

# **Student Visa Standard Operating Procedures**

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## Purpose of this document:

This Standard Operating Procedure (SOP) has been developed to support consistent and efficient processing and decision making in the Student visa caseload. It identifies the relevant source documents (such as Procedural Instructions) that processing officers may refer to for guidance in policy and procedural matters. This document also includes some policy and procedural guidance not contained in Procedural Instructions and is complemented by Processing Task Cards, as appropriate.

## Tips on using the SOP:

You can find the relevant information using the Contents page or using the Ctrl-F key function.

**Contents page:** The contents page provides easy to use links to all sections of the SOP. Hold down the CTRL key and select the topic heading in the contents page to jump to that section. To return to the top of the document, hold down the CTRL key and hit the HOME key on your keyboard.

# APPLICATION ASSESSMENT

## Validity assessment:

Refer to [“Assessing Validity & Processing Invalids” task card](#) on SharePoint.

## Pre-assessment steps

The Quick Reference Guide for Assessing Applications (QRG) lists the logical steps that a Visa Processing Officer (VPO) should follow in assessing a student visa application. It includes specific guidance that is not contained in PAM3: Sch2 GenGuide G – Student visa, in regard to assessment of GTE, English language proficiency and financial capacity for applications at the various [s. 47E\(d\)](#)

The QRG breaks down the steps involved in the process of assessing an application under the logical headings of pre-assessment and assessment.

The pre-assessment steps below are critical in ensuring that all relevant information available to the Department is considered in determining the [s. 47E\(d\)](#) of the application and in assessing the application.

## Check for correspondence

Check in TRIM and Outlook for emails sent to the group mailbox before assessment and consider/action emails if required. Search Outlook using the authorised email address, client's name, RID, BCC, TRN and client's passport number.

## Verify identity of applicant

Relevant details of the applicant's passport are captured in the application form and automatically recorded in ICSE. This information is sufficient for auto granted applications.

The Documentary Evidence List generated using the Document Checklist Tool (on the Departmental website) requires the applicant to provide a copy of their passport. If an applicant

does not provide a copy of the biodata page of their passport, this must be requested if there are integrity concerns or local integrity tools require this information to be obtained.

If a copy of the biodata page of the passport is provided, check Travel/ Evidence screen in ICSE to ensure that the following critical information is correctly recorded:

- Name
- DOB
- Citizenship
- Date of issue
- Date of expiry
- Place of birth
- Any identification number included in passport.

Any information incorrectly recorded should be corrected.

Where biometric information for the client is available, verification of identity will include ensuring that any inconsistencies found in biometric data checks have been resolved noting that at this early stage of processing biometrics may not yet have been completed and it may be necessary to confirm this prior to visa grant

## Conduct system checks

s. 47E(d)

Check if the client has any Client of Interest (COI) notes s. 47E(d) If there is an s. 47E(d)

## Check for multiple client records using CSP

Search for applicant(s) in CSP by name and DOB.

Check for multiple client records.

Complete client merge if multiple records exist (refer to My Learning - Comparing Client Records and Requesting Merges in the Client Search Portal).

Refer to s. 47E(d) under the Client Summary tab & check for any information of concern (previous refusal/s, COI notes, and compliance jobs).

## Assess evidence of enrolment

### Offshore applicants

Offshore applicants must include with their application:

- a Confirmation of Enrolment (CoE) for each intended course of study; (it's acceptable if the applicant provides a CoE number and it can be verified in PRISMS); or
- a letter of support from DFAT or the Department of Defence; or
- an Acceptance Advice of Secondary Exchange Students (AASES) form.

Check relevant mail boxes and documents uploaded for CoEs that may have been submitted but not listed in the application. These CoEs would not have transferred to ICSE and must be updated in the Request/Additional Information screen.

Where an applicant makes any reference to further study in Australia as part of their GTE statement, while there is no duty on a delegate to query this with the applicant, we would encourage the delegate to enquire further by checking PRISMS.

If updating the Request/Additional Information screen with additional CoEs, the following actions are required:

- Check the Service Description in ICSE;
- If the education sector recorded in ICSE based on the previous CoE(s) does not correspond to the education sector to which the updated CoE relates, you will need to amend the education sector. Follow the instructions under "[Changing the Service Description in ICSE](#)" under 'Work Arounds';
- Go to Interfaces and rerun **S. 47E(d)** and Evidence level check.

### **Onshore applicants**

Onshore applicants must include with their application:

- a Confirmation of Enrolment (CoE); or
- a Letter of support from DFAT or the Department of Defence; or
- an Acceptance Advice of Secondary Exchange Students (AASES) form; or
- a Letter of offer (see below); or
- a Letter for postgraduate thesis marking

Where an application covers a package of courses, the evidence at the time of lodgement may include a combination of letters of offer and CoEs. Letters of offer must be replaced by CoEs prior to decision.

Check CoEs in the Request/Additional Information tab. Compare CoE information in ICSE against the information in PRISMS for the applicant. CoEs shown in PRISMS that have not transferred to ICSE must be updated in the Request/Additional Information screen.

If updating the Request/Additional Information screen with additional CoEs, the following actions are required:

- Check the Service Description in ICSE;
- If the education sector recorded in ICSE based on the previous CoE(s) does not correspond to the education sector to which the updated CoE relates, you will need to amend the education sector. Follow the instructions under "[Changing the Service Description in ICSE](#)" under 'Work Arounds';
- Go to Interfaces and **S. 47E(d)** and Evidence level check.

Where the application includes an evidence type other than a CoE, the 'Enrolment Evidence Detail' event is generated and displayed in the event window. The event qualifier will identify the type of evidence that was provided (DFAT Letter of Support, Defence Letter of Support, AASES Form, Letter of Offer). ICSE uses information in this event to calculate the proposed visa expiry date.

If the qualifier is Letter of Offer, the Enrolment Evidence Detail event must be 'undone' when a CoE is provided. Undo the event and record the note "CoE and Letter of Offer provided for same course". If the Enrolment Evidence Detail event is not 'undone' the system will continue to use the rules and dates related to the Letter of Offer instead of the CoE.

## Assess s. 47E(d) matches

### Note

- The s. 47E(d) [redacted], if left unactioned does not prevent autogrant.
- “Applicant is not eligible for autogrant” s. 47E(d) [redacted] occurs for all applications that include a dependant applicant, s. 47E(d) [redacted], all subsequent entrant applications and applications that trigger the s. 47E(d) [redacted].
- An overview of how to assess and as. 47E(d) [redacted] on SharePoint.

### All Applicants

Consider the information provided by s. 47E(d) [redacted] and determine the appropriate course of action based on the information before you.

The Safeguards Portal can be accessed for further information on a s. 47E(d) [redacted] (see below). If the s. 47E(d) [redacted] is not clear regarding the action required, you should speak to your team leader. Team Leaders/Managers can email the Safeguards mailbox to obtain further information.

Safeguards Portal (Accessed via the Bordernet homepage)

- Enter the Profile ID number and click Submit.
- Ensure you click on the Profile ID which shows an Active Status.
- A summary and information screen will appear for the profile under the Information tab.
- To view further information about s. 47E(d) [redacted], select the Narrative tab/button.
- The narrative may also refer you to the Attachments tab for further information.

\* LE staff at overseas posts should approach A-Based staff to access the Safeguards portal and discuss the full narrative with them if required.

### Onshore applications by holders/previous holders of student visas

Onshore applicants may have s. 47E(d) [redacted] recommending you to scrutinise aspects of the application, this may involve requesting further information or verifying the information provided.

A broad GTE assessment must be undertaken for all onshore applications by holders/previous holders of student visas, given that s. 47E(d) [redacted] does not include immigration and study history of applicants. Please see the section covering GTE.

### Applications with Entity Matches

Follow the instructions in the ‘Actioning Entity Matches – Guide for Student VPO (Onshore Student Visa Network)’ task card on the ‘Documents’ page of SharePoint.

s. 47E(d) [redacted]

## Record assessment notes for s. 47E(d) 'in effect'

For any entity or Safeguards match 'in effect' that does not require any further action, select "Actioned" from the drop down option. For further information about actioning s. 47E(d) refer to the 'Assessing and s. 47E(d)' Task Card.

Once you have actioned the s. 47E(d), add a comment/note of the actions you have performed.

Select s. 47E(d)

Screen click the Display Additional Info button

- select Information Type at the bottom of the screen
- select Note
- select Add Info

If there are several **entity and/or Safeguards matches not requiring further action**, record a single note (see below) in the first profile ID **only (i.e. the profile ID at the bottom of the list)**. This means that you do not need to record multiple notes against each s. 47E(d)

If there is an entity match or Safeguards match with a treatment that requires action, you should address the treatment and record your assessment in a note against the first profile ID. The note should include the profile ID number and detail your considerations and/or action in relation to the s. 47E(d)

Once the note is recorded, click save to return to s. 47E(d) List screen and update your assessment.

Where the matter is not finalised leave the status as 'Unactioned' and record your considerations, assessment and/or action in a note against the first profile ID. The next decision maker can assess s. 47E(d) based on the information available and finalise it by selecting 'Actioned'.

### Suggested Notes for s. 47E(d)

#### **Suggested single note for a s. 47E(d) where no further action is required**

*I have considered the information contained in the s. 47E(d) and local integrity tools. No further action is required.*

You also have the option to provide more specific comments to further explain your assessment.

#### **Offshore - No further action required on the s. 47E(d)**

*I have considered the information contained in the s. 47E(d) and local integrity tools. No further action is required and a decision can be made based on information available.*

#### **Onshore - No further action required on the s. 47E(d)**

*s. 47E(d) was assessed in the applicant's previous Student visa application. Previous Student application granted. There is no information provided with the current application that is of concern, applicant has positive immigration history, onshore compliance and has demonstrated study progression. No further action required.*

#### **If a Stream 2 Referral is required in relation to a s. 47E(d)**

*I have considered and taken into account all relevant information provided by the applicant in consultation with all relevant integrity information and tools. Based on these considerations, I have referred relevant documents for verification and/or I have requested a GTE interview to assist in the assessment of the bona fides of this applicant.*

#### **If you are requesting additional information in relation to a s. 47E(d)**

*I have considered and taken into account all relevant information provided by the applicant in consultation with all relevant integrity information and tools. Based on these considerations, I have*

*requested additional information (via ECS, email, phone) to assist in the assessment of the bona fides of this applicant. Please see case notes for additional information.*

Note: S. 47E(d) are actioned, notes will disappear from main screen of the S. 47E(d) they are visible if you click on S. 47E(d) > Select Additional Information box > Display Additional Info > Select field under S. 47E(d) Information > Open Info.

Add an additional note against the first profile ID if a S. 47E(d) appears after the initial assessment.

## Follow s. 47E(d)

The S. 47E(d) in ICSE is determined by the S. 47E(d). VPOs can access the

<sup>s. 47E(d)</sup> in SharePoint.

Note: If an application shows S. 47E(d) under Work Arouns.

The S. 47E(d) indicates the minimum level of treatment that must be given to an application. As part of your assessment of an application, you must consider the information contained in S. 47E(d); local integrity tools (if available); and any other relevant aspects of the application, including any additional citizenship for dual nationals. If other S. 47E(d)

The treatment advice for each S. 47E(d) is as follows:

# S. 47E(d)

## Action 'Follow-up Outstanding' events

### s. 47E(d)

Refer to the [Student Follow Up List](#) on SharePoint.

You are only required to resolve the specific issue that triggered the Follow-up event in ICSE.

To action a Follow Up event, click Undo Event & use qualifier "Has Been Followed Up". You must record specific notes to explain how the issue has been resolved.

You must not action all follow ups until you are ready for a decision to be made. If you have actioned all follow up events and then identify that a requirement is still outstanding, you should add a 'Manual Follow-up Required' event with a 'Verify Bona Fides' qualifier in the permission request. This will prevent delayed auto grant. This event will need to be reversed when the application is ready to be finalised.

**Important: Welfare related follow up events will be actioned in ICSE for the assessment of Schedule 1, Validity requirements only. Further assessment of welfare is required; refer to the Welfare Follow Ups tab on the 'Student Follow up Event List' on SharePoint.**

## Assessment against schedule 2 criteria

Follow the steps under the 'Assessment' section in the [Quick Reference Guide \(QRG\)](#)

## Finalisation of application

### Withdrawal

Withdrawal of applications is governed by s49 of the Migration Act.

See 'Withdrawal of applications' in PAM3: GenGuideA - All visas - Visa application procedures for related policy guidelines.

Where an application is withdrawn and there is an outstanding WMD referral, withdrawing the application will automatically cease the s. 47E(d). In these cases, you still need to send an email to SALA notifying them that the application is withdrawn (with the SRS ID) and the reason for why it was withdrawn. The SRS ID is located in the s. 47E(d) event in ICSE.

Where an application is withdrawn after a PIC 4020 natural justice letter was sent to the client, a s. 47E(d) must be created and a s. 47E(d) with <sup>s. 47E(d)</sup> must be created. Please see the section s. 47E(d).

Please see: Instructions for recording s. 47E(d) – Instruction 1 (ADD2017/1756630).

### Grant

The QRG provides a summary of factors that need to be considered in regard to visa end date, certain visa conditions and circumstances where the visa is granted with a PIC 4020 waiver or despite suspected fraud.

### Refusal

Where a visa application is refused under PIC 4020, the following records must be created:

- s. 47E(d)
- s. 47E(d)

Where there is suspicion of fraud but the application is refused on other grounds, the following records must be created:

- s. 47E(d)
- s. 47E(d)

Please see: Instructions for recording fraud in ICSE – Instruction 1 (ADD2017/1756630)

## OPERATIONAL PROCESSES

# S. 47E (d)

**s. 47E(d)**

**s. 47E(d)**

# S. 47E (d)

## Treatment of English language courses in the VET sector

English language tuition can be undertaken in the VET sector, Non-Award sector or the ELICOS sector. Our system currently identifies those VET or non-award course which are registered as ELICOS. Officers must consider these courses ELICOS courses for the purpose of the English language requirement assessment, regardless of how the sector appears to be recorded in the PRISMS record.

If the course is standalone, the sector will be displayed on the front page of the permission request. To check the course sector for packages, officers can open the CoE through 'additional info' and look at the 'PRISMS course sector'. If the 'PRISMS course sector' says ELICOS, treat it as an ELICOS course even though the 'course level' or 'course name' might indicate: non-award, foundation, certificate III and so on. If the PRISMS course sector does not say ELICOS, the course is not considered to be in that sector.

## Exclusion Periods (PIC 4013, 4014, 4020)

Refer: PAM3: Act - Visa cancellation - Exclusion periods

Refer the above PAM for guidance in assessing whether a visa should be granted despite the client being subject to an exclusion period.

**If proposing to grant** the visa application: prepare a waiver submission (as per the template provided on Documents page in SharePoint for either PIC 4013/4014 or PIC 4020) for your EL1 outlining why the applicant is subject to an exclusion period, and why the grant of the visa may be justified. Provide the draft to your Team Leader for review. Team Leaders may advise experienced VPOs to email waiver submissions directly to the EL1 for consideration.

**If proposing to refuse** the visa application: a submission to the EL1 is not required to refuse an application where a client is subject to an exclusion period. You must email your EL1 the following information to consider:

- applicant's full name, DOB and Client ID;

- advise that the client is subject to an exclusion period and that you are not seeking a waiver of the exclusion period;
- a brief summary of the circumstances of the exclusion period (e.g. The applicant was granted an offshore TU-57X student visa on X, which expired on X. The applicant voluntarily approached the X Office regarding their visa status on X and was granted a Bridging Visa E (BVE). They departed Australia on X on a BVE. Their current student visa application was lodged offshore on X. The applicant's exclusion period commences X and is due to expire X.);
- you must have a response from your EL1 before you proceed to decide the visa application, ensure all emails are noted in ICSE and saved in TRIM. Whilst the application is pending a response from the EL1 you should move the application to your complex case folder in WMAN.

## Case referral Management (CRM)

The 'Case Referral Management' page on Bordernet (<https://bordernet.immi.local/border-ops/processing/case-referral-management#otp-heading2>) lists resources available to visa processing officers.

[GenGuideA – Global working – output 1.1 Case referral management](#); provides policy guidance on case referral management.

The [Referrals contact List](#) identifies the post responsible for referral, by country and lists the email address for referrals for each post.

Reference material listed in the Bordernet page includes a set of [CRM Helpcards](#) that provide step by step guidance on completing various CRM related activities.

The [Referral Generator Tool](#) on the documents page in SharePoint may be used to create Stream 2 referral for GTE interviews.

### Stream 2 Referral Tips

When referring a Chinese applicant for a Stream 2 referral, a Hukou or ID Card must be in TRIM. If the applicant is NOT from the HAN Majority ethnic group, a form 54 from the applicant and form 54 from EACH of the applicant's parents are also required.

# s. 47E(d)

If third party information has been provided which is relevant to your decision, you must provide Natural Justice to the applicant prior to making a decision on the application.

If a Stream 2 referral has been closed as 'Not Verified' you should refer to the notes in the Stream 2 Referral and action accordingly (e.g. you may need to provide the offshore post with further information to enable the check to be completed).

# s. 47E(d)

The Team Leader/Manager will make a note in ICSE confirming the approval (this may be based on a submission you make).

### Stream 2 referral outcomes – Escalation process

If proposing to grant s. 47E(d), the VPO should email their team leader the background/circumstances of the application, including the positives and negatives and the reason(s) why they are proposing to grant. The VPO should advise the team leader what level of rigour the applicant is being assessed against on the applicable rigour matrix.

s. 47E(d)

s. 37(2)(b)

# s. 37(2)(b)

## Suggested text for narratives:

The Instructions for s. 47E(d)

The text from the appropriate sample below may be copied/pasted into the 'Narrative' text box and the information highlighted in yellow completed as appropriate.

### Refusals under Fraud PIC 4020 – Primary applicant

s. 37(2)(b)

\*\*\*Processing Centre/Post current date: Client applied for CLASS TU Subclass 5XX visa on date of application. CID: client id number. Fraudulent/bogus/false financial/employment/education/etc documents identified and confirmed by post/online verification system on date of check. PIC4020 Natural Justice (NJ) afforded to client on date NJ sent refer to TRIM CLDXXXXXX - PIC 4020 NJ reference. The client's response to PIC 4020 NJ refer to TRIM CLDXXXXXX - Client's NJ Response. Client does not meet PIC 4020 refer to TRIM CLDXXXXXX - Decision letter and Decision record and visa application refused on date of decision. No compelling or compassionate circumstance therefore no waiver exercised. Client is now subject to a 3 year exclusion period that may preclude them from being granted another visa for the period date of decision to 3 years from date of decision.\*\*\*

### Refusals under Fraud PIC 4020 – Dependant

s. 37(2)(b)

\*\*\*Processing Centre/Post current date: Applicant applied for CLASS TU Subclass on date of application. CID: client id number. Fraudulent/bogus/false financial/employment/education/etc documents identified and confirmed by post/online verification system on date of check. PIC4020 Natural Justice (NJ) afforded to Dependant applicant on date NJ sent refer to TRIM CLDXXXXXX - PIC 4020 NJ reference. Dependant applicant's response to PIC 4020 NJ refer to TRIM CLDXXXXXX. Dependant applicant does not meet PIC 4020 refer to TRIM CLDXXXXXX - Decision letter and Decision record and visa application refused on date of decision. No compelling or compassionate circumstance therefore no waiver exercised. Dependant applicant is now subject to a 3 year exclusion period that may preclude them from being granted another visa for the period date of decision to 3 years from date of decision.\*\*\*

Refusals under Fraud PIC 4020 – [Dependant under 18](#)

s. 37(2)(b)

\*\*\***Processing Centre/Post current date:** Client applied for CLASS TU Subclass on date of application. CID: client id number. Fraudulent/bogus/false financial/employment/education/etc documents identified and confirmed by post/online verification system on date of check. PIC4020 Natural Justice (NJ) afforded to client's parent on date NJ sent refer to TRIM CLDXXXXXX - PIC 4020 NJ reference. Response to PIC 4020 NJ refer to TRIM CLDXXXXXX. Client does not meet PIC 4020 refer to TRIM CLDXXXXXX - **Decision letter and Decision record** and visa application refused on date of decision. No compelling or compassionate circumstance therefore no waiver exercised. \*\*\*

**NOTE:** s. 37(2)(b) will still require an exclusion period fields to be entered in MAL (separate to the narrative) please enter a 3 year period from date of refusal (even though a minor applicant is not subject to an exclusion period). The exclusion period will be assessed if the applicant reapplies for another visa.

Refusals under Fraud PIC 4020 – [Member of the family unit \(MOFU\) of the applicant](#)

Where an applicant has been refused a visa under PIC4020, s. 37(2)(b)

This is because PIC 4020 states:

(1) There is no evidence before the Minister that the applicant has given, or caused to be given, to the Minister, an [officer](#), the Tribunal during the review of a Part 5-reviewable decision, a [relevant assessing authority](#) or a [Medical Officer of the Commonwealth](#), a [bogus document](#) or [information that is false or misleading in a material particular](#) in relation to:

- (a) the application for the visa; or
- (b) a visa that the applicant held in the period of 12 months before the application was made.

(2) The Minister is satisfied that during the period:

- (a) starting 3 years before the application was made; and
- (b) ending when the Minister makes a decision to grant or refuse to grant the visa; the applicant and **each member of the family unit of the applicant has not been refused a visa because of a failure to satisfy the criteria in subclause (1).**

This means that an s. 37(2)(b) needs to be created for the spouse or de facto partner of the applicant who has been refused under PIC 4020. The spouse or de facto partner could be a secondary applicant of the application that was refused or they could be a non-migrating family member and/or hold their own substantive visa.

**Suggested wording for the s. 37(2)(b)**

**INSERT CLIENT NAME**'s spouse/de facto partner, **NAME (DOB), CID XXX**, was refused a Student (Class TU) (Subclass 500) visa on **DATE** under PIC 4020(1) (TRIM ref for refusal decision record: **CLDXXXX/XXXX**). **INSERT CLIENT NAME** may now be unable to meet PIC 4020(2), as a member of their family unit has been refused a visa under PIC 4020(1).

When a primary application has been withdrawn after Natural Justice afforded

**For suspected fraudulent information but application withdrawn once Natural Justice offered, s. 37(2)(b)**

\*\*\*Processing Centre/Post current date: Client applied for CLASS TU Subclass 5XX visa on date of application. CID: client id number. Client suspected of providing fraudulent, false information visa application, however, application withdrawn upon completion of internal integrity checks and investigation or once Natural Justice provided to client. Future applications by this client should be closely scrutinized.\*\*\*

When a Dependant application has been withdrawn after Natural Justice afforded

**For suspected fraudulent information but application withdrawn once Natural Justice offered, select RS. 37(2)(b)**

\*\*\*Processing Centre/Post current date: Client (Dependant Applicant) applied for CLASS TU Subclass on date of application. CID: client id number. Client suspected of providing fraudulent, false information visa application, however, application withdrawn upon completion of internal departmental integrity checks and investigation OR once Natural Justice provided to client. Future applications by this client should be closely scrutinized.\*\*\*

Upon completion of creating a s. 37(2)(b) for PIC4020 you will be required to create a s. 47E(d)

## Fraud Data Management

Refer: Instructions for recording fraud in ICSE – Instruction 1 (ADD2017/1756630)

The above instruction provides detailed guidance on creating s. 47E(d)

The Tip Sheet for recording fraud (ADD2017/1756656) provides a useful snapshot.

Visa processing officers are required to create s. 47E(d) in all the following circumstances;

- A visa is granted with a PIC 4020 waiver or despite suspected fraud
- A visa application is withdrawn after natural justice under PIC 4020 has been afforded to the client
- A visa application is refused under PIC 4020.

Please note that officers in the onshore student network are currently not required to create or enrich entities in GOIS.

## Offshore Biometrics

Refer: PAM3: Act - Identity, biometrics and immigration status - Biometrics for offshore visa processing [On Bordernet search for 'biometric for offshore processing']

Also refer: ADF2013/2076 – Training material for posts

The above file contains a range of resource material including the following operational documents:

ADD2014/418744: 3.3 Decision Making Match Assess Decide – SOP  
ADD2016/1260223: 3.3.3 Biometric Information in CSP  
ADD2014/1016115: 4.5 Processing biometrics using ICSE – SOP

### About Biometrics

Biometrics is a requirement for offshore applicants if their Country of Usual Residence (recorded in Client > Additional Information) participates in the Biometrics programme. They will be identified by a s. 47E(d) and an auto generated request letter will be sent to request Biometrics from the applicant(s).

A current list of Biometric collection countries is available on Bordernet at:

<https://bordernet.immi.local/border-ops/identity-biometrics/biometrics-collection-for-visa-applicants>

## ADMINISTRATIVE PROCESSES

### Paper Applications

See **'Commencing a Manual Student Visa application' task card** on the SOP & Task Cards page in SharePoint.

### Correspondence – Mail & Email

To ensure consistent information is provided to clients, standard email templates have been developed for VPOs to use. Refer to **'Standard Email Templates'** on the Documents page in SharePoint.

### Mail Delivery Failures

See: PAM3: Act - Code of procedure - Notification requirements > Post-notification problems

If an email notification is returned undelivered, officers must follow the guidelines detailed in the above policy guidelines.

### Managing documents

Please see below for required action in a number of common scenarios:

1. The student posts, emails or couriers documents to a post or processing centre (either in response to a request for further information or as part of their application). These documents must be accepted if received. If the application is being processed at the post where the documents are received, a note must be made in ICSE, the officer must consider the document and, where the document is a hard copy, the officer can file the originals in a box file. We encourage posts to scan paper documents and then add all

documents (emailed or scanned) to the client's TRIM file. Onshore officers must scan documents provided in hard copy and save in TRIM.

- a. If the application is being processed at another location, the document must be scanned and attached to the applicant's TRIM file (which can be found in the permission request screen in ICSE). The original can be filed in a box file. The office which has received the document should alert the office processing the application by email, that the document has been received and make a file note in ICSE. If the processing office has concerns and needs to see the original, they will need to make a request.
2. The student attempts to lodge documentation at post/processing centre. In the first instance they should be asked to attach the documentation through ImmiAccount. They should be advised that submitting at the office instead may cause delays. If they insist, the documentation must be accepted and date stamped and referred to the relevant area processing the case. If documentation is accepted, it must be scanned by the processing area and placed on the BCC file relating to the application in TRIM and an appropriate note made in the permission request. The documentation may be placed in a box file.
  3. The student attaches documents in ImmiAccount but also sends visa email/post/courier. Student areas should ensure that auto replies reinforce that submitting requested documents from ImmiAccount is the preferred method and that it is not necessary to also email/post/courier documents. If an email is sent, it must be filed in the client's TRIM file. If documents are sent by post or courier, they must be filed in a box file/clients TRIM file if possible. If the documents have been attached in ImmiAccount, there is no need for an officer to scan hard copy documents, but a note must still be made and they must still be filed in accordance with our record keeping practices.
  4. Applicant tries to lodge documents with a Service Delivery Partner (SDP). Unless the SDP has been involved with application, they must not accept the documents. If the SDP has lodged the application using their ImmiAccount (regardless of whether they are an authorised contact/agent), the SDP will have to upload the documents to ImmiAccount. The SDP should not refer any paper documents to the Department.
  5. A paper or emailed application form is sent to the wrong location. Lodgement outside of ImmiAccount can only happen with specific authorisation. If the student does not follow the instructions which accompanied the form, the application is not valid (see IMMI16/017). As the authorisation of lodgement outside of ImmiAccount is made by a PMO, officers receiving invalid applications should be able to easily identify the responsible office/PMO. The office receiving the form should advise the post authorising lodgement outside of ImmiAccount. The authorising office will be responsible for invalidating the application and advising the applicant (as these clients would generally be sensitive and/or high profile).
  6. A paper or emailed form which has not been authorised is not a valid application. The receiving post should invalidate and advise the applicant. Where a money order or cheque covering visa application charges is submitted with the application, this should be receipted in line with relevant guidelines and the client should be advised of the process for applying for repayment.
  7. The student has attached more than 60 documents to their application. In these cases the system will not allow the student to attach more documents and, if the application has been submitted, the student cannot delete uploaded files. In these cases, documentation should be accepted by email.

If post notices any agents/authorised contacts are lodging documentation incorrectly often, they can be contacted and advised that this is not the preferred way to submit documents and it is likely to cause delays for their cases. For assistance, contact:

s. 47E(d)

## Actioning Forms 956/956A

### REFERENCE:

Procedural Instruction: Working with the Migration Advice Industry

PAM3: Act - Code of procedure - Notification requirements

Regulation 7G of the Migration Agents Regulations 1998, specifies the methods by which a registered migration agent may provide notification to the Department that they are providing migration advice to a visa applicant. A completed form 956 and completing the 'Migration Agent's Details' section in a visa application form are the usual ways in which this notification is provided.

Section 494D of the Migration Act provides for the appointment of an authorised recipient. The person appointing the authorised recipient is required to provide written notice of the name and address of the authorised recipient. Form 956A is generally used for this purpose.

Where a migration agent or authorised recipient has been appointed, all notifications must be sent to that person.

When actioning forms 956 and 956A, record relevant information in the ICSE permission request to which the appointment relates. Where the form was received via email, it must be placed in the TRIM record relating to that permission request. If the form was received by mail, the form may be placed in a box file with the corresponding ABD recorded in an appropriate note.

## Bridging visa applications

### Bridging Visa A – circumstances where eligible client departs Australia before BVA grant

Occasionally at time of visa lodgement (during Schedule 1 processing) you may come across an applicant (primary and/or secondary) who has departed Australia following the lodgement of their visa application but before grant of the BVA due to some validity check issue preventing automatic BVA grant.

These cases may be identified as BVA eligible where lodgement date of the application in immiAccount predates the date the applicant departed, and where the applicant would have met all other requirements for grant of BVA at that time.

In these cases please undertake the usual schedule 1 "check validity" processes (refer to Assessing Validity & Processing Invalids Task Card) but add a note case in ICSE including the following:

- Applicant departed Australia prior to grant of BVA.
- Based on time of application client is BVA eligible.
- BVA to be assessed, provided applicant applies using form 1005 on return to Australia.
- Expected return date (if known)

When sending acknowledgement, insert blurb advising that applicant will need to contact the department upon their return to Australia to enable their BVA to be granted.

In these circumstances, the applicant will be eligible to be granted a bridging visa A on their return to Australia, if a decision on the substantive visa application is still to be made. If the substantive visa they held at the time of application expired while they were offshore, they would need to apply for an alternative visa to travel to Australia.

They will need to make an application on form 1005 to be granted a bridging visa A.

## BVB applications – method of lodgement

Any BVB applications lodged via ImmiAccount where the client has an on hand student visa application, will appear in the WMAN system. Please refer to [BVBs Task Card](#) for instructions on how to locate and manage this caseload.

An officer should be allocated to check this caseload each day, action any BV applications that have come in, and then once finalised, remove the label.

Adelaide should also check this label against the Onshore Students allocation point for any BV applications lodged for clients whose application has not been allocated to a state for processing.

BVB applications may also be received via mail or courier.

Applications received via fax or via email whether in a group mailbox or individual mail box will not be considered valid as such applications will not satisfy the schedule 1 requirement regarding the manner of lodgement. Please see related legal opinion at ADD2015/768100

## Deciding whether BVB application is 'necessary'

Where a paper-based application for a BVB is received, it must be receipted.

An application (whether paper-based or electronic) may be considered to be unnecessary if the applicant holds a valid substantive visa permitting multiple travel and the proposed travel period is within the validity of that substantive visa.

In these circumstances, the applicant may be advised to withdraw the BVB application and make an application for refund of the BVB application charge. An appropriate case note must be made in ICSE.

Where a BVB is to be granted for a period longer than 4 weeks, this must be discussed with a team leader/manager.

If the student visa application appears ready for a decision, alert the relevant team leader/manager.

## Recording case notes

The Case Status Note event must be created for each application unless notes are not required because [s. 47E\(d\)](#). Notes relating to all interactions (including those after the application is finalised) must be recorded under the Case Status Note (where created) to ensure that all relevant information is easily accessible.

## Maintaining COI notes

A Client of Interest note provides ICSE users with important information about an applicant that needs to be considered when performing any future processing.

When entering Client of Interest notes you must be aware of the Code of Conduct, especially with regard to Freedom of Information and Privacy considerations. You do not require supervisor approval to update COI notes.

Officers should consider all COI notes in their assessment & determine if any follow up action is required.

If COI information may be relevant to future processing, however all requirements are met for grant of Student visa, decision makers should update COI with:

'The above COI information has been considered, (Insert any action taken, state if not relevant to assessment of Student visa) - all requirements met for grant of Student Visa'

If it is unclear whether the COI note is relevant to future processing, decision makers should email the section responsible for the COI information & request further advice, the area responsible for the COI note should update and/or cease the COI note prior to making a decision.

Changing the status of a COI note:

- Highlight the COI note
- Select – Change Indicator
- Select – No
- Enter Reason e.g. Applicant granted Subclass ## - COI resolved.

If you are not changing the status of the COI note you must record in your assessment that you have considered the COI information and any action taken. Refer to your team leader if you are unsure whether to update a COI note.

## Children born in Australia

Refer to Task Card – **Children Born in Australia** in SharePoint.

## Visa Cancellations

See 'Visa Cancellation Referrals' on Bordernet

<https://bordernet.immi.local/border-ops/processing/visa/visa-cancellation/visa-cancellation-referrals> for information on

- referring a client for visa cancellation; or
- referring requests for voluntary cancellation.

## Reporting child protection incidents

The Department expects all employees and contracted service providers to report all child-related involving children in immigration detention or programme to the relevant authorities.

Detailed information is in the Reporting Child-related Incidents – Policy Statement on Bordernet at <https://bordernet.immi.local/BorderPolicyandGuidelines/Documents/reporting-child-related-incidents-policy.pdf#search=reporting%20child%20protection%20incidents>

## WORK AROUNDS

### s. 47E(d)

From 1 July, as s. 47E(d)

and flow into the appropriate WMAN folder for allocation to a case officer.

The s. 47E(d) during application assessment.

The s. 47E(d) should automatically occur at the time of lodgement of the application and show in the top right hand side of the ICSE permission request screen. If the s. 47E(d) fails at the time of lodgement it will show as either s. 47E(d)

If the s. 47E(d) fails at the time of lodgement, the visa application will flow into the WMAN s. 47E(d) and an officer will be required to manually activate this check.

### s. 47E(d)

If the s. 47E(d) for a primary application has failed due to system error, the s. 47E(d) will show as 'incomplete' or 'undetermined' and needs to be manually rerun.

Within the applicant's Student permission request, go to Interfaces and select s. 47E(d)

- The ICSE permission request screen should now be updated with the appropriate s. 47E(d) for the application. Once this has occurred, the application should be transferred to the appropriate WMAN folder.

If this does not return a s. 47E(d), follow procedures below:

# S. 47E(d)

#### Evidence Level – Blank

While the s. 47E(d) questions are compulsory in the ImmiAccount application form, at times relevant client information may not reach ICSE and prevent the s. 47E(d)

**Note – Subsequent Entrant** applications do not receive an Evidence level. VPOs should apply the same evidence level as the Associated Visa Student.

Go to Interfaces & Select Evidence Level

Click on & off the **Display/System/Reversed** button:

BMI	Client Name (DOB,Sex)	Client ID	Client Role/Assoc to Main Appl.	Milestone	Event Date	Date Requested	Applicant Risk
				Australian Values Statement	01/07/2016	01/07/2016	Streamlined

[Bridging Visa Decision Required Request is in a Batch](#)

[CSP View](#)      [HAP](#)

Sort Events By:  Record Date (2)    Effect Date (3)    **Display System/Reversed**

Buttons: Add Multiple... Add Client... Open Client... Change Role...

Event	Qualifier	Effect Date	Record Date	Client Name	Information

## Student Visa Conditions 8503 and 8534

# S. 47E (d)

## Changing the Service Description in ICSE

The permission request service description should show the sector for the highest level of study the applicant is enrolled to study (check PRISMS/enrolment evidence provided by the applicant). Refer to the table below to determine the correct sector.

Please note that for COEs issued prior to 1/07/16 or cases where the client has provided a letter of offer our system is unable to correctly identify the education sector. This will result in the follow up 'PRISMS sector not provided' and you will need to check if the sector has been entered correctly by the client. You will need to ensure that the COE course and the Service Descriptor match/are correct. If they do not match, please follow the instructions for changing the permission request Service Descriptor below.

If the sector is incorrect VPOs can change the permission request service description, following the steps below:

- Open the payment event in the permission request event list & click Undo.
- Go to the drop down box for "Reason for Undo/Unlink" & select "Application details incorrect" and select OK.
- You will be given a new Document No. Copy this number (select the number & press CTRL + C) & close this screen.
- In the ICSE Permission request click the Refresh button at the bottom of the screen.
- Open the Select Category box (top right of the permission request screen)
- Enter the Form No or Service: 157A & click Search
- Select the correct sector from the list of options & click Select
- You should now see the correct sector in the Service Description field.
- To relink the payment: Go to the Payment menu in the permission request screen.
- Select Link > Initial Payment
- Ensure the VAC amount is the same amount that the client had previously paid. In some situations, the client may be required to pay a STAC or other additional applicant charge. If the VAC is not the same as the client paid at lodgement, the application is invalid. If this

is detected sometime after lodgement and making the application invalid will result in the client becoming unlawful, please escalate the case to your manager.

- Go to the Open Items/Document Number box & enter (paste – CTRL + V) the Document No.
- Click Search Open Items & click Link Receipt
- You do not need to print the new receipt.
- s. 47E(d) outcome

Education Sector	Courses/qualifications
Schools	<ul style="list-style-type: none"> <li>• Primary school</li> <li>• Secondary school including junior and senior secondary</li> <li>• Approved secondary exchange programs</li> </ul>
Vocational education and training (VET)	<ul style="list-style-type: none"> <li>• Certificate I</li> <li>• Certificate II</li> <li>• Certificate III</li> <li>• Certificate IV</li> <li>• Diploma, Advanced Diploma</li> <li>• Vocational Graduate Certificate</li> <li>• Vocational Graduate Diploma</li> </ul> <p><i>Former RATE system qualifications: Certificate, Advanced certificate and Associate Diploma</i></p>
Higher education	<ul style="list-style-type: none"> <li>• Higher Education Diploma</li> <li>• Higher Education Advanced Diploma</li> <li>• Bachelor degree</li> <li>• Graduate certificate</li> <li>• Graduate diploma</li> <li>• Master degree by coursework</li> </ul>

## Inclusion of children born in Australia – Passport not held at time of application.

This is an interim work around for circumstances where an applicant is unable to include a child born in Australia as an 'accompanying family unit member' in an application, because the child does not hold a passport.

The established process in these circumstances is for the applicant to contact E-Services Support and seek approval to lodge an application outside ImmiAccount. Related information is on the Departmental website at:

<https://www.homeaffairs.gov.au/Trav/Visa-1/500-#tab-content-2>

<https://www.homeaffairs.gov.au/visas/supporting/Pages/500/baby-born-to-student-visa-holder.aspx>

While relevant information is on the website, this is not easily accessible. This work around is to be in place until relevant information can be effectively publicised.

A child may be manually included in an application as an accompanying family unit member where;

1. the child is included in the application as an un-accompanying family unit member; or
2. a copy of the child's birth certificate is attached to the application with or without further explanation; or

- a statement of some sort, indicating that the child could not be included is attached.

Before the child is included in the application, the relevant Visa Application Charge must be paid and a birth certificate must be provided. Where the child had previously been included as an un-accompanying family unit member, the role should be amended.

The visa processing officer applying this work around must be satisfied that the primary applicant/migration agent demonstrated the intention to include the child in the application at the time it was lodged.

This work around **should not be used** where there is no evidence of the intention to include the child in the application at the time of lodgement, as this would be seen as the child being added after lodgement and would be in contravention of Reg 2.08.

## Biometrics request – application made onshore and travel during application processing

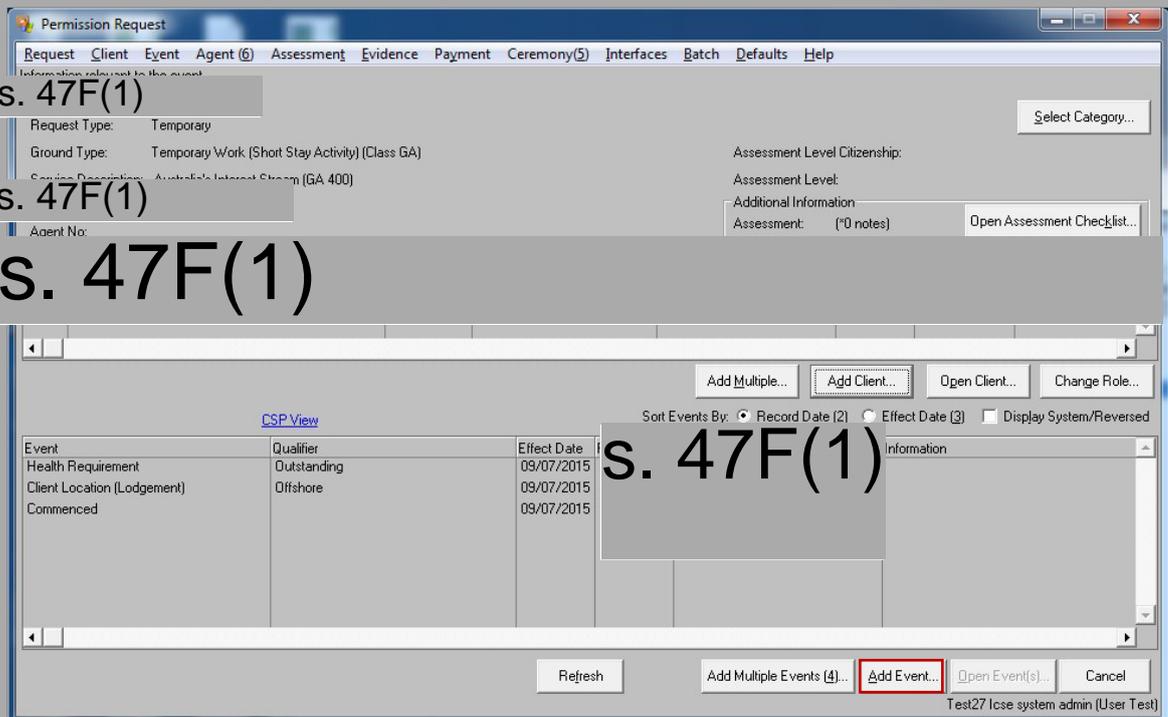
If a client has applied for their Student visa while onshore, under policy they are currently not required to provide biometrics. However:

- if they have indicated their Country of Usual Residence in the application as a biometrics collection country, and
- during processing travel offshore to any country, and
- while offshore aS. 47E(d) is run on their application

Safeguards will see that the case does not already have a Biometrics event, and automatically create a VLN, **Biometrics** event and automated requirement letter.

To avoid such clients being sent a requirement letter, the following workaround can be applied.

- Create a “dummy” biometrics event, by clicking on Add Event.



- Select Biometrics from the drop down event menu and the qualifier Required (Officer).

Click Record.

3. The Permission Request Screen will look like this.

4. When a s. 47E(d) is now run, either manually or automatically, “Biometrics is required” will still appear as s. 47E(d) However, no Requirement letter will have generated.

s. 47E(d)

5. Action s. 47E(d) by changing the status to Actioned, and close the window.

s. 47E(d)

6. Adding a case note to s. 47E(d) explaining why biometrics is not required is optional at this point, but will be mandatory at Step 10.

7. Before being able to grant, you will need to undo the Biometrics event.

Open the event and click on the Undo button.

The screenshot shows a software window titled "Event/Decision Detail". It contains several fields for event information:

- Event Detail:** "Event: Biometrics" and "Qualifier: Required (Officer)".
- Metadata:** "By: AO, ICUE", "At: Central Office", and "On: 16/09/2016".
- Permissions:** "Permission Type:" and "Effect Location: Canberra, Australia".
- Timing:** "Effect Date: 16/09/2016" and "Effect Time: 10:00".
- Additional Information:** A table with columns "Type", "Information", "Notes", "Recorded By", and "Recorded On".
- Buttons:** "Add...", "Remove...", "Open...", "Undo...", "Cancel", and "Help".

The "Undo..." button is highlighted with a red rectangular box. A large watermark "s. 47F(1)" is overlaid on the left side of the window.

- The event will automatically change to Biometric Collection as shown below. Click on the Qualifier drop-down.

s. 47F(1)

The officer who recorded the information

Event Detail

Event: Biometric Collection By: AO, ICUE  
At: Central Office

Qualifier: [dropdown arrow]

Permission Type: [dropdown arrow] Effect Date: 16/09/2016  
Effect Location: Canberra, Australia Effect Time: 10:13  Daylight Saving

Event Additional Information (0 notes)  Include Removed Information

Type	Information	Notes	Recorded By	Recorded On
------	-------------	-------	-------------	-------------

Information Type: [dropdown arrow] Add... Remove... Open...

Record Cancel Help

Icuc Ao (Staging)

- Select Not Collected.

Event Qualifier

Qualifier: [input field] Search

- Collected
- Exempt
- Not Collected**
- Overridden by VLN copied in from another PR
- Recorded in Error
- Requirement Withdrawn/Waived

Select Cancel Help

6 records found

Icuc Ao (Staging)

10. The screen will display as follows. A note is mandatory. Click Add and enter the reason biometrics is not required e.g. "Application lodged while onshore, but has travelled offshore during processing. Under policy biometrics not required."

An asterisk(\*) indicates that notes are recorded for this item

Event Detail

Event: Biometric Collection

Qualifier: Not Collected

By: AO, ICUE  
At: Central Office

Permission Type: [ ] Effect Date: 16/09/2016

Effect Location: Canberra, Australia Effect Time: 10:01  Daylight Saving

Event Additional Information (\*0 notes)  Include Removed Information

Type	Information	Notes	Recorded By	Recorded On

Information Type: Note (Mandatory) Add...

Remove... Open...

Record Cancel Help

Icuae Ao (Staging)

s. 47F(1)

11. Click Record. The workaround is complete.

## ICSE PROCESSING STEPS

### Recording welfare arrangements (other than secondary exchange and DFAT/Defence)

#### Assessing and recording welfare arrangements – time of visa assessment

Details of welfare arrangements including supporting documentation received should be recorded as part of assessment notes in the Case Status Note in the student visa permission request. In addition, the information in the 'Welfare Arrangements' tab should be completed.

The 'Welfare Arrangements' tab facilitates recording details of welfare arrangements across the period these need to be in place for the applicant.

In the permission request screen, go to **'Request' > 'Welfare Arrangements'**

- Click 'Add'
- Select relevant COE from the dropdown
- Select appropriate welfare type from drop down

- Record start and end dates for the arrangement under that CoE
- Under 'welfare comments' provide relevant information based on the welfare type
- Press save
- Complete above steps for all relevant CoEs

### **Examples Welfare Comments - Multiple CAAW**

#### Example 1 - Multiple CAAW

Application lodged on 1/1/17 – grant date 5/2/17

Applicant turns 18 on 30/06/18

CoE from education provider A for year 9 with CAAW from 1/2/17 to 15/12/17

CoE from education provider B for year 10 with CAAW from 16/12/17 to 30/06/18

In this scenario, welfare arrangements must be listed separately for each CoE. The 'welfare comments' would identify that a CAAW was provided by the (named) education provider.

#### Example 2 - Relative in Australia (Guardian holding Australian citizenship)

'Welfare comments should include:

- Name of guardian
- Client ID (where applicable)
- Relationship to student

#### Example 3 – S/c 590 holder

Welfare comments should include

- Name of guardian
- Client ID
- Relationship to student.

## **Assessing and recording temporary change in welfare**

This would typically occur where welfare is provided by a guardian visa holder, who intends to travel for a short period of time without taking the student. In these circumstances, an acceptable alternative welfare arrangement will need to be put in place before the guardian travels, to avoid breach of condition 8532 by the student and 8537 by the Guardian.

The assessment of the alternate temporary welfare arrangement should be supported by appropriate notes in the Case Status Note in the permission request for the student visa. These details should include additional documentation obtained.

Where the alternative (temporary) arrangement has been approved, relevant details of these arrangements should be recorded under the 'Welfare Arrangements' tab.

## **Recording permanent change in welfare**

Where welfare arrangements are changed permanently after grant, the new arrangements will need to be approved by the relevant education provider (where the original arrangement was a CAAW) and by the Department. Where a CAAW was in place, a letter from the education provider agreeing to cancel the CAAW should be obtained.

The assessment of the revised welfare arrangement should be supported by appropriate notes in the Case Status Note in the permission request for the student visa. These details should include additional documentation obtained.

Once the new arrangements have been approved, the details of the revised arrangements must be updated in the 'Welfare Arrangements' tab.

## Recording welfare arrangement – Secondary exchange and DFAT/ Defence

ICSE updates in BRNOV17 included the 'Welfare – No CoE' event which is used to record welfare information relating to secondary exchange students and students sponsored by DFAT/Defence.

Detailed welfare information for secondary exchange students and DFAT/Defence students under 18, would be contained in the corresponding AASES form and the letter from DFAT/Defence respectively. Given that this document would be accessible in the BCC relating to the application in TRIM, only minimal details as below need to be recorded in the ICSE event.

To record welfare arrangement in the relevant ICSE permission request:

- use 'add event' (or ctrl A) to add the 'Welfare no CoE' event;
- select the appropriate qualifier AASES or DFAT/ Defence
- in 'information type' select 'note'

Complete the note as follows:

Secondary exchange students

Information: AASES form provided

Notes: TRIM ref: CLD.....

DFAT/Defence students

Information: DFAT/Defence letter provided

Notes: TRIM ref: CLD.....

## Recording National Identity No (NID) – Safeguard 3529

The narrative for Safeguard 3529 reads 'If you locate a National ID card number, enter the number into the Travel/Evidence Document Details screen and re-run S. 47E(d).'

There are two ways of recording this information in the Travel/Evidence Document Details screen:

1. Enter the NID number in the 'National Identity No.' field in the passport details screen, or
2. Add the NID number as a separate document. If you choose this option you need to include the applicant's name and the country of issue.

The preferred option is 2 above as the NID is immediately visible on the Travel/Evidence Document Details screen and will remain visible if the client gets a new passport. This is also consistent with how the system populates the NID card number when the applicant declares it in their application form.

## Recording a Deceased status in ICSE

### Single Client on application

- 1) Add Withdrawn event with the qualifier “deceased”
- 2) Email the death certificate to TRIPS helpdesk S. 47E(d) and request they enter a deceased flag on the PID.

### Multiple Clients on an application

If the primary applicant is deceased:

- 1) Add Withdrawn event for the primary applicant with qualifier “deceased”.
- 2) Email the death certificate to TRIPS helpdesk S. 47E(d) and request they enter a deceased flag on the PID.
- 3) Remaining applicants must be given the opportunity to withdraw their applications. If one of the secondary applicants chooses to be assessed against primary criteria, they must be afforded the opportunity to provide relevant documentation/ information.

If a secondary applicant is deceased, their application will be withdrawn as above and the deceased status recorded. The applications by the remaining applicants will be assessed.

### If TRIPS have already entered the deceased flag on the PID.

When processing record of a deceased client the flag should be added to the PID as the **last action**, as no further processing can be completed on the client record after the deceased flag has been added to the PID.

- 1) Ring TRIPS helpdesk S. 47E(d) and request the deceased flag on PID is archived
- 2) Add Withdrawn event with qualifier “deceased” and note.
- 3) Ring TRIPS helpdesk S. 47E(d) and request the deceased flag is added back to the PID

**QUICK REFERENCE GUIDE FOR ASSESSING APPLICATIONS**

<b>PRE-ASSESSMENT</b>	
<b>Action step</b>	<b>Reference</b>
Check for correspondence	Refer: <i>Student Visa SOP: Pre-assessment steps – Check for Correspondence.</i>
Verify identity of applicant (including biometric information where appropriate)	Refer: <i>Student Visa SOP: Pre-assessment steps – Verify identity of applicant.</i>
Conduct system checks	Refer: <i>Student Visa SOP: Pre-assessment steps – Conduct system checks.</i>
Check for multiple client records using CSP	Refer: <i>Student Visa SOP: Pre-assessment steps – Check for multiple client records using CSP.</i>
Assess evidence of enrolment	<p>Secondary exchange students - AASES form</p> <p>DFAT/ Defence students – Letter from DFAT/ Defence</p> <p>Post Graduate Research (Thesis marking) – Letter for post graduate thesis marking (onshore only)</p> <p>All others must submit Confirmations of enrolment (CoE)</p> <ul style="list-style-type: none"> <li>• <u>For onshore applications:</u> All valid CoEs in PRISMS must be considered in determining the education sector, application r <sup>s. 47E(d)</sup> level of an application.</li> <li>• <u>For offshore applications:</u> CoEs listed in the application and all CoEs subsequently uploaded or submitted via email must be considered in determining the education sector, application s. 47E(d) of an application.</li> <li>• Where the application was lodged with a Letter of Offer (onshore) details of the corresponding CoE must be updated in ICSE, when CoE information is available.</li> <li>• A s. 47E(d) must be run, after details of any CoE not previously recorded are updated in ICSE.</li> </ul> <p>Refer: <i>Student Visa SOP: Pre-assessment steps - Assess evidence of enrolment.</i></p>
s. 47E(d)	Refer: <i>Student Visa SOP: Pre-assessment steps – s. 47E(d).</i>
Record assessment notes for s. 47E(d),	Refer: <i>Student Visa SOP: Pre-assessment steps – Record assessment notes for s. 47E(d) 'in effect'.</i>
Decide s. 47E(d)	Refer: <i>Student Visa SOP: Pre-assessment steps – s. 47E(d).</i>
Create case note using Case Note Generator (CNG) **s. 47E(d)	Refer: <i>Case Note Generator Task Card – on Sharepoint</i>

Released by Department of Home Affairs under the Freedom of Information Act 1982

<p>Action 'follow-up outstanding' events</p> <p>s. 47E(d)</p> <p>[Redacted]</p>	<ul style="list-style-type: none"> <li>• Only resolve the specific issues that triggered the follow-up events</li> <li>• Do not action all follow up events until assessment is complete and the application is ready for grant</li> <li>• If all follow-ups have been actioned but assessment is not completed add a 'manual follow up required' event.</li> </ul> <p>Refer: - <i>Student Visa SOP: Pre-assessment Steps: Action 'follow-up outstanding events.</i>          - <i>Student Follow-up List on Sharepoint</i></p>
<b>ASSESSMENT</b>	
<b>Criterion</b>	<b>Guidance/ Reference</b>
<b>Schedule 2 criteria</b>	
<p>Enrolment 500.211</p>	<p>Verify that evidence of enrolment provided continues to be valid.</p>
<p>GTE 500.212</p>	<p><b>Offshore applicants and first time applicants onshore</b></p> <p>s. 47E(d)</p> <p>GTE scrutiny is not required unless information before you raises GTE concerns.</p> <p>s. 47E(d)</p> <p>Assess GTE based on the information before you. If this assessment raises concerns, request additional information as appropriate and consider initiating a GTE interview. s. 47E(d)</p> <p>[Redacted]</p> <p>For first time onshore applicants, consider the following in assessing genuineness;</p> <ul style="list-style-type: none"> <li>- relationship between proposed studies and past and proposed education and employment profile;</li> <li>- age of the applicant in relation to studies undertaken.</li> </ul> <p>s. 47E(d)</p> <p>Assess GTE based on the information before you. Request additional information as appropriate.</p> <p>If the applicant appears to meet GTE based on information provided, s. 47E(d)</p> <p>[Redacted]</p> <p>s. 47E(d)</p> <p>[Redacted]</p>

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	<p><b>Onshore applications by holders/previous holders of student visas</b></p> <p>s. 47E(d) [redacted]          Undertake broad assessment, based on;          - Immigration history          - Study history          Assess based on documentation provided and information available to the Department.</p> <p>s. 47E(d) [redacted]</p> <p>s. 47E(d) [redacted]</p> <p>Undertake assessment as for s. 47E(d) [redacted] applications.</p> <p>If broad assessment raises GTE concerns, request additional information as required and undertake a detailed GTE assessment.</p> <p>Assessment will be based on documentation provided and information available to the Department, s. 47E(d) [redacted]</p> <p>If there are concerns of s. 47E(d) [redacted]</p> <p>Refer: - <i>Student Visa SOP: Operational Processes: Genuine Temporary Entrant</i>          - <i>PAM3: Sch2 GenGuide G – Student visa – Genuine Temporary Entrant</i></p>
<p>English 500.213</p>	<p>s. 47E(d) <u>evidentiary</u>          Request evidence only where there is specific information that raises concerns about the applicant's English language proficiency.</p> <p><u>Regular evidentiary</u></p> <p>s. 47E(d) [redacted]</p> <p>Verify that evidence of English proficiency has been provided – open the document(s) to verify that these are relevant.</p> <p>Further scrutiny is not required unless there is s. 47E(d) [redacted]</p> <p>s. 47E(d) [redacted]</p>

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	<p>Full assessment required.</p> <p>Refer: - <i>Instrument for 500.213(3)</i>          - <i>PAM3: Sch2 GenGuide G – English language proficiency</i></p>
<p>Financial capacity 500.214</p>	<p>s. 47E(d) [redacted]          Request evidence only where there is specific information that raises concerns about the applicant's financial capacity, including access to funds.</p> <p>s. 47E(d) [redacted]</p> <p>s. 47E(d) [redacted]</p> <p>Verify that evidence of financial capacity has been provided – open the document(s) to verify that these are relevant.</p> <p>Further scrutiny is not required unless there is s. 47E(d) [redacted]</p> <p>s. 47E(d) [redacted]</p> <p>Full assessment required.</p> <p>Refer: - <i>Instrument for 500.214(3)</i>          - <i>PAM3: Sch2 Gen Guide G – Financial capacity evidence</i></p>
<p>OSHC 500.215</p>	<p>OSHC will be met by declaration based on relevant information in the application form, s. 47E(d) [redacted].</p> <ul style="list-style-type: none"> <li>• Applicants must have OSHC unless exempt.</li> <li>• Students from Belgium are exempt.</li> <li>• Norwegian students covered by the Norwegian National Insurance Scheme (as declared in the application) are exempt.</li> <li>• Swedish students who have health insurance with Kammarkollegiet (the Swedish Legal, Financial and Administration Agency) must provide evidence of this cover. They do not have to take out OSHC if the evidence is provided.</li> <li>• OSHC must cover full period of stay in Australia;  <u>Offshore:</u> At least 1 week before course start to visa end date.  <u>Onshore:</u> Date of grant to visa end date</li> <li>• If OSHC expiry falls short of date up to which the visa can be granted under policy, refer PAM for guidance.</li> </ul> <p>Refer: <i>PAM3: Sch2 GenGuide G- Assessing the OSHC requirements</i></p>

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Age (school sector) 500.216	If schools sector application, refer to this clause for age specific requirements.  Refer: <i>PAM3: Sch2 GenGuide G– Age requirements for school students</i>
<b>Public interest Criteria</b> 500.217	
Health 4005/4007	Refer: - <i>PAM3: Sch4/4005-4007 - The health requirement -Immigration Health processing guidelines for case officers (on Bordernet)</i>
Character: 4001	Check character declarations, s. 47E(d)  Penal clearances (and military discharge certificates) are not required where there are no character concerns  Refer: <i>Penal Checking Handbook (PAM3:Sch4/4001)</i> <a href="https://bordernet.immi.local/PPCR/Pages/penal-checking-handbook.aspx">https://bordernet.immi.local/PPCR/Pages/penal-checking-handbook.aspx</a>
Risk to Security: 4002	Perform 'standard check' involving; <ul style="list-style-type: none"> <li>- s. 47E(d)</li> <li>- s. 4/E(d)</li> <li>- Previous applications s. 47E(d)</li> <li>- Examining application and attachments for features that may raise national security concerns.</li> <li>- Travel to and residence in countries of concern (Request additional info&gt; Overseas visited/travelled country)</li> </ul> <p>Check employment history to see if the applicant has been employed as an LEE at an Australian or foreign mission in a s. 47E(d) Refer: s. 47E(d)</p>
WMD 4003(b)	Relates to students undertaking study in areas of concern: at or above Masters level (Research) from certain countries and at or above PhD level from certain other countries.  Refer: <i>Proliferation of Weapons of Mass Destruction – Risk Assessment Procedures.</i>
Integrity 4020	Applicant s. 47E(d)  Refer: <i>PAM3: Sch4/4020 - The integrity PIC</i>
Exclusion Periods 4013/4014	Applicant may have a s. 47E(d)  Refer: <i>PAM3: Act - Visa cancellation - Exclusion periods</i>
Under18 welfare etc. 4012A  4017/4018	Refer: <i>PAM3: Sch2 GenGuide G- PIC 4012A student welfare</i> <i>PAM3: Act - Act-defined terms - s5G - Relationships and family members - Custody</i>

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	<i>(parental responsibility) for minor children</i>
Debt to Commonwealth 4004	Assume satisfied unless highlighted by declaration in application, <b>s. 47E(d)</b> . Refer <i>PAM3: Sch4/4004 - Debts to the Commonwealth</i>
Establish w/o difficulty 4010	Satisfied if GTE / financial capacity satisfied
Valid passport 4021	Satisfied unless integrity concerns exist. Refer: <i>PAM3: Sch4/4021 - The passport requirement</i>
Values statement 4019	Action is required only if follow up 'Incorrect answer to Declaration Questions' with 'Values statement' as the qualifier was generated.
<b>Special Return Criteria 500.218</b>	
Previously deported 5001	The applicant will have <b>s. 47E(d)</b> . Application cannot be granted. Exclusion is permanent with no waiver provisions.  Refer <i>PAM3: Act - Visa cancellation - Exclusion periods</i>
Previously removed 5002	The applicant will have a <b>s. 47E(d)</b> .  Refer <i>PAM3: Act - Visa cancellation - Exclusion periods</i>
DFAT/ Foreign Govt. support 5010	Check if applicant is a student who previously held a DFAT or Foreign Government sponsored visa.  Refer: <i>PAM3: Div1.2/reg1.04A - Foreign Affairs recipients and Foreign Affairs students</i> <i>PAM3: Act - Visa cancellation - Exclusion periods</i>
<b>GRANT</b>	
Check visa end date	The visa end date is calculated by the system based on information in the application. Verify that the date calculated is in line with relevant policy at 'Student visa end date' in <i>PAM3: Sch2 GenGuide G</i> <ul style="list-style-type: none"> <li>• The maximum period of effect should not exceed 5 years (limited exceptions apply)</li> <li>• For primary school students period of effect should be 2 years (limited exceptions apply)</li> <li>• The visa end date must not be beyond the expiry date of the OSHC</li> <li>• Where the applicant is under 18, the visa end date must not be after the end date of the relevant welfare arrangement</li> </ul> <p>The calculated dates will need to be checked for the following types of applications;</p> <ul style="list-style-type: none"> <li>- Foreign Affairs/ Defence sector</li> <li>- Post Graduate Research Sector; PhD students</li> <li>- Higher Education Sector; Foreign government sponsored University students short courses</li> <li>- Schools Sector; (including Secondary exchange students)</li> </ul>
Check visa conditions	<u>Mandatory conditions</u>

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	<p>All mandatory conditions except the following are automatically recorded by ICSE.</p> <p>s. 47E(d) [redacted] prompt the inclusion of the conditions below.</p> <p><i>Primary applicant</i></p> <p><b>s. 47E(d)</b></p> <p><i>Dependant applicant</i></p> <p>8201 - Study limitation for applicant over 18</p> <p><b>s. 47E(d)</b></p> <p>8518 – Adequate arrangements for education for applicant under 18</p> <p><u>Discretionary conditions</u></p> <p>8534 – No further stay</p> <p>This condition should be attached to visas of family members of student visa holders if requested by DFAT/Defence or a foreign government, or if the student is a government-funded student subject to visa condition 8535</p>
<p>Where visa is granted:</p> <ul style="list-style-type: none"><li>- with PIC 4020 waiver</li><li>Or</li><li>- s. 47E(d) [redacted]</li></ul>	<p>- s. 47E(d) [redacted]</p> <p>Refer: <a href="#">Instructions for s. 47E(d) (ADD2017/1756630)</a> – Please note that officers in the onshore student network are currently not required to create or enrich entities in GOIS.</p>

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