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Immigration authorities back down on SVP visa threat

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OVERSEAS students who switched to a degree course at institutions outside the streamlined visa processing system before January 14 will not lose their visas.

Since that date, the Immigration Department has emailed more than 1400 overseas students warning them they were in breach of visa conditions because they had left the SVP university course that brought them into the country.

These students were told they had to go home and apply for a new visa or switch back to an SVP course.

This morning the department backed down, following protests from students and non-SVP providers, who protested that the ruling was unexpected, unfair and causing much anxiety. (Immigration was caught between universities and private providers, commentators told the HES.)

In an email to the Education Visa Consultative Committee, the department says it “will not take any further action against students” who transferred from an SVP degree course to a non-SVP degree course before the January 14 “education campaign” and who meet all other visa conditions.

SVP courses are overwhelmingly at universities, which are regarded as a low immigration risk, and this means visas are issued offshore with less checking. But the divide between SVP and non-SVP courses has been invisible to most students, who delegate the visa application process to agents.

The department says the response to its January 14 crackdown showed “that a number of students were unaware of the possible impacts of changing courses, particularly those students who have transferred to another provider or course within the higher education sector — including those students who have transferred to non-SVP eligible courses at a university”.

“We consider that it would not be reasonable to penalise students who may have unintentionally breached the conditions of their visa prior to the launch of the campaign.”

The department says that the general rule now will require a new visa for students who wish to switch from an SVP course to a non-SVP course.

And it does not rule out “further action” in cases where students jump ship from an SVP degree course to a non-SVP vocational education and training course.

Phil Honeywood, of the International Education Association of Australia, said: “Technically the department had every right to remind students of their obligations under SVP visas. However, they could have consulted much better on the wording of these (January 14) letters.

“Many students have been traumatised by being told they have to go home.

“The sooner we return to a minimum one year study requirement with the principal education provider (rather than the current setting of six months) the better for all stakeholders in international

education.”

Agents alerted the HES last year to the more obvious abuse of some students “jumping ship” from their SVP university course before the census date, securing a refund, and then shifting to a cheap VET course at a dubious private college. Other students, however, have moved for a variety of reasons to degree programs at reputable private providers.