



Commonwealth of Australia

Migration Regulations 1994

**EVIDENCE OF FINANCIAL CAPACITY FOR SUBCLASS 500 (STUDENT) VISAS
AND SUBCLASS 590 (STUDENT GUARDIAN) VISAS 2017/012**

(Subclauses 500.214(4), 500.313(4) and 590.216(4))

I, *DAVID WILDEN*, Delegate of the Minister for Immigration and Border Protection, acting under subclauses 500.214(4), 500.313(4) and 590.216(4) of Schedule 2 to the *Migration Regulations 1994* (the Regulations):

1. REVOKE Instrument IMMI 16/018 (F2016L00639), Evidence of Financial Capacity for Subclass 500 (Student) Visas and Subclass 590 (Student Guardian) Visas 2016/018.
2. SPECIFY under subclause 500.214(4) of Schedule 2 to the Regulations and for the purposes of subclause 500.214(3) of Schedule 2 to the Regulations, that the applicant seeking to satisfy the primary criteria of a Subclass 500 (Student) visa (Primary Applicant) must give to the Minister evidence of financial capacity of the following requirements:
 - a) sufficient funds to meet the following costs or expenses of the Primary Applicant, as specified in item 6 of this Instrument:
 - i. travel expenses; and
 - ii. living costs and expenses as specified in item 5 of this Instrument; and
 - iii. course fees covering:
 - A. if the duration of the Primary Applicant's stay in Australia is less than 12 months—the total course fee; or
 - B. if the duration of the Primary Applicant's stay in Australia is longer than 12 months—the first annual course fee; and
 - b) sufficient funds to meet the following costs or expenses of each applicant seeking to satisfy the secondary criteria of a Subclass 500 (Student) visa (Secondary Applicant) making a combined application with the Primary Applicant, as specified in item 6 of this Instrument:
 - i. travel expenses; and

- ii. living costs and expenses as specified in item 5 of this Instrument; and
 - iii. all school fees for each school aged dependant as specified in item 7 of this Instrument; or
 - c) the Primary Applicant's parents, spouse or de facto partner have personal annual income that is above an amount specified in item 8, and evidenced as specified in item 9 of this Instrument; or
 - d) the Primary Applicant's completed AASES form, as defined in regulation 1.03 of the Regulations; or
 - e) for a Primary Applicant sponsored by the Department of Foreign Affairs and Trade—a letter of support from the Department of Foreign Affairs and Trade; or
 - f) for a Primary Applicant sponsored by the Department of Defence—a letter of support from the Department of Defence.
3. SPECIFY under subclause 500.313(4) of Schedule 2 to the Regulations and for the purposes of subclause 500.313(3) of Schedule 2 to the Regulations, that a Secondary Applicant must give to the Minister the evidence of financial capacity that corresponds with the circumstances applicable to the Secondary Applicant in the Schedule to this Instrument.
4. SPECIFY under subclause 590.216(4) of Schedule 2 to the Regulations and for the purposes of subclause 590.216(3) of Schedule 2 to the Regulations, that the applicant seeking to satisfy the primary criteria of a Subclass 590 (Primary Student Guardian Applicant) visa must give the Minister evidence of financial capacity of the following requirements:
- a) sufficient funds to meet the following costs or expenses of the applicant, as specified in item 6 of this Instrument:
 - i. travel expenses; and
 - ii. living costs and expenses as specified in item 5 of this Instrument; and
 - b) sufficient funds to meet the following costs or expenses of the Primary Student Guardian Applicant as specified in item 6 of this Instrument:
 - i. travel expenses; and
 - ii. living costs and expenses in item 5 of this Instrument; and
 - iii. course fees covering:
 - A. if the duration of the Primary Student Guardian Applicant's stay in Australia is less than 12 months—the total course fee; or
 - B. if the duration of the Primary Student Guardian Applicant's stay in Australia is longer than 12 months—the first annual course fee;

and

- c) sufficient funds to meet the following costs or expenses of each member of the family unit applicant making a combined application with the Primary Student Guardian Applicant, as specified in item 6 of this Instrument:
 - i. travel expenses; and
 - ii. living costs and expenses in item 5 of this Instrument; and
 - iii. all school fees for each school aged dependant as specified in item 7 of this Instrument; or
 - d) the Primary Student Guardian Applicant's spouse's or de facto partner's annual income that is above an amount specified in item 8, and evidenced as specified in item 9 of this Instrument.
5. SPECIFY for each applicant that satisfies the minimum requirements specified in item 2, item 3 and item 4 of this Instrument:
- a) if the applicant's intended stay in Australia is for a period of 12 months or longer, the annual living costs and expenses amounts for the first 12 month period is:
 - i. for a student—\$19,830 AUD;
 - ii. for a student guardian—\$19,830 AUD;
 - iii. for a spouse or de facto partner—\$6,940 AUD;
 - iv. for a dependent child—\$2,970 AUD; or
 - b) if the applicant's intended stay in Australia is for a period that is less than 12 months, the living costs and expenses amount is the pro rata equivalent of the annual amounts specified in paragraph a) of this item.
6. SPECIFY the following evidence of financial capacity that satisfies the requirements specified in item 2, item 3 and item 4 of this Instrument:
- a) money deposit with a financial institution;
 - b) loan with a financial institution;
 - c) government loans;
 - d) scholarship or financial support.
7. SPECIFY for the purposes of subclause 500.214(3) of Schedule 2 to the Regulations, for each Secondary Applicant who is a child of school-age, the evidence to be provided by the applicant of either:
- a) the annual minimum amount for schooling of \$8000 per annum; or
 - b) if the applicant's intended stay in Australia is for a period that is less than 12 months,

- the amount specified for schooling is the pro rata equivalent of the annual amount specified in paragraph a) of this item; or
- c) enrolment in a course at a State or Territory government school where the fees have been waived and the applicant meeting the primary criteria is enrolled in a course as a:
 - i. doctoral degree student; or
 - ii. Foreign Affairs student; or
 - iii. Defence student; or
 - iv. Commonwealth sponsored student.
8. SPECIFY the following annual income amounts that satisfies the minimum requirements specified in item 2, item 3 and item 4 of this Instrument:
- a) \$60,000 AUD for an individual Primary Applicant for a Subclass 500 (Student) visa; or
 - b) \$70,000 AUD if:
 - i. one or more Secondary Applicant is seeking to satisfy the secondary criteria for a Subclass 500 (Student) visa; or
 - ii. for Subclass 590 (Student Guardian) visa applicants.
9. SPECIFY as evidence of annual income amount that satisfies the requirements specified in item 2, item 3 and item 4 of this Instrument, official Government documentation of personal income that has been issued in the 12 months immediately before the application is made.
10. In this Instrument, the pro rata equivalent of an annual amount is calculated by:
- a) dividing the annual amount by 365; and
 - b) multiplying the resulting number by the number of days the applicant is intending to stay in Australia.

This Instrument, Evidence of Financial Capacity for Subclass 500 (Student) Visas and Subclass 590 (Student Guardian) Visas 2017/012, IMMI 17/012, commences on the day after it is registered on the Federal Register of Legislation.

Dated: 17 March 2017

DAVID WILDEN

Senior Executive Service, Band Two, Immigration and Citizenship Policy Division and
Delegate of the Minister for Immigration and Border Protection

Schedule

Item	Circumstances applicable to the Secondary Applicant	Evidence and requirements of financial capacity
1	<ul style="list-style-type: none"> i. the Secondary Applicant's application is combined with a Primary Applicant's application; and ii. the Primary Applicant does not provide a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument. 	Evidence specified in item 6 of this Instrument, to meet the costs and expenses of the Primary Applicant as specified in item 2 of this Instrument.
2	<ul style="list-style-type: none"> i. the Secondary Applicant's application is combined with a Primary Applicant's application; and ii. the Primary Applicant provides a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument; and iii. the letter of support indicates that the relevant department will meet the living expenses of each Secondary Applicant. 	The letter of support.
3	<ul style="list-style-type: none"> i. the Secondary Applicant's application is combined with a Primary Applicant's application; and ii. the Primary Applicant provides a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument; and iii. the letter of support indicates that the relevant department will not meet the living expenses of each Secondary Applicant. 	Evidence specified in item 6 of this Instrument, to meet the costs and expenses of the Secondary Applicant as specified in item 2 of this Instrument.
4	<ul style="list-style-type: none"> i. the Secondary Applicant's application is not combined with a Primary Applicant's application; and ii. the Primary Applicant does not provide a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument. 	<p>Sufficient funds to meet the following costs or expenses, as specified in item 6 of this Instrument:</p> <ul style="list-style-type: none"> i. travel expenses; and ii. living costs for each applicant and the Student visa holder, as specified in item 5 of this Instrument; and iii. course fees for the Student visa holder covering: <ul style="list-style-type: none"> A. if the duration of the stay in Australia is less than 12 months—the

		<p>total course fee; or</p> <p>B. if the duration of the stay in Australia is more than 12 months—the first annual course fee; and</p> <p>iv. all school fees for each school aged dependant of the Student visa holder, as specified in item 7 of this Instrument.</p>
5	<p>i. the Secondary Applicant's application is not combined with a Primary Applicant's application; and</p> <p>ii. the Primary Applicant provides a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument; and</p> <p>iii. the the letter of support indicates that the relevant department will meet the living expenses of each Secondary Applicant.</p>	The letter of support.
6	<p>i. the Secondary Applicant's application is not combined with a Primary Applicant's application; and</p> <p>ii. the Primary Applicant provides a letter of support mentioned in paragraph e) or f) of item 2 of this Instrument; and</p> <p>iii. the letter the letter of support indicates that the relevant department will not meet the living expenses of each Secondary Applicant.</p>	<p>Sufficient funds to meet the following costs or expenses, as specified in item 6 of this Instrument:</p> <p>i. travel expenses: and</p> <p>ii. living costs for each applicant, as specified in item 5 of this Instrument; and</p> <p>iii. all school fees for each school aged dependant of the Student visa holder, as specified in item 7 of this Instrument.</p>
7	<p>i. the Primary Applicant's parents, spouse or de facto partner have personal income that is above an amount specified in item 8 of this Instrument.</p>	The evidence specified in item 9 of this Instrument.