

Migration law

Student visas

The Australian government attaches strict conditions to student visas. You need to be aware of what they are because if you don't comply with them your student visa may be cancelled

Variations to your enrolment, failure to make satisfactory academic progress, or changes to your length of stay could all affect your visa.

More information about visa conditions can be found on [the University's website](#).

[A full list of the conditions](#) attached to student and other visas.

Remember – you need to update your Australian residential address within **seven days** of arrival in Australia, or within **seven days** of changing your address.

Working while on a student visa

Like many international students, you may get a part-time or casual job to help pay your living expenses while you study. It's important that you know your visa conditions relating to employment.

Coursework students

Coursework students are limited to working **up to 40 hours per fortnight during semester**. A fortnight is calculated as a 14-day period starting on a Monday. You can work unlimited hours when University is not in session which means before the official semester start date and after the official semester end date, or earlier if you've finished all your semester requirements (e.g. finished your exams for that semester).

Research students

There is no visa-imposed limit for research students, but you must be able to maintain full-time enrolment and complete your course within the time limit, which will limit the number of hours you can engage in paid work.

Volunteer work

Even if you're undertaking unpaid work, this may still be classified as work. It's only considered voluntary work if the work involved would not otherwise be undertaken by an Australian resident and the work is genuinely voluntary for a non-profit organisation. Additionally, you can't receive any payment, whether in cash or in goods or services as opposed to money, in return for the activity.

Work components of your course

If you're required to undertake a working component for your course, this is usually allowable. However, it must be categorised as a necessary component of your course. If you need to clarify whether or not your working component is a requirement of your course, [our Legal Service](#) can help you.

How do I extend my student visa?

You can't extend a student visa. If your study requirements have changed, or you want to stay longer after your student visa expires, you'll need to apply for a new visa.

Bringing your partner to Australia

If you declared your relationship on your original student visa, or the relationship began after your visa was granted, your partner may be able to come to Australia as a subsequent entrant. [Contact SUPRA Legal Service](#) for advice on this.

Wanting to stay in Australia after your studies have finished?

There is a visa that is specifically designed to allow international students to stay and work in Australia. You can only be granted this visa once in your lifetime, and there are tight time frames for applications. You must be in Australia when you apply for the visa and you can bring family if you wish.

The 485 Temporary Graduate visa

The 485 Temporary Graduate visa has two streams – the Graduate Work stream, and the Post-Study Work stream.

Graduate Work stream

This is available to all international students and usually allows holders to stay in Australia for 18 months.

To be eligible to apply for this visa, your occupation must be on the [Medium to Long Term Strategic Skills List \(MLTSSL\)](#). If it is, you're also required to have your skills assessed. The occupations on the list change frequently so always check the list as a first step.

There are further eligibility requirements. You must also:

- be under 50 years of age
- be in Australia when you apply
- hold, or have held, a student visa within the last 6 months
- have met the Australian Study Requirement
- meet the English Language Test (some limited exceptions)
- have Overseas Visitor Health Cover
- meet Character and Health Requirements
- have no debt to the Australian Government
- have not had a previous visa cancelled or refused

Post-Study Work stream

To be eligible for this visa, your future job doesn't have to be on the Skilled Occupation List. You can work in any field. The time you can stay in Australia depends on the type of degree you completed here:

- Bachelor degree (including honours): 2 years
- Masters by coursework: 2 years
- Masters by research: 3 years
- Doctoral degree: 4 years

To be eligible you must also:

- be under 50 years of age
- apply within 6 months of your course completion (this is when you have met the requirements for your course not when you graduate)
- be in Australia when you apply
- have been granted your first student visa after 5 November 2011
- meet the Australian Study Requirement
- hold a qualification of Bachelor Degree or higher from a registered Australian provider

- meet the English Language Test (some limited exceptions)
- have Overseas Visitor Health Cover
- meet Character and Health Requirements
- have no debt to the Australian Government
- have not had a previous visa cancelled or refused

Australian study requirement

Before you can apply for a 485 visa you must meet this requirement. The course you studied:

1. Must have been taught in English.
2. Must be registered on [CRICOS](#).
3. Be registered on CRICOS as taking at least 2 academic years to study (92 weeks). You may also be able to combine shorter courses to meet the 92 week threshold in very limited circumstances.

In addition, you must:

- have held a student visa
- have been studying in Australia for at least 16 calendar months

Can I take credits for prior learning?

Depending on your circumstances you may be able to accept all or some of the credits you are offered by the University and still meet the Australian study requirement. We suggest you [contact our Legal Service](#) before accepting any offer of credits so they calculate what you can accept while still meeting the Australian study requirement.

Further assistance

If you need advice or assistance with any area of migration law, the solicitors at [our Legal Service](#) can help you.

For more information about the law relating to your workplace, read [Rights and Responsibilities at Work](#). The SUPRA Legal Service can also assist you with any area of employment law.

Disclaimer

This information is current as at December 2019 and is intended as a guide to the law as it applies to people who live in or are affected by the law as it applies in NSW. It does not constitute legal advice.

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