaken in Australia, at an eligible Australian university or other education provider accredited to offer degree level programs.

Can applicants combine qualifications to meet the eligibility requirements for the new arrangements?

Applicants may satisfy the requirements for the new arrangements on the basis of any combination of eligible degree level qualifications. That is, any combination of Bachelor, Masters and/or Doctoral degree qualification.

What level of English language will be required?

The English language requirement will be Competent English, which is a minimum score of 6 in each of the four components of the International English Language Testing System (IELTS) test or the equivalent score in another English language test specified by the Minister for Immigration and Citizenship for use with this visa. The English language test must have been undertaken in the three years prior to lodging the visa application.

For the purposes of applying for a subclass 485, only IELTS and Occupational English Test (OET) results are acceptable. Currently, English language tests other than IELTS and the OET are only acceptable in the student visa program. The department will evaluate the implementation of alternative English tests in the student visa program before making any decisions to expand their acceptability to other visa programs.

Applicants are taken to have Competent English if they hold a valid passport from, and are a citizen of, the United Kingdom, Canada, New Zealand, the United States of America or the Republic of Ireland.

Do applicants need to nominate an occupation on the Skilled Occupation List (SOL) when applying for the new arrangements?

No. Applicants eligible to apply for the new arrangements will not be required to nominate an occupation on the SOL or undertake a skills assessment.

How long will the subclass 485 visa be valid under the new post-study work arrangements?

Graduates who have completed a Bachelor degree, Masters by coursework degree or Masters (extended) degree in Australia will be eligible to apply for a two year post-study work visa.

Graduates who have completed a Masters by research degree or a Doctoral degree in Australia will be eligible to apply for a three or four year post-study work visa respectively.

Will the existing Temporary Skilled Graduate (subclass 485) visa arrangements continue to be available?

The existing subclass 485 arrangements will remain available for other eligible graduates through the Graduate Work stream. This stream of the subclass 485 allows an additional 18 month stay in Australia. It is available to eligible graduates provided they satisfy the criteria for the grant of the visa, including that they:

- have recently completed an eligible qualification(s) as a result of at least two years study in Australia

- have a skills assessment for an occupation on the SOL in effect at the time the application is made
- meet the English language requirement of competent English
- are under 50 years of age

Information about the existing subclass 485 visa arrangements and SOL is available.

See:

www.immi.gov.au/skilled/general-skilled-migration/485 .

www.immi.gov.au/skilled/sol

Does this change affect existing student visa holders?

From early 2013, students currently studying in Australia may be entitled to apply for the subclass 485 visa under either the existing Graduate Work stream arrangements or the new Post-Study Work stream, depending on their individual circumstances.

Will the new post-study work arrangements be available to someone who already holds, or has ever held, a Temporary Skilled Graduate (subclass 485) visa?

No. Students will only be able to access the subclass 485 visa as a primary applicant once.

Will there be similar arrangements in place for students not studying a degree?

These arrangements will only be for graduates who obtain an eligible degree level qualification. Existing arrangements for graduates who held an eligible student visa on 8 February 2010 will continue to apply in line with the government's commitment to the current transitional arrangements in place until the end of 2012.

Information about the transitional arrangements is available.

See: www.immi.gov.au/students/8-feb-students.htm

Other eligible graduates will continue to have access to the Graduate Work stream of the subclass 485 visa.

Are there any work restrictions on the subclass 485 visa?

No. The subclass 485 visa is a temporary visa that allows the holder to remain in Australia for an additional period upon completion of their studies. Should they choose to, subclass 485 visa holders may work or study in any field.

Can dependents work on the subclass 485 visa?

Dependents and secondary applicants are able to work and study on the subclass 485 visa.

How much will this visa cost?

Information about visa fees and charges is available in Form 990i on the department's website.

See: www.immi.gov.au/allforms/990i/990i-charges.htm

Will there be any further changes to the subclass 485 visa?

It remains open to the government to review and alter particular visa policy settings in response to changed economic conditions.

Furthermore, the SOL is updated annually based on advice from the independent body, the Australian Workforce and Productivity Agency.

Will there be consultation with the international education sector on this recommendation?

Yes. The department will continue to work with key stakeholders as these visa settings are developed.

Where do I go for more information?

More information will be provided on the department's website as it becomes available.

See: www.immi.gov.au/students/knight