

**Commonwealth of Australia**

***Schools Assistance Act 2008***

**DETERMINATION OF CLASSES OF PERSONS WHO ARE NOT OVERSEAS  
STUDENTS 2013**

I, David Pattie, delegate of the Minister for Education for the purposes of subsection 173(4) of the *Schools Assistance Act 2008 (the Act)*, determine that the classes of persons specified in the attached Schedule are classes of persons who are not overseas students for the purposes of subsection 173(2) of the Act.

David Pattie  
Branch Manager  
Grants Programs

Dated: 21 May 2013

**1 Name of Determination**

This determination may be cited as the *Determination of Classes of Persons Who Are Not Overseas Students 2013*.

**2 Commencement**

This Determination commences on 1 January 2013

**3 Revocation**

The *Determination of Classes of Persons who are not overseas students 2008* is revoked.

## SCHEDULE

1. Persons who are dependents of diplomats on official duty in Australia; or
2. Persons who are dependents of persons on official duty in Australia under a Status of Forces Agreement; or
3. Where a person is receiving a sponsorship or a scholarship for the purpose of undertaking a course provided by an institution in Australia specified in the Table at section 4 of the *Higher Education Funding Act 1988* and where that institution meets the full cost of the education component of the course, the dependents of that person; or
4. Persons who are undertaking a course of study provided by an institution or body in Australia under a Student Exchange Program registered by the relevant education authority in a State or Territory in which that person is undertaking the Program; or
5. Persons or dependents of persons who are receiving a sponsorship or a scholarship from the Commonwealth of Australia for the purpose of undertaking a course provided by an institution or other body or person in Australia; or
6. Persons who have a visa or are included in a visa in force under the *Migration Act 1958* as set out below:

Visa No	Class	Temporary or Permanent	Subclass title
100	BC	P	Spouse
101	AH	P	Child
102	AH	P	Adoption
103	AX	P	Parent
105	AJ	P	Skilled – Australian-linked
106	AJ	P	Regional Linked
110	BC	P	Interdependency
114	BO	P	Aged dependent relative
115	BO	P	Remaining Relative
116	BO	P	Carer
117	AH	P	Orphan Relative
118	BY	P	Designated Parent
119	AN	P	Regional Sponsored Migration Scheme
120	AU	P	Labour Agreement
121	AN	P	Employer nomination
124	AL	P	Distinguished Talent (Australian Support)
126	AT	P	Independent
127	AD	P	Business Owner
128	AD	P	Senior Executive
129	AD	P	State/Territory Sponsored Business Owner
130	AD	P	State/Territory Sponsored Senior Executive
131	AD	P	Investment-Linked

132	EA	P	Business Talent
134	BR	P	Skill Matching
135	AT	P	State/Territory Nominated Independent
136	BN	P	Skilled — Independent
137	BN	P	Skilled — State/Territory-nominated Independent
138	BQ	P	Skilled — Australian-sponsored
139	BQ	P	Skilled-Designated Area Sponsored
143	CA	P	Contributory Parent
151	CB	P	Former Resident
155	BB	P	Five Year Resident Return
157	BB	P	Three Month Resident Return
159	TP	T	Provisional Resident Return
160	UR	T	Business Owner (Provisional)
161	UR	T	Senior Executive (Provisional)
162	UR	T	Investor (Provisional)
163	UR	T	State/Territory Sponsored Business Owner (Provisional)
164	UR	T	State/Territory Sponsored Senior Executive (Provisional)
165	UR	T	State/Territory Sponsored Investor (Provisional)
173	UT	T	Contributory Parent (Temporary)
175	VE	P	Skilled - Independent
176	VE	P	Skilled - Sponsored
186	EN	P	Employer Nomination Scheme
187	RN	P	Regional Sponsored Migration Scheme
188	EB	T	Business Innovation and Investment (Provisional)
189	SI	P	Skilled – Independent
190	SN	P	Skilled – Nominated
200	XB	P	Refugee
201	XB	P	In-country Special Humanitarian
202	XB	P	Global Special Humanitarian
203	XB	P	Emergency Rescue
204	XB	P	Woman at Risk
300	TO	T	Prospective Marriage
302	TI	T	Emergency (Permanent Visa Applicant)
303	TI	T	Emergency (Temporary Visa Applicant)
309	UF	T	Spouse (Provisional)
310	UG	T	Interdependency (Provisional)
401	GB	T	Temporary Work (Long Stay Activity)
403	GD	T	Temporary Work (International Relations)
411	TE	T	Exchange
415	TH	T	Foreign Government Agency
416	TE	T	Special Program
418	TH	T	Educational
419	TH	T	Visiting Academic
420	GE	T	Temporary Work (Entertainment)

420	TE	T	Entertainment
421	TE	T	Sport
422	UE	T	Medical Practitioner
423	TE	T	Media and Film Staff
426	TG	T	Domestic Worker (Temporary) — Diplomatic or Consular
427	TG	T	Domestic Worker (Temporary) — Executive
428	TE	T	Religious Worker
442	TH	T	Occupational Trainee
444	TY	T	Special Category
445	TK	T	Dependent Child
446	TD	T	Confirmatory
447	XB	T	Secondary Movement Offshore Entry (Temporary)
448	UJ	T	Kosovar Safe Haven (Temporary)
449	UJ	T	Humanitarian Stay (Temporary)
450	UH	T	Resolution of Status — Family Member (Temporary)
451	XB	T	Secondary Movement Relocation (Temporary)
457	UC	T	Temporary Work (Skilled)
457	UC	T	Business (Long Stay)
459	UL	T	Sponsored Business Visitor (Short Stay)
461	UP	T	New Zealand Citizen Family Relationship
470	UV	T	Professional Development
475	VF	T	Skilled Regional Sponsored
476	VF	T	Skilled – Recognised Graduate
485	VC	T	Skilled - Graduate
485	VC	T	Temporary Graduate
487	VC	T	Skilled - Regional Sponsored
495	UX	T	Skilled Independent Regional (Provisional)
496	UZ	T	Designated Area Sponsored (Provisional)
497	UQ	T	Graduate — Skilled
576	TU	T	AusAID or Defence Sector
695	VA	T	Return Pending (Temporary)
785	XC	T	Temporary Protection
786	UO	T	Temporary (Humanitarian Concern)
800	BE	P	Temporary Asylum (residence)
801	BS	P	Spouse
802	BT	P	Child (Residence)
804	BP	P	Aged Parent
808	AK	P	Confirmatory (Residence)
814	BS	P	Interdependency
820	UK	T	Spouse
826	UK	T	Interdependency
831	AO	P	Prospective Marriage Spouse
832	AO	P	Close ties
834	AW	P	Permanent Resident of Norfolk Island

835	BU	P	Remaining Relative
836	BU	P	Carer
837	BT	P	Orphan Relative
838	BU	P	Aged Dependent Relative
845	BH	P	Established Business in Australia
846	BH	P	State/Territory Sponsored Regional Established Business in Australia
850	UH	T	Resolution of Status (Temporary)
851	BL	P	Resolution of Status
851	CD	P	Resolution of status (permanent)
855	BV	P	Labour Agreement
856	BW	P	Employer Nomination Scheme
857	BW	P	Regional Sponsored Migration Scheme
858	BX	P	Distinguished Talent
859	BZ	P	Designated Parent
861	DB	P	Skilled — Onshore Independent New Zealand Citizen
862	DB	P	Skilled — Australian-sponsored New Zealand Citizen
863	DB	P	Skilled — Onshore Regional-sponsored New Zealand Citizen
864	DG	P	Contributory Aged Parent
866	XA	P	Protection
880	DD	P	Skilled — Independent Overseas Student
881	DE	P	Skilled — Australian-sponsored Overseas Student
882	DE	P	Skilled — Designated Area-sponsored Overseas Student
883	CC	P	Skilled – Designated Area-Sponsored (Residence)
885	VB	P	Skilled - Independent
886	VB	P	Skilled - Sponsored
887	VB	P	Skilled - Regional
888	EC	P	Business Innovation and Investment (Permanent)
890	DF	P	Business Owner
891	DF	P	Investor
892	DF	P	State/Territory Sponsored Business Owner
893	DF	P	State/Territory Sponsored Investor
956	UD	T	Electronic Travel Authority (Business Entrant — Long Validity)
995	TF	T	Diplomatic

7. Persons who:

- a) hold a visa or are included in a visa in force under the *Migration Act 1958* as set out below; *and*
- b) who, immediately prior to obtaining or being included in the current visa, held or were included in a substantive visa listed in section 6 above.

<b>Visa No</b>	<b>Class</b>	<b>Temporary or Permanent</b>	<b>Subclass title</b>
010	WA	T	Bridging Visa Class A
020	WB	T	Bridging Visa Class B
030	WC	T	Bridging Visa Class C
040	WD	T	Bridging Visa D (Prospective Applicant)
041	WD	T	Bridging Visa D (Non-applicant)
050	WE	T	Bridging Visa E (General)
051	WE	T	Bridging Visa E (Protection visa applicant)
060	WF	T	Bridging Visa F
070	WR	T	Bridging visa R (Removal Pending)