

## E CLASS OF STUDENTS PROTECTED BY ESOS

### ESOS applies to student visa holders

The ESOS Act applies to all registered providers of education and training services to international students from overseas who come to Australia to study on a student visa (NC07).

**Student visa** means a visa described in the *Migration Regulations 1994* as a Student (Temporary) (Class TU) visa, other than such a visa for:

- (a) a person who satisfies the secondary criteria, but not the primary criteria, under those Regulations for the grant of the visa; or
- (b) an exchange student or AusAID student within the meaning of those Regulations; or
- (c) an overseas student who has been approved by the Minister for Defence to undertake a course of study or training under a scholarship scheme or training program approved by the Minister for Defence; or
- (d) an overseas student who has been approved under another scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia. (**ESOS Regulations 2001, definitions**).

In summary, the ESOS Act applies to students holding a Student (Temporary) (Class TU) visa excepting students who satisfy the secondary criteria for these visa subclasses (dependants), AusAID students and Commonwealth sponsored scholarship holders.

That is, students who hold the following visas:

- 570 ELICOS Sector,
- 571 Schools Sector,
- 572 Vocational Education and Training Sector,
- 573 Higher Education Sector,
- 574 Postgraduate Research Sector,
- 575 Non-Award Sector.

### Compliance requirements

In order that Monash University can correctly identify student visa holders so that it can meet its obligations under ESOS, visa details for non-student visa holders must be keyed into Callista. This will enable reports to be run which will correctly identify students subject to ESOS.

#### Faculty

- Must inform Client Services if a student comes to their attention who is holding a non student temporary visa and the visa details have not been recorded on Callista
- Send a copy of the student passport showing the personal details and visa page to International Admissions (Recruitment and Marketing Division) pre enrolment or the ESOS reporting officer post enrolment.

## **Enrolments**

- Update the visa section of the Callista Enrolments module with the visa details of students holding a non student visa.

## **International Recruitment Services**

- Update the visa section of the Callista application module with the visa details of students holding a non student visa.