

## Genuine Temporary Entrant (GTE) Assessment

Ministerial Direction 69 explains how the Department of Home Affairs assesses whether an applicant for a Student Visa is a “genuine temporary entrant”

Please see refer to this link here – [Australian Government – Department of Home Affairs](#)

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## Questions and Evidence for Ministerial Direction 69

To assess whether your client meets the Genuine Temporary Entrant (GTE) Requirement for the Department of Home Affairs Ministerial Direction 69, please seek answers and evidence as per the examples below.

This is a requirement of the Agreement between the Centre for English Teaching and your organisation and it minimises the chance of your client’s Student Visa application being refused.

Before sending an application on behalf of the student, please verify that the answer to all six questions below is “yes”

### 1. Is the client’s statement realistic and consistent?

- a. *For example, if the student states s/he will return to his/her home country for employment in a future role after studying in Australia:*
  - i. *Does that position already exist?*
  - ii. *Does it require a branch office that has not yet been established?*
  - iii. *Is there any documentation to support this, such as a letter of offer from the company?*

### 2. Do the client’s personal circumstances in his/her home country show strong ties and therefore enough reasons to return?

- a. *Do all or most of his/her family members live in the home country?*
- b. *Does the client have a house/apartment, car, business, or job to return to in his/her home country?*
- c. *Are there issues in the home country that make it likely the client will want to return there after studying in Australia, such as low rates of crime or unrest, high employment rates, a growing economy, and an improving job market?*
- d. *Does the client need to return to support family members or for other personal reasons such as to do a future education course there?*

### 3. Can the client explain why s/he chose to study at the University of Sydney Centre for English Teaching?

- a. *Why is it better to study English in Australia rather than the client’s home country?*
  - b. *Have they thought about why CET and not some other provider?*
  - c. *Can they explain why they want to study in Sydney and not some other city?*
  - d. *Do they have an idea about living expenses in Sydney and how they will meet them?*
  - e. *Has the client done any research how their CET course will provide a future benefit to them in terms of improving his/her future employment opportunities in their*
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*home country, allowing him/her to undertake further studies, and/or gaining skills that will help him/her earn more money?*

- f. *Will the CET course build on or complement what the client has previously studied in their home country or elsewhere?*

**4. Does the client have a “clean” immigration history?**

- a. *Has the client had visas for Australia before?*
- b. *Have they ever had a visa cancelled, overstayed their visa or not abided by previous visa conditions?*
- c. *Have they already stayed in Australia for more 2 years and, if so, how can they demonstrate that studying at CET isn't just a way to remain in Australia?*

**5. Can the client provide any or all of these supporting documents?**

- a. *Previous study*
  - i. *academic transcripts showing qualifications achieved*
  - ii. *name of the education provider(s)*
  - iii. *length of study*
  - iv. *certificates of attainment*
- b. *Current employment*
  - i. *current employer*
  - ii. *company address*
  - iii. *period of employment*
  - iv. *details of the position*
  - v. *the name and contact details of someone who can confirm the circumstances of employment*
- c. *Motivation for returning home*
  - i. *documents showing employment or business activities for 12 months before lodging an application*
  - ii. *potential employment offers including salary and other benefits, after course completion*
  - iii. *income tax return or bank statements*
  - iv. *bookings for return flight tickets*

**What might lead to a Student Visa refusal?**

1. The applicant is not genuine temporary entrant (i.e. does not intend to return to his/her home country)
2. The applicant is not a genuine student (i.e. intends to travel to Australia for some other primary reason such as employment)
3. There is a statistical link between applicants from the home country and migration fraud and/or lack of compliance with visa conditions
4. The applicant or a relative of the applicant has an immigration history of reasonable concern
5. The applicant intends to study in a field unrelated to their previous studies or employment
6. There are apparent inconsistencies in information provided by the applicant in their Student visa application.
7. The applicant does not have reasonable reasons for not undertaking the study in their home country or region if a similar course is already available there.

8. The applicant does not have personal ties to their home country (for example family, community and employment) which would serve as a significant incentive to return to their home country.
  9. The economic circumstances or military service commitments of the applicant would present as a significant incentive for the applicant not to return to their home country.
  10. Political and civil unrest in the applicant's home country.
  11. The applicant has ties with Australia which would present as a strong incentive to remain in Australia. This may include family and community ties.
  12. There is no obvious relevance of the course to the student's past or proposed future employment (or studies) either in their home country or a third country.
  13. The applicant has previously been refused a visa for Australia, had a visa cancelled, or has breached the conditions of a previous visa.
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