

EXPLANATORY STATEMENT*Migration Regulations 1994***AUSTRALIAN VALUES STATEMENT FOR
PUBLIC INTEREST CRITERION 4019 – 2016/011***(Schedule 4, Part 3, Clause 3.1)*

1. Instrument IMMI 16/011 is made under Clause 3.1 of Part 3 of Schedule 4 to the *Migration Regulations 1994* (the Regulations).
2. The purpose and operation of the Instrument is for the Minister to approve the value statement in the Schedule to the Instrument for the Subclass 500 (Student) visa and Subclass 590 (Student Guardian) visa. The value statement includes values that are important to Australian society and compliance with the laws of Australia which an applicant is to sign to meet the requirements of public interest criterion 4019. The values statement is taken to have been signed by an applicant who makes an internet application for a Subclass 500 (Student) visa or a Subclass 590 (Student Guardian) visa if the instructions for the signing the values statement are followed.

On 16 June 2015, the Australian Government released the Future Directions for Streamlined Visa Processing report and announced that it would implement the report's eight recommendations; including a simplified student visa framework based on two of the key recommendations:

- a. reduce the number of student visa subclasses from eight to two; and
- b. implement a new combined country and provider immigration risk framework to guide student visa evidentiary requirements and create streamlined visa application processing opportunities for education providers across all sectors.

Subclass 500 - Student and Subclass 590 – Student Guardian form part of the project to simplify the Australian Government's student visa framework.

3. Consultation was undertaken with key international education sector stakeholders as part of the project to simplify Australia's student visa framework before this instrument was made. Stakeholders consulted included: Commonwealth agencies (Department of Education and Training, Austrade, Department of Foreign Affairs and Trade, the

Department of Defence, the Australian Skills Quality Authority, and the Tertiary Education Quality and Standards Agency), state and territory government agencies (including school regulators), as well as industry peak bodies (Australian Council for Private Education and Training, Australian Government Schools International, Council of Private Higher Education, English Australia, Independent Schools Council of Australia, International Education Association of Australia, TAFE Directors Australia, and Universities Australia).

4. The Office of Best Practice Regulation (OBPR) has been consulted and a Regulatory Impact Statement has been completed, and is attached to this Explanatory Statement at Attachment A. (OBPR Reference 18083).
5. Under section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
6. The Instrument, IMMI 16/011, commences on 1 July 2016.