



**Australian Government**

**Department of Immigration  
and Border Protection**

# **Inquiry into the Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 and the Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015**

**Education and Employment Legislation Committee**

## Portfolio Submission

### Introduction

The Department of Immigration and Border Protection (the Department) welcomes the opportunity to provide a submission to the Senate Education and Employment Legislation Committee's inquiry into the provisions of the Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 and the Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015.

### Key points of interest for the Department

Australia's student visa programme provides an opportunity for people who are not Australian citizens or permanent residents to study internationally recognised courses in a progressive, secure and culturally diverse environment.

The student visa programme has been effective in delivering significant benefits to the nation. International students in Australia make an important contribution to Australia's economy. Additionally, international education serves to build cultural, trade and commercial links with other countries which enhances Australia's national security and bilateral relations.

The Department has a role in ensuring Australia's visa settings support a competitive international education sector, while maintaining integrity in the visa programme. There are close links between the Education Services for Overseas Students (ESOS) legislative framework and Australia's migration legislation.

The Department works closely with the Department of Education and Training in relation to Australia's international education sector and provided input to the *Reform of the ESOS framework* discussion paper in October 2014. The Department broadly supports the proposed amendments to ESOS legislation and key points of interest are outlined below.

### Measures to reduce the reporting burden for education providers

Extending the period for education providers to report student default or course variations may have a minor impact on visa processes where an international student's family members apply for student visas to join the student in Australia after a course variation occurred. This may affect visa processing officers' access to the most current information on the student's enrolment status when assessing the family member's visa application. The Department intends to monitor the impact of these measures on the integrity of the student visa programme.

### Measures associated with the Tuition Protection Service (TPS)

Increasing the flexibility of education providers to claim more than 50 per cent of tuition fees upfront complements Australia's student visa framework, in which some students are required to show that they have sufficient financial resources to cover course fees, living expenses and travel costs in order to obtain a student visa. The financial requirements for student visas are designed to reduce the risk of international students experiencing financial hardship while in Australia and ensure that international students have adequate financial support for the duration of their studies.

## Measures relating to study periods

The Department notes that study periods need not be published on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), as student visa length is based on the course period as listed on an individual student's Certificate of Enrolment. The Department notes that the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* provides some necessary oversight to ensure the balance between study and holiday breaks is maintained and potential integrity risks are appropriately managed.

## Final remarks

In closing, the Department thanks the committee for the opportunity to lodge a submission to this inquiry.