



Migration (LIN 19/198: Evidence of financial capacity—Subclass 500 Visa and Subclass 590 Visa) Amendment (LIN 23/070) Specification 2023

I, James Goodsell, delegate of the Minister, make the following specification.

Dated 29 September 2023

James Goodsell
A/g Assistant Secretary
Immigration Programs Division
Department of Home Affairs

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1 Name

This instrument is the *Migration (LIN 19/198: Evidence of financial capacity—Subclass 500 Visa and Subclass 590 Visa) Amendment (LIN 23/070) Specification 2023*.

2 Commencement

This instrument commences on 1 October 2023.

3 Authority

This instrument is made under the *Migration Regulations 1994*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Migration (LIN 19/198: Evidence of financial capacity—Subclass 500 Visa and Subclass 590 Visa) Instrument 2019

1 Section 6 (heading)

Omit “Subclause”, substitute “Subclass”.

2 Subsection 6(2)

Repeal the subsection, substitute:

- (2) The evidence of financial capacity:
- (a) is in the form specified in section 10; and
 - (b) demonstrates that the primary applicant has sufficient funds available to meet the following costs and expenses of the primary applicant:
 - (i) travel expenses; and
 - (ii) the following living costs and expenses:
 - (A) if the primary applicant intends to stay in Australia for a period of 12 months or more—AUD24,505 (*primary applicant annual living costs*); and
 - (B) if the primary applicant intends to stay in Australia for a period of less than 12 months—the pro rata equivalent of primary applicant annual living costs, calculated as specified in section 11; and
 - (iii) the following course fees, minus any amount already paid:
 - (A) if the duration, or the remainder, of the primary applicant’s period of study in Australia is less than 12 months—the fees for the course of study or the remaining components of the course of study; or
 - (B) if the duration, or the remainder, of the primary applicant’s period of study in Australia is more than 12 months—course fees for the first 12 months of the period study in Australia; and
- Note: The period of study is the period beginning on one of the following days and ending on the final day of the applicant’s final course of study:
- (a) if the applicant’s first course of study commenced after the date of application—the first day of the first course of study; or
 - (b) if the applicant’s first course of study commenced before the date of application—the date of application.
- (c) demonstrates that the primary applicant has sufficient funds available to meet the following costs and expenses of each secondary applicant making a combined application with the primary applicant:
- (i) travel expenses; and
 - (ii) for each secondary applicant who intends to stay in Australia for a period of 12 months or more—the following costs (*secondary applicant annual living costs*):
 - (A) for a spouse or de facto partner— AUD8,574; and
 - (B) for a dependent child— AUD3,670; and

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- (iii) for each secondary applicant who intends to stay in Australia for a period of less than 12 months—the pro rata equivalent of secondary applicant annual living costs, calculated as specified in section 11; and
 - (iv) the following school fees for each school-age dependant:
 - (A) if the school-age dependant intends to stay in Australia for more than 12 months— AUD9,661 (*annual school costs*); or
 - (B) if the school-age dependant intends to stay in Australia for less than 12 months—the pro rata equivalent of annual school costs, calculated as specified in section 11; or
 - (C) if the school-age dependant is enrolled in a course of study at a State or Territory government school where the fees have been waived, and the Primary Applicant is enrolled in a course as a doctoral degree student, a Foreign Affairs student, a Defence student or a Commonwealth sponsored student— nil.

3 Subparagraph 6(3)(b)(i)

Omit “AUD62,222”, substitute “AUD72,465”.

4 Subparagraph 6(3)(b)(ii)

Omit “AUD72,592”, substitute “AUD84,543”.

5 Section 7 (heading)

Omit “Subclause”, substitute “Subclass”.

6 Paragraph 7(3)(b)

Omit “AUD72,592”, substitute “AUD84,543”.

7 Paragraph 8(3)(b)

Omit “AUD72,592”, substitute “AUD84,543”.

8 Section 9

Omit “AUD21,041” (wherever occurring), substitute “AUD24,505”.

9 Sub-subparagraph 9(2)(d)(ii)(A)

Omit “AUD7,362”, substitute “AUD8,574”.

10 Sub-subparagraph 9(2)(d)(ii)(B)

Omit “AUD3,152”, substitute “AUD3,670”.

11 Sub-subparagraph 9(2)(d)(iv)(A)

Omit “AUD8,296”, substitute “AUD9,661”.

12 Paragraph 9(3)(b)

Omit “AUD72,592”, substitute “AUD84,543”.

13 At the end of Part 2

Add:

Part 3—Application, Saving and Transitional Provisions

The amendments made to this instrument by *Migration (LIN 19/198: Evidence of financial capacity—Subclass 500 Visa and Subclass 590 Visa) Amendment (LIN 23/070) Specification 2023* (the **amending instrument**) apply in relation to an application for a Student (Temporary) (Class TU) visa made on or after the day the amending instrument commences.