



Commonwealth of Australia

Migration Regulations 1994

**DETERMINATION – MEANING OF ENROLLED IN FULL-TIME STUDY AT AN
EDUCATIONAL INSTITUTION 2015**

(Subregulation 2.06AAB(3))

I, *PETER DUTTON*, Minister for Immigration and Border Protection, acting under subregulation 2.06AAB(3) of the *Migration Regulations 1994* (the Regulations):

1. DETERMINE for the purposes of subparagraph 2.06AAB(2)(a)(ii) of the Regulations, that an applicant is enrolled in full-time study in an educational institution if at any time during the period specified in paragraph 2.06AAB(2)(a) of the Regulations, the applicant is either:
 - (a) enrolled in full-time study:
 - (i) at the following educational institutions:
 1. primary school; or
 2. secondary school or other equivalent educational institution authorised to issue a Senior Secondary Certificate of Education in the relevant State or Territory; and
 - (ii) which involves the applicant's physical attendance at place located in a regional area for the purposes of study for the entire period of study; or
 - (b) enrolled in full-time study:
 - (i) in a course leading to the award of an Australian Qualifications Framework (AQF) Level 1 qualification or higher, where:
 1. for courses leading to the award of an AQF Level 1 qualification—the applicant is limited to undertaking a single course at that level for the purposes of full-time study under this Instrument; or
 2. for courses leading to the award of an AQF Level 2 qualification or higher—the applicant may undertake one or more courses at

- those levels for the purposes of full-time study under this Instrument;
3. if at any time the applicant undertakes more than one course concurrently, only one course may be considered for the purposes of full-time study for that time under this Instrument; and
- (ii) at an educational institution authorised to issue an Australian Qualifications Framework (AQF) qualification;
- (iii) which involves the applicant's physical attendance at a place located in a regional area for the purposes of study for the entire period of study; and
- (iv) for the purpose of this paragraph (b), does not include study which is wholly undertaken:
1. online;
 2. by correspondence or by distance; or
 3. otherwise on an external study basis.
- (c) for the purposes of this Instrument:
- (i) **contact hours** has the meaning given by regulation 1.03 of the Regulations;
- (ii) **enrolled** means the applicant has enrolled and commenced study at the educational institution;
- (iii) **full-time study** is taken to be:
1. for the purposes of paragraph (a) of this Instrument, the period of study determined as full-time study by the applicant's educational institution;
 2. for the purposes of paragraph (b) of this Instrument either:
 - (a) the period of study determined as full-time study by the applicant's educational institution; or
 - (b) if the applicant's educational institution does not determine full-time study, a period of study which comprises at least 20 contact hours per week.
- (iv) **regional area** is specified under subclause 1404(4) of Schedule 1 to the Regulations.

This Instrument, IMMI 15/070 commences on 18 April 2015.

Dated 8 April 2015

Peter Dutton
Minister for Immigration and Border Protection