

A Comparative Assessment of Australian Student Visa Policy



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Following recent falls in international student commencements in Australia, there has been a renewed call for a revision to student visa policy. In response to this discussion the Commonwealth Government established the Knight Review of the Student Visa Program in December 2010. This paper discusses several policy options following a comparative analysis of student visa systems in Australia, the United States, the United Kingdom, Canada and New Zealand. The underlying finding is that Australia's student visa system is more complex, more costly and imposes greater financial obligations on international students and their families than comparable countries. Australia could benefit from an overall simplification of its student visa system, including a streamlining of the number of visas available to students and a reduction in the stringency of the tests applied in regard to financial capacity and proof of funding. In addition, attention should be paid to post-study employment options under the student visa system and the nexus between higher education attainment and immediate work options.

Over the course of 2009-10, the Department of Immigration and Citizenship (DIAC) announced a series of changes to Australia's student visa program with a view to tightening eligibility requirements and ensuring systemic integrity.¹ These changes were a response to perceived abuse of the program by certain private colleges, in particular the use of certain vocational courses as a backdoor method of achieving permanent residency, as well as wider public debate about population targets and the level of immigration to Australia. Measures taken included tightening the level of assessment for certain countries as well as increases in the mandated basic rate of living costs for a student which had the effect of increasing the up-front financial requirements for applicants. Further, in February 2010, DIAC announced changes to the General Skill Migration (GSM) program and in May to the Skilled Occupation List (SOL) which also affected post-study options for future students². These culminated in November 2010 with the announcement of a new points test to assess independent skilled migrants.³

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1 Department of Immigration and Citizenship (2010), 'Student Visa Program Integrity Measures 2009-10, available at: http://www.immi.gov.au/students/_pdf/students-integrity-measures.pdf

2 Birrell, B and E Healy (2010) 'The February 2010 Reforms and the International Student Industry' *People and Place* 18(1) pp. 65-80.

3 DIAC lists these and other changes on its website, 'What's New? Recent Changes in General Skilled Migration', available at: <http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm> (viewed 17 November 2010).

Partly as a consequence of these changes and other factors such as the higher Australian dollar, there was an overall contraction in the number of international students seeking to study in Australia, the first such retrenchment in over a decade.⁴ This has led to calls for a policy response from government, including changes to the student visa system to ensure comparability with visa systems in competitor countries.

In response to such calls and more general concerns, the Minister for Immigration and Citizenship, Chris Bowen MP, and Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Chris Evans jointly announced in December 2010 the creation of an inquiry into the system by former New South Wales Labor Minister, Michael Knight AC. The report is due by the middle of 2011.⁵

A significant point of contention in this debate is the extent to which Australia's student visa system conforms with or diverges from systems in other countries. To further inform this debate, this paper provides an overview and comparison of student visa systems in five countries – Australia, the United States (US), the United Kingdom (UK), Canada and New Zealand – with a view to making recommendations as to how the Australian system might be modified in specific relation to higher education in Australia, in view of practice elsewhere. Before doing so, we will look at recent developments in international education in Australia. Recent Trends in International Higher Education in Australia.

Recent Trends in International Higher Education in Australia

Motivating the discussion surrounding student visa policy is the increasing importance of international education to Australia. The sector is an Australian export success story. From a small base it has now become Australia's third largest export sector behind coal and iron ore, and is the largest service export sector in the economy, worth around \$19.1 billion in 2010.⁶ There has been rapid growth in recent years in the sector (see Table 1), with student numbers increasing by 80 per cent over the five years to 2010 (to November). Growth has been distributed across the sector (except Schools), with both the VET (252 per cent) and ELICOS (73 per cent) segments experiencing especially rapid growth since 2005. The higher education sector has seen 35 per cent growth in enrolments between 2005 and 2010, coming off a larger and more established base.

⁴ For a discussion of recent trends and future prospects, see Phillimore, J and P Koshy (2010), *The Economic Implications of Fewer International Higher Education Students in Australia*, A report to the Australian Technology Network (ATN), available at: http://www.atn.edu.au/newsroom/Docs/2010/August_2010_Economic_implications_of_fewer_international_higher_education_students_in_Australia.pdf

⁵ Minister for Immigration and Citizenship (2010), 'Review of the student visa program', available at: <http://www.minister.immi.gov.au/media/media-releases/2010/cb10089.htm>

⁶ Australian Education International (AEI) (2011) *Export Income to Australia from Education Services in 2009-10*, available at: http://aei.gov.au/AEI/PublicationsAndResearch/Snapshots/2011011401_pdf.pdf.

TABLE 1: International Onshore Student Enrolments, By Sector, 2005 to 2010 (November)

Sector	2005	2006	2007	2008	2009	2010	Growth %
Higher Education	162,688	169,591	174,254	181,392	203,324	219,184	35 %
VET	65,580	82,532	119,646	174,558	232,475	230,799	252 %
ELICOS	64,556	76,855	101,961	126,785	135,141	111,672	73 %
Schools	25,093	24,471	26,764	28,308	27,506	24,278	-3 %
Other	26,248	26,426	27,299	30,123	31,472	31,238	19 %
Total	344,165	379,875	449,924	541,166	629,918	617,171	79 %

Source: Australian Education International (AEI) (2011)⁷

Such growth has provided increased income for higher education institutions. Figures on Australian higher education provider finances for 2009 from the Department of Education, Employment and Workplace Relations (DEEWR) show that the revenue item 'Fee Paying Overseas Students' was equal to \$3.4 billion and accounted for 16.7 per cent of all revenue from continuing operations (\$20.4 billion).⁸ While a proportion of this is from offshore operations, it does indicate the importance of international students to the sector. This revenue enabled them to expand opportunities for all students and devote resources to research activity.

However, a combination of factors in the past 18 months has put the international education sector under pressure. As Universities Australia (UA) puts it, "we are faced with a 'perfect storm' of factors coming together to threaten Australia's position as a preferred destination for an educational experience".⁹ The factors cited by UA and others include:

- A stronger Australian dollar;
- The impact of the global financial crisis on demand for places;
- Increased competition from other countries seeking international students, in particular the USA;
- Reputational damage caused by highly publicised attacks on international students;
- The collapse of some private colleges;
- Significant changes to student visa rules and skilled migration; and
- The 2010 federal election campaign discussion of immigration and population issues.

These factors have had the effect of slowing or reducing international student enrolments, with prospects of more to come. The effects of policy-induced changes to student visas and skilled migration, the most important of which came into effect only quite recently, are likely to

⁷ AEI (2011), *op.cit.*

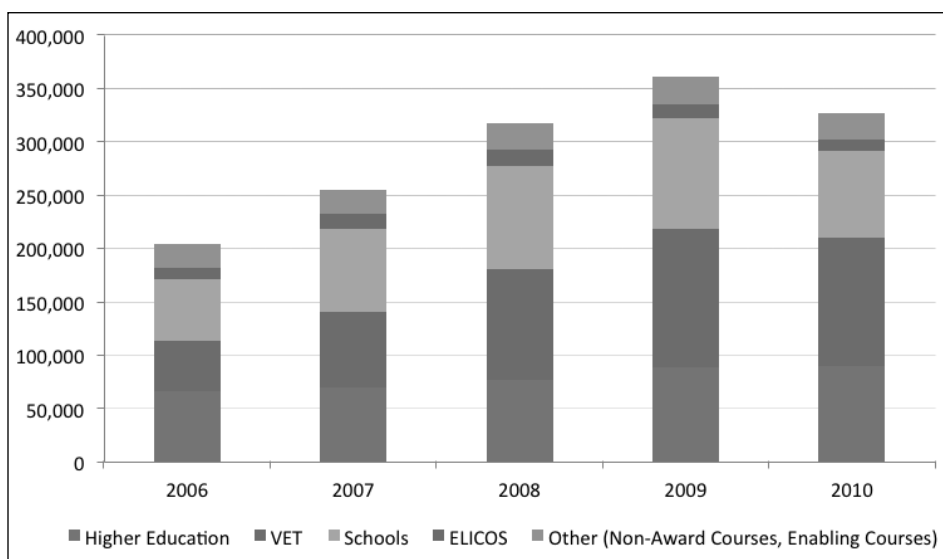
⁸ Figures derived from Table 1 in DEEWR (2010) *Financial Reports of Higher Education Providers 2009*, <http://www.deewr.gov.au/HigherEducation/Publications/FinanceReports/Documents/Finance2009.pdf>

⁹ Universities Australia (2010) 'Balanced migration policy, not a 'Fortress Australia'', Media Release No. 13/10, 27 July.

be only seen in the coming months. The most recent commencement data from Australian Education International (AEI) for the year-to-date to November 2010 show a decline in overall commencements in the onshore international sector of around 9.3 per cent on a year on year basis.

While higher education was still trending upward with commencements to November 2010 of 90,310, up 2.35 per cent on the 2009 equivalent figure of 88,234, the other three key sectors have all seen a marked decline in enrolments: VET commencements to November 2010 were at 119,356, down by 8.17 per cent; Schools at 10,895, down by 15.84 per cent; and ELICOS at 81,778, down by 21.27 per cent from November 2009.

FIGURE 1: International Onshore Commencements Data, By Sector, Year-to-Date, November 2010



Source: AEI (2010)¹⁰

There is further evidence from other sources indicating that the higher education sector will see a weakening in international student enrolments over the latter half of 2010 and a decline in 2011. According to DIAC, grants for the higher education visa (the 573 visa) declined in 2009-10 to 118,541 grants, a decrease of 11.5 per cent on 2008-9 grants of 133,990. Almost all this decline can be accounted for by a huge decline in the number of visa grants to higher education students from India (from 27,717 in 2008-09 to 10,988 in 2009-10 – a fall of almost 17,000). It should also be noted that the critical category in this regard is that of offshore grants, which declined to 68,247 grants in 2009-10 from 90,859 grants in 2008-9, a fall of 24.9 per cent. Again, this was largely the consequence of a decline in Indian applications.

Offsetting this change somewhat was the relatively healthy outcome for the postgraduate research visa, the 574 visa, where grants rose from 8,354 in 2008-9 to 9,301 in 2009-

¹⁰ AEI (2010) *Market Information Package*, Pivot Table (November 2010).

10, an increase of 11.3 per cent. Overall, combined onshore and offshore grants for higher education visas fell by around 10.2 per cent in the 2009-10 program year.

TABLE 2: Combined Onshore and Offshore Grants for the 573 ('Higher Education') and 574 ('Postgraduate Research') visas

	573 Visa	574 Visa	Total Higher Education
Combined Onshore and Offshore Grants			
2008-09	133,990	8,354	142,344
2009-10	118,541	9,301	127,842
% change	-11.5 %	11.3 %	-10.2 %
Offshore Grants Only			
2008-09	90,859	5,278	96,137
2009-10	68,247	5,372	73,619
% change	-24.9 %	1.8 %	-23.4 %

Source: DIAC (2010) ¹¹

Players in international education – particularly in the key higher education sector – have demanded some response from government. Primarily this call has centred around student visa policy and the ongoing impact of changes in this area on student numbers, as one of the few factors affecting international enrolments directly within government control. The other, the management of quality accreditation of private colleges, has already been dealt with through a review of the *Education Services for Overseas Students (ESOS) Act 2000* (the Baird Review).¹²

Student Visa Systems in Australia and Overseas

To better understand how Australia's visa system compares with other countries involved in international education, we undertook a comparison of the student visa systems of Australia, the United States (US), United Kingdom (UK), Canada and New Zealand (NZ). These countries were chosen because the first four together account for 45 per cent of the international student market¹³, while New Zealand was also included because of its geographical proximity to Australia and key source markets. Details on the visa systems were obtained by analysis of the websites of the immigration departments of each country. The specific features selected for comparison were the cost of a visa; financial requirements; the evidence required to be shown about these requirements; standard visa processing times; work allowance rules for students once they are in the host country; and post-study work and residency conditions. Appendix 1 provides summary data and references for each point of comparison across the five countries.

¹¹ Department of Immigration and Citizenship (2010), *Student Visa Statistics*, 'Offshore and Onshore Grants Combined,' various, available at: <http://www.immi.gov.au/media/statistics/study/>

¹² Review of the *Education Services for Overseas Students (ESOS) Act 2000*, available at: http://www.aei.gov.au/AEI/GovernmentActivities/InternationalStudentsTaskforce/ESOS_REview_Final_Report_Feb_2010_.pdf

¹³ Wood, John (2010) 'Internationalisation in a globalised context – challenges, rewards and the rise of the 'student customer' Presentation to Plymouth Conference, 30 June 2010.

Australia

Australia does not have a universal student visa, but issues specific sub class visas at each level of education. The relevant sub class visas for higher education are *Sub Class 573 (Higher Education)* and *574 (Postgraduate Research)* visas, with the VET, ELICOS and school sectors having separate visa subclasses.¹⁴ Australia is also somewhat unique in having an 'assessment' system consisting of different levels across country and levels of study.

Visa Cost: Both visas cost A\$550.

Financial Requirements: Australian regulations are particularly specific in regard to the costing and conditions of financial requirements. Applicants for the 573 and 574 visas must declare that they have enough money to pay for travel, tuition and living expenses for themselves, their partner and dependent children for the *duration of their stay in Australia*. They must also have enough money to support their partner and dependent children, even if they do not travel with the applicant to Australia.

For instance, in the case of a single student undertaking a three year business undergraduate program, the minimum requirements for this sub class visa assessment level would include:

Travel: Applicant's return air fare to Australia.

Tuition Costs: Course fees for applicant, which can be around A\$30,000 per annum.

Living Costs: A\$18,000 per year.

Total: Around A\$48,000 per annum or A\$144,000 over the duration of the entire three year course.¹⁵ (Note that costs are even higher for students with a spouse and/or children. Students must cover living expenses for both, plus annual schooling costs of A\$8,000 per school-aged child).

On this basis, single applicants need to demonstrate financial resources of around A\$144,000.

Evidence of Funds: Students need to demonstrate that they can cover the total course costs of \$144,000 for a typical three year bachelor's degree before they are issued with a visa. The level of evidence required to prove this level of financial preparedness depends upon DIAC's assessment of risk associated with a given country for the particular visa class being sought. This is measured by 'Assessment Levels' which rise with from 1 to 4, with Level 1 being assessed as relatively low risk in terms of common immigration parameters (e.g., breaching terms of the sub visa) and Level 4 being a higher risk.

In the case of a student seeking to obtain a 573 visa from a Level 1 country such as Singapore or Malaysia, financial support can be sourced from anywhere to provide for financial

¹⁴ Other visas include: 570 (Independent ELICOS), 571 (Schools) and 572 (Vocational Education and Training).

¹⁵ Tuition costs vary by university as well as by course type and length. For a three year bachelor degree in commerce, fees at Australian universities are typically between A\$18,000 and A\$30,000 pa. In some universities, fees for courses in science and engineering are greater, while medical fields are normally quite a deal higher. Based on tuition costs of A\$30,000 pa for a three year course, the financial requirement to obtain a student visa (including living expenses of A\$18,000 pa) is A\$144,000.

resources over the full period of study for the applicant and any accompanying dependents. Only Applications from Level 1 countries can be lodged online, with recent changes granting exceptions to China, India, Thailand and Indonesia.

In the case of a student applying from a country that is assessed at Level 4 the level of proof required is substantially more onerous. Money must be deposited with an *approved* financial institution and must have been held for at *least six consecutive months* immediately before the date of the visa application, which in practice could amount to eight to nine months if assessment times are taken into account. Proof of funding must include the source of funds, be it from family, government or sponsoring agencies.

Processing Times: Processing times for applications for higher education sub class visas range from up to 14 days for Assessment Level 1 countries to 90 days for Level 4 countries.

Work Allowances: Since 26 April 2010, students require permission from DIAC to seek work while they study. Students can work for up to 20 hours a week when their course is in session and for unlimited hours during scheduled course breaks. Work associated with formal course compliance or voluntary work is not included in the 20 hour limit. Australia's system is generally less restrictive in terms of spouse/partner working conditions than is the case for the other countries surveyed.

Post-study work and residency conditions: Post-study work requires a new visa, either via a work visa or a permanent residence visa directly linked to their completion of studies. Students can apply for a variety of visas including: *Skilled Independent (Residence) Visa (Subclass 885)*; *Skilled Sponsored (Residence) Visa (Subclass 886)*; *Skilled Regional (Residence) Visa (Subclass 887)*; *Skilled Regional Sponsored (Provisional) Visa (Subclass 487)* and *Skilled Graduate (Temporary) Visa (Subclass 485)*.

United States

The US has a stand-alone student visa, the F-1 visa, which covers students attending higher education institutions at any level. The F-1 visa is granted for up to five years in most cases (in the case of students from China, it is for one year only) and can be extended further for the duration of study. The US also has the M-1 visa for students undertaking vocational courses. The number of M-1 visa holders is quite small.

Visa Cost: US\$140

Financial Requirements: The US system relies upon financial evidence being collected at the institutional level (i.e. by universities). Financial evidence must show that the applicant or their family/sponsors have sufficient funds to cover tuition and living expenses during the period of their intended study. This is declared on the Department of Homeland Security's I-20 Form which is filled out as part of a student's application to their chosen institution.

Required financial resources will depend upon the tuition and board costs for the applicant's college, *but must be demonstrated for one year*.

Typically, one year's board and tuition is around US\$40,000 (A\$40,500).

Evidence of Funds: Evidence of funds in the US system focuses on proof of capacity to pay rather than proof of source. Admitted evidence includes: income tax documents and original bank books and/or statements and/or business registration, licenses, etc., and tax documents, as well as original bank books and/or statements.

Processing Times: Visa waiting times are substantially reduced in the US system, in part because of the reduced requirement to provide evidence of financial capacity but also because of the level of data collected by institutions. Typically, waiting times for the F-1 student visa range from one day in Singapore to 6 days in China (Shanghai).

Work Allowances: Students can only work on campus in the first year of enrolment. Thereafter, they can work off campus in a capacity related to their studies, subject to approval by the Designated School Official (a person authorised to maintain Student and Exchange Visitor Information System (SEVIS)) and the US Citizenship and Immigration Service (USCIS), and where they meet one of three criteria:

- Curricular Practical Training (CPT);
- Optional Practical Training (OPT) (pre-completion or post-completion); and
- Science, Technology, Engineering, and Mathematics (STEM) Optional Practical Training Extension (OPT)

Work is limited to 20 hours a week during courses (although allowances can be made where hardship is demonstrated) and up to 40 hours a week during scheduled breaks.

Post-study work and residency conditions: An F-1 visa allows a student to remain in the US for an additional 60 days after their nominated course has been completed. This allows for the commencement of Optional Practical Training (OPT) which can extend to one year. In addition, OPT can be extended by an additional 17 months in the case of students with qualifications in Science, Technology, Engineering or Mathematics (the so-called 'STEM' areas). Thereafter, students may apply for temporary or permanent visas, including employment-based visas and temporary visas such as the H1-B and the O-1 visas.

United Kingdom

The student visa in the UK is the Tier 4 visa.

Visa Cost: £220 (A\$354)

Financial Requirements: Applicants for the Tier 4 visa need to accrue 40 points in total. Of these 30 points are attributable to the provision of a Confirmation of Acceptance of Studies (CAS) document, an online document provided by an approved sponsor (higher education institution). The last 10 points are awarded upon the satisfaction of the maintenance funds requirement.

The maintenance amount for the main applicant is calculated at: £800 per month for applicants intending to study in the Inner London Boroughs; and £600 per month for those intending to study elsewhere.

Maintenance must be demonstrated as follows:

For courses of up to 9 months duration: The full tuition fee plus the appropriate monthly amount for each month in the UK.

For courses over 9 months: The first year of the tuition fees plus either £7200 or £5400 depending on whether they intend to study inside or outside of the Inner London Boroughs. Tuition fees for international students are around £9,300 per annum for classroom-based courses.

On this basis, the cost calculated for the first year of a classroom undergraduate course (tuition and board) outside London is typically around £14,700 (A\$23,667).

Evidence of Funds: Funds must be held in the applicant's personal bank account or that of their parent(s)/legal guardian's bank account for a consecutive 28 day period (finishing on the date of the closing balance) and ending no more than one month before their application.

Processing Times: Processing times for the Tier 4 visa are typically up to 30 days for most countries.

Work Allowances: Under the Tier 4 (General) visa, students in foundation degrees may only work for up to 20 hours per week.

Post-study work and residency conditions: Students can remain in the UK for a full 4 months after the completion of their course for courses of more than 12 months in duration. Thereafter, they can pursue a range of immigration options in the UK, including the most immediate option of a Tier 1 (Post-study work) visa.

Canada

The student visa in Canada is the Study Permit.

Visa Cost: C\$125 (A\$124)

Financial Requirements: Applicants are required to demonstrate financial capacity to cover tuition and living costs for a 12 month period. For a single student tuition costs are assessed to be C\$10,000 for a 12 month period or \$833 a month (these are 10 per cent higher in Quebec). Tuition fees for international students are around C\$15,500 per annum.

On this basis, the typical level of funds required to obtain the Study Permit is around C\$25,500 (A\$25,310).

Evidence of Funds: Evidence is required to prove that the applicant can support themselves and accompanying family members while they study in Canada. This may include: proof of a Canadian bank account in their name with money transferred to Canada; the applicant's bank statements for the past four months; a bank draft in convertible currency; proof of payment of tuition and residence fees; and – for those with a scholarship or those with a Canadian funded educational program – proof of funding paid from within Canada.

No proof for the source of funding is required.

Processing Times: Around 71 per cent of applications for the Student Permit are processed in less than 28 days, with 14 per cent in 2 days or less.

Work Allowances: Canada has the strictest work rules for higher education students in this group of countries. Full-time students in Canada (contact hours greater than 15 hours a week) are generally not allowed to work while studying. The exceptions to this ruling are where a student can demonstrate that work carried out is essential or integral to their course; employment relates to an approved research or training program; or they are temporarily destitute through circumstances beyond their control.

Post-study work and residency conditions: Students may work for a maximum of one to two years following conclusion of their study in an area of employment relating to their course. The application for a work permit must occur within 90 days of the student receiving their marks.

New Zealand

The New Zealand visa is known as the Study Visa/Permit.

Visa Cost: US\$150 (A\$152)

Financial Requirements: Applicants need to demonstrate financial capacity. If they have a guarantor, usually a public funding institution, they are simply required to fill out a form (Financial Undertaking for a Student) and include this with their application form. Where students do not have a guarantor, for stays of less than 36 weeks, applicants need to provide evidence of funds of NZ\$1000 for each month of study and for stays of 36 weeks or more, applicants need to provide evidence of NZ\$10,000 for each year of study.

This equates to around NZ\$30,000 (A\$22,915) for a three-year degree.

Evidence of Funds: Applicants only need to prove the existence of funds, rather than confirm funding sources. Acceptable evidence of funds includes photocopies of: travellers' cheques; bank drafts; letters of credit; and bank statements in the applicant's name, going back at least three months.

Processing Times: Within 14 days, NZ Immigration will either provide a decision, or tell applicant how long the processing time is predicted to be.

Work Allowances: Students are allowed to work up to 20 hours a week during the academic year. They can work unlimited hours at the end of the academic year during the Christmas and New Year break.

Post-study work and residency conditions: At the completion of their studies, overseas students in New Zealand can apply for temporary work visas. These are visas released under either the:

Graduate Job Search Policy, where students can apply for a 12 month temporary work visa after they finish their qualification to work in unrelated areas while they seek employment in occupations directly related to their qualification. Students must apply for this visa within

three months of the end date of their student visa and be able to demonstrate financial resources equal to NZ\$2,100; or

Study to Work Policy, where a visa is valid for either two years, to enable students to obtain practical experience relating to and suitable for, their New Zealand qualification, or three years if they are working to obtain professional recognition from a New Zealand professional association. Students need to apply for a visa under this program no later than three months after the end date of their study permit. They must be able to demonstrate evidence of an offer of employment in an area of expertise related to a three-year qualification.

Comparing the Five Countries

The data indicate Australia is distinguishable from the four comparators in five respects.

First, Australia's student visa system is substantially more segmented than other systems, with two sub class visas for higher education in addition to sub class visas for other areas (schools, vocational and ELICOS). In contrast, each of the four comparators has a single student visa for higher education which is applicable regardless of course level – although the USA also has a separate visa for the relatively small number of vocational education-only students.

Second, at \$550, the Australian student visa is more expensive, costing almost A\$200 more than the next most expensive visa (the UK, at A\$354). The US, Canada and New Zealand charge between A\$124 and A\$152 for their visas.

Third, the financial requirements for obtaining an Australian student visa are substantially greater than those in the comparators and the regulations surrounding them are much more prescriptive. Applicants to Australia are required to provide evidence of funding to cover tuition and living expenses over their entire course, equal to around A\$144,000 for a three year course. By way of comparison, among the four comparators, students only need to demonstrate a financial capacity in regard to some combination of the *first* year's tuition and some assessment of their living costs. In the US this is equivalent to one year's board and tuition at a sponsoring institution, equal to around A\$40,500. In the UK and Canada, this equates to A\$23,667 and A\$25,310 respectively using reasonable assumptions about tuition and living costs. New Zealand has the simplest assessment system of NZ\$10,000 per annum or NZ\$30,000 (A\$22,915) for a typical three year degree.

Fourth, and corresponding to the above, much of the collection of this information occurs at the institutional level in the four comparators, with 'sponsoring' institutions reporting on student's financial viability in the US, and a mix of tuition fees and standard living allowances being used in the UK, Canada and New Zealand. In Australia, this information is collected by the Department of Immigration and Citizenship. Australia is unique in having an application processing that is dependent on differentiated assessment levels for individual countries (Assessment Levels 1 to 5) and of different course types (schools; higher education; postgraduate research). Such differentiation of source countries into 'tiers' is not present in the comparator countries.

Finally, three of the four comparator countries (UK, US and Canada) report statistics on student visa processing on a country-by-country basis, while NZ and Australia have stated

goals about processing times in general. Australia's stated goals for processing tend to be longer than for those in other countries, particularly in regard to Assessment Level 3 and 4 countries such as India and China.

There are two commonalities between Australia and the reference set of countries. First, all countries have relatively strict conditions under which students can work. With the exception of Canada, they limit work time to no more than 20 hours a week during the academic session. In Canada, work restrictions are even tighter. Students have to demonstrate a requirement in relation to their coursework or unanticipated financial difficulty before they are granted the right to work.

Second, Australia, the UK and New Zealand have a strict delineation between study and temporary work visas, but students having the capacity to articulate to a work visa on the basis of their qualification and skill needs within the country. These countries make special allowance for former international students to apply for temporary visas. By contrast, the US and Canada have provisions attached to their student visa which allow students to work for at least one year at the completion of their studies.

Policy Options for the Australian Student Visa System

The findings of this comparative study indicate that Australia's student visa policy should be reassessed in view of current practice elsewhere. Four key issues emerge, three of which pertain to reducing the complexity and financial stringency of the student visa system and the last of which pertains to the education/work nexus facing international students:

1. Should Australia have a single, student visa for higher education students, as per the reference set of countries considered?

All other countries examined in this comparison have a single entry visa for students, rather than a group of sub-class visas. This has the benefit of simplifying the application process for students and reducing administrative burdens where students enter Australia under 'package deals' where they intend to undertake English language instruction or vocational and/or educational training prior to entering a university.

The counter argument to the single student visa concept is that higher education, as the most prominent sector in international education in Australia, requires a uniquely recognised visa. For this reason, there could be potential benefit in merging the current sub class visas (573 – Higher Education and 574 – Postgraduate) into a single visa covering the entire higher education sector. This would serve to streamline entry into undergraduate and ultimately postgraduate study in Australia of international students.

2. Should the financial requirements test be limited to the first year of tuition/living expenses as per other countries?

Australia is unique in requiring proof of financial resources to cover tuition and living expenses over the duration of a student's stay in Australia (in addition to resourcing for spouses and dependents, be they in Australia or in the sending country). The other countries in this comparison require only proof of funding for the first year's tuition and living costs for the student. In effect, international applicants in Australia's higher education sector have to provide evidence for financing equal to around three times that of competitor countries.

3. Should there be an emphasis on proof of funds rather than proof of source of funding?

In addition to proving funding, applicants also have to demonstrate funding sources, particularly for countries at the Assessment Level 3 or above. Australia's two largest markets for onshore higher education, China and India, are ranked at Assessment Level 4 for undergraduate higher education courses, implying that students must provide evidence of funding for three to four years of their studies as well as proof of the source of this funding¹⁶. No other country undertakes this assessment for any country. Removing or modifying this test in the context of a reduced requirement to demonstrate financial capacity would serve to eliminate a substantial impediment to Australia's overall competitiveness in the international higher education sector.

One obvious rationale for undertaking this reform is that the test currently punishes higher education providers whose students tend to have longer associations with their institutions. There is likely to be more vigilance at the institutional level for these students in any case, regardless of governmental regulatory requirements on reporting financial capacity.

4. Should the higher education student visa include a post-study work component?

Presently, there is a strict delineation between study and work visas in Australia. In contrast, in both the US and Canada, students are allowed to work for at least one year after the completion of their studies in an area relating to their course. This serves as a bridge between study and work which either prepares students to apply for a formal work visa in Australia or which better prepares them to enter the workforce in their country of origin.

¹⁶ Although in response to lobbying from the sector, the Government has announced in December 2010 that it will lower the Assessment Levels for higher education sub visas for India and China to Level 3, commencing April 2011. See DIAC (2010) 'Overview of Student Visa Changes to Assist International Education Sector', http://www.immi.gov.au/students/_pdf/student-visa-changes.pdf

Conclusion

One of the key factors affecting international student participation in Australian higher education is the system of student visas. As a result of recent falls in international student commencements there has been a renewed call for a revision to student visa policy. This has culminated in the establishment of the Knight Review of the Student Visa Program by the Commonwealth Government.

This paper provides evidence and discussion of several policy options in view of a comparative analysis of student visa systems in Australia, the United States, the United Kingdom, Canada and New Zealand. The underlying finding from this work is that the Australian student visa system is especially complex with regard to the number of visas available to students and in the level of stringency applied to tests of financial capacity and proof of funding. In addition, Australia has generally less generous post-study employment options under the student visa system in comparison with other countries, especially the US and Canada.

These findings suggest that the Australian system can be streamlined and simplified to make it comparable to that of its chief competitor countries in the higher education sphere.

PUBLIC POLICY

	Australia	US	UK	Canada	New Zealand
Visa Name	Sub Class 573 (Higher Education); and Sub Class 574 (Postgraduate Research) ¹	F-1 Student Visa ² (M-1 Student Visa for vocational courses) ³	Tier 4 Visa ⁴	Study Permit ⁵	Study Visa/Permit ⁶
Visa Cost	A\$550	US\$140 (A\$142) ⁸	£220 (A\$354) ⁹	C\$125 (A\$124) ¹⁰	US\$150 (A\$152) ¹¹
Financial Requirements (Single Undergraduate Student)	<p><i>Travel, tuition and living expenses:</i> Applicants must declare that they have enough money to pay for travel, tuition and living expenses for themselves, their partner and dependent children for the duration of their stay in Australia. They must also have enough money to support their partner and dependent children, even if they do not travel with the applicant to Australia.</p> <p>Specifically, the minimum requirements for this sub class visa assessment level are:</p> <p><i>Travel:</i> Applicant's Return air fare to Australia plus one return air fare to Australia per person;</p> <p><i>Tuition:</i> Course fees for applicant, typically between A\$18,000 and A\$30,000 per annum¹²</p> <p><i>Living:</i> Applicant: A\$18,000 per year Partner: A\$6,300 per year First child: A\$3,600 per year (plus A\$8,000 for schooling costs for children aged 5-18) Each other child: \$A2,700 per year (plus A\$8,000 for schooling costs for children aged 5-18)</p> <p>In the case of a single student, costs are therefore around A\$36,000 to A\$48,000 per annum or over three years:</p> <p>Between A\$108,000 and A\$144,000.</p>	<p>Financial evidence must show that the applicant or their family/sponsors have sufficient funds to cover tuition and living expenses during the period of their intended study. This is declared on the Department of Homeland Security I-20 Form which is filled out as part of their college application.</p> <p>Required financial resources will depend upon the tuition and board costs for the applicant's college, but must be demonstrated for one year. For instance, the University of New Haven requires international undergraduates to be able to demonstrate financial resources equal to approx. \$43,310 – enough to cover one year's board and tuition.¹³</p> <p>Cost calculated on first year costs of board and tuition: US\$40,000+ (A\$40,500)</p>	<p>Applicants for the Tier 4 visa need to accrue 40 points in total. Of these 30 points are attributable to the provision of a Confirmation of Acceptance of Studies (CAS) document, an online document provided by an approved sponsor (higher education institution). The last 10 points are awarded upon the satisfaction of the maintenance funds requirement.</p> <p>The maintenance amount for the main applicant is calculated at: £800 per month for applicants intending to study in the Inner London Boroughs; and £600 per month for those intending to study elsewhere.</p> <p>Maintenance must be demonstrated for: Courses of up to 9 months duration: The full tuition fee plus the appropriate monthly amount for each month in the UK. For courses over 9 months: The first year of the tuition fees plus either £7200 or £5400, depending on whether they intend to study inside or outside of the Inner London Boroughs.</p> <p>*Tuition fees for international students are around £9,300 per annum for classroom based courses.¹⁴</p> <p>Cost calculated on first year of a classroom undergraduate course (tuition and board) outside London: £14,700+ (A\$23,667)</p>	<p>(Except in Quebec, where costs are around 10 per cent higher)¹⁵</p> <p><i>Single Student:</i> Tuition* + \$10,000 for a 12 month period, or \$833 a month.</p> <p>*Tuition fees for international students are around C\$15,500 per annum.¹⁶</p> <p>Cost calculated on tuition plus \$10,000 for 12 month period: C\$25,500+ (A\$25,310)</p>	<p><i>With Guarantor</i> Applicants complete a form – Financial Undertaking for a Student (INZ 1014) and send it with their application form.</p> <p><i>Without Guarantor</i> For stays of less than 36 weeks, applicants need to provide evidence of funds of NZ\$1000 for each month of study.</p> <p>For stays of 36 weeks or more, applicants need to provide evidence of NZ\$10,000 for each year of study, around NZ\$30,000 for a three-year degree.</p> <p>Cost calculated on \$10,000 per annum for three years: NZ\$30,000 (A\$22,915)</p>

AUSTRALIAN STUDENT VISA POLICY

<p>Evidence of Funds</p>	<p>Australia</p> <p>Level of scrutiny depends upon Assessment Level, from 1 (lowest) to 4 (highest) levels of concern.</p> <p>Assessment Level 1 (Singapore/Malaysia)¹⁷</p> <p>DIAC must be satisfied that an applicant, once in Australia, will have genuine access to the funds they claim to possess to cover the travel, tuition and living costs for themselves and their family members.</p> <p>Applicants from Assessment Level 1 countries can apply online.¹⁸</p> <p>Acceptable sources of income: Financial support can come from any source. Fully Funded Students must show evidence that the sponsoring agency, government or organisation will cover the cost of:</p> <ul style="list-style-type: none"> • travel, tuition and living expenses for the applicant and dependent family members; and • accompanying the applicant to Australia. • supporting dependent family members remaining in their home country, taking into consideration the local standard of living. <p>Assessment Level 4 (China/India)¹⁹</p> <p>Acceptable sources of income: Financial support must come from one or more acceptable sources, which may include:</p> <ul style="list-style-type: none"> • A money deposit with a financial institution that has been held for at least six consecutive months immediately before the date of the visa application by: the applicant; partner (spouse or de facto partner, including same-sex de facto partners); parents, grandparents, siblings or aunt/uncles who are resident in Australia or New Zealand citizens; • A loan from the government of the applicant's home country; • The proposed education provider; • The Australian Government or an Australian State or Territory government; • The government of a foreign country or provincial or state government of a foreign country that has the written support of the national government of the foreign country. • An organisation gazetted by the Minister; • An acceptable non-profit organisation; • A multilateral agency, e.g., United Nations, World Bank or Asian Development Bank <p>Non-cash assets such as property and shares are not acceptable sources of income. Evidence of money deposits or loans must be provided, so that applicants can show evidence of how the money to fund their studies was accumulated. Likewise, funding by third parties, as listed above must be supported by documentation.</p>	<p>US</p> <p>This includes: income tax documents and original bank books and/or statements and/or business registration, licenses, etc., and tax documents, as well as original bank books and/or statements.</p>	<p>UK</p> <p>These amounts must be held in the applicant's personal bank account or that of their parent(s) / legal guardian's bank account for a consecutive 28 day period (finishing on the date of the closing balance) ending no more than 1 month before their application.</p>	<p>Canada</p> <p>Evidence that the applicant can support themselves and accompanying family members while they study in Canada. This may include:</p> <ul style="list-style-type: none"> • proof of a Canadian bank account in their name if money has been transferred to Canada; • the applicant's bank statements for the past four months; • a bank draft in convertible currency; • proof of payment of tuition and residence fees; • for those with a scholarship or those with a Canadian funded educational program: proof of funding paid from within Canada. 	<p>New Zealand</p> <p>Acceptable evidence of funds includes photocopies of: travellers' cheques; bank drafts; letters of credit; and bank statements in the applicant's name, going back at least three months.</p>
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<p>Processing Times</p>	<p>Australia</p> <p>Stated Client Services Charter of DIAC:²⁰ Student Visa Application Outside Australia: Assessment Level 1 – 14 days Assessment Level 2 – 21 days Assessment Level 3,4 – 90 days</p>	<p>US</p> <p>Typical Visa waiting times:²¹ China (Shanghai) – 6 days; India (Mumbai) – 2 days; Vietnam (Ho Chi Minh City) – 6 days; Singapore – Same day; Malaysia (Kuala Lumpur) – 1 day;</p>	<p>UK</p> <p>Visa processing times:²² For individual countries (main cities): China: 99 per cent in 30 days and 3 per cent in 2 days; India: 98 per cent in 30 days and 0 per cent in 2 days; Vietnam: 100 per cent in 30 days and 0 per cent in 2 days; Singapore: 99 per cent in 30 days and 18 per cent in 2 days; Malaysia: 99 per cent in 30 days and 43 per cent in 2 days;</p>	<p>Canada</p> <p>Overall: 71 per cent of student visa applications processed in less than 28 days, 14 per cent in 2 days or less.²³ For individual countries (main cities) this equates to: China: 56 per cent in 28 days and 2 per cent in 2 days; India: 83 per cent in 28 days and 10 per cent in 2 days; Vietnam: 10 per cent in 28 days and 1 per cent in 2 days; Singapore: 44 per cent in 28 days and 6 per cent in 2 days;</p>	<p>New Zealand</p> <p>Upon receipt of visa, NZ immigration will either provide a decision, or tell applicant within 14 days, how long the processing time is predicted to be.²⁴</p>
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AUSTRALIAN STUDENT VISA POLICY

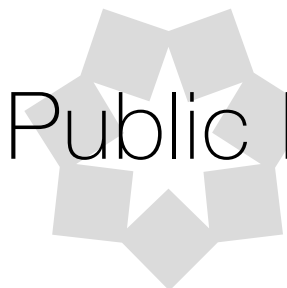
<p>Work Allowances</p>	<p>Australia</p> <p>Work conditions (after 26 April 2008):²⁵</p> <p>Students require permission from the Department of Immigration and Citizenship (DIAC) to commence work. Students can only work once they have started their course.</p> <p>Work hours: Up to 20 hours a week when their course is in session. Unlimited hours during scheduled course breaks. Work associated with formal course compliance or voluntary work is not included in the 20 hour limit.</p>	<p>US</p> <p>Students can only work on campus in the first year of enrolment. Thereafter, they can work off campus in a capacity related to their studies, subject to approval by the Designated School Official (a person authorised to maintain Student and Exchange Visitor Information System (SEVIS)) and the US Citizenship and Immigration Service (USCIS), and where they meet one of three criteria:</p> <ul style="list-style-type: none"> • Curricular Practical Training (CPT); • Optional Practical Training (OPT) (pre-completion or post-completion); and • Science, Technology, Engineering, and Mathematics (STEM) Optional Practical Training Extension (OPT) <p>Work is limited to 20 hours a week during courses (although allowances can be made where hardship is demonstrated) and up to 40 hours a week during scheduled breaks.²⁶</p>	<p>UK</p> <p>Under the Tier 4 (General) visa, students in foundation degrees may only work for up to 20 hours per week.²⁷</p>	<p>Canada</p> <p>Work conditions:²⁸</p> <p>Full-time students in Canada (contact hours greater than 15 hours a week) are generally not allowed to work while studying. The exceptions to this ruling are where a student can demonstrate that work carried out is essential or integral to their course; employment relates to an approved research or training program; or they are temporarily destitute through circumstances beyond their control;</p>	<p>New Zealand</p> <p>Students are allowed to work up to 20 hours a week during the academic year. They can work unlimited hours at the end of the academic year during the Christmas and New Year break.²⁹</p>
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<p>Post-Study Work and Residency</p>	<p>Australia</p> <p>Post-study work requires a new visa, either via a work visa or a permanent residence visa directly linked to their completion of studies.³⁰</p> <p>Visas include:</p> <p><i>Temporary Residency Visas</i></p> <p>Skilled – Regional Sponsored (Provisional) Visa (Subclass 487) – A three year provisional visa for eligible overseas students and holders of certain temporary visas who can meet the lower pass mark for this visa. Applicants must be either sponsored by an eligible relative, living in a designated area of Australia or nominated by a participating state/territory government. Applicants can only apply for a permanent visa after living for two years and working for at least one year in a Specified Regional Area.</p> <p>Skilled – Graduate (Temporary) Visa (Subclass 485) – An 18 month temporary visa for eligible overseas students with an onshore Australian qualification in a course of at least two years' study. This visa allows applicants who are unable to pass the points test to remain in Australia for 18 months to gain the skills and experience needed to apply for a permanent or provisional General Skilled Migration visa. No points test applies.</p> <p><i>Permanent Residency Visas</i></p> <p>Skilled – Independent (Residence) Visa (Subclass 885)</p> <p>– for eligible overseas students with an onshore Australian qualification in a course of at least two years' study and for holders of temporary visas whose skills are in demand in Australia. Applicants must pass a points test, but do not require sponsorship.</p> <p>Skilled – Sponsored (Residence) Visa (Subclass 886) – for eligible overseas students with an onshore Australian qualification in a course of at least two years' study, where the applicant cannot meet the Skilled – Independent pass mark. Applicants must be sponsored by either a relative in Australia or through nomination by a State or Territory government. Applicants must pass a points test lower than that for the Skilled – Independent visa.</p> <p>Skilled – Regional (Residence) Visa (Subclass 887) – A permanent visa for eligible provisional visa holders who have lived for at least two years and worked for at least one year in a Specified Regional Area in Australia.</p>	<p>US</p> <p>An F-1 visa allows a student to remain in the US for an additional 60 days after their nominated course has been completed. This allows for the commencement of Optional Practical Training (OPT) which can extend to one year.³¹ In addition, OPT can be extended by an additional 17 months in the case of students with qualifications in Science, Technology, Engineering or Mathematics.</p> <p>Students can apply for temporary or permanent visas, including:</p> <p><i>Employment-Based Visas</i>³²</p> <p>Every year around 140,000 such visas are made available to priority workers, professionals holding advanced degrees or persons of exceptional ability, skilled workers, professionals and unskilled workers and persons from 'certain special immigrant' groups.</p> <p><i>Temporary Visas</i>³³</p> <p>H-1B Visa – This is granted to persons in speciality occupations which require the theoretical and practical application of a body of highly specialised knowledge requiring completion of a specific course of higher education. Around 65,000 of these are granted each year.</p> <p>O-1 Visa – These temporary visas are granted to individuals with 'Extraordinary Ability or Achievement in the sciences, arts, education, business, or athletics, or extraordinary achievements in the motion picture and television field.'</p>	<p>UK</p> <p>Students can remain in the UK for a full 4 months after the completion of their course for courses of more than 12 months in duration.³⁴</p> <p>Students can apply for a Tier 1 (Post-study work) visa if they are not nationals from the European Economic Area or Switzerland and are currently students at institutions in the UK.³⁵</p>	<p>Canada</p> <p>Students may work for a maximum of one to two years following conclusion of their study in an area of employment relating to their course.³⁶</p> <p>The application for a work permit must occur within 90 days of the student receiving their marks.</p>	<p>New Zealand</p> <p>At the completion of their studies, overseas students in New Zealand can apply for temporary work visas.³⁷</p> <p><i>Graduate Job Search Policy</i></p> <p>Under this policy, students can apply for a 12 month temporary work visa after they finish their qualification to work in unrelated areas while they seek employment in occupations directly related to their qualification. Students must apply for this visa within three months of the end date of their student visa and be able to demonstrate financial resources equal to NZ\$2,100.</p> <p><i>Study to Work Policy</i></p> <p>This visa is valid for either two years, to enable students to obtain practical experience relating to and suitable for, their New Zealand qualification, or three years if they are working to obtain professional recognition from a New Zealand professional association.</p> <p>Students need to apply for a visa under this program no later than three months after the end date of their study permit. They must be able to demonstrate evidence of an offer of employment in an area of expertise related to a three-year qualification.</p>
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Appendix Notes

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