

### Immigration and citizenship

### Subclass 590

# Student Guardian visa

Visit to support a child who holds a student visa.

## Overview

### Stay

This is a temporary visa. The length of your visa will be determined by the student visa holder's stay and their age.

#### Cost

From AUD710.00

### **Processing times**

For an indication of processing times for this visa, use the <u>visa processing time guide tool</u> (<u>/visas/getting-a-visa/visa-processing-times/global-visa-processing-times</u>). This will show the processing times for recently decided applications. It is a guide only and not specific to your application.

#### With this visa you can

• come to Australia to provide care and support for a student visa holder who is under 18 years of age or older due to exceptional circumstances

See all conditions (/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions?product=590)

Check your eligibility (#Eligibility)

#### You must

- be the student's parent, custodian or relative who is 21 years or older
- have enough money to support yourself and the student during your stay
- be able to provide accommodation, welfare and other support

### Help with your visa

If you are getting help with your visa, before you pay someone, read information on Who can help with your visa application (/help-support/who-can-help-with-your-application/overview).

Ask a question

## About this visa

- With this visa you can (#aboutVisa-index-0)
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## With this visa you can

- come to Australia to provide care and support for a student visa holder who is under 18 years of age (or over 18 in exceptional circumstances)
- · care for more than one student
- study an English Language Intensive Course for Overseas Students (ELICOS) for less than 20 hours per week, or any
  other study or training for no more than 3 months

You cannot work.

# How long you can stay

You can stay in Australia until a date specified on your visa grant letter. In deciding this date, we usually consider the length of the student visa holder's stay or when that student turns 18.

# Stay longer

You can stay in Australia by applying for a further Student Guardian visa.

# Include family

If any member of your family unit has not turned 6 years old, you cannot be granted the visa unless:

- there are compelling and compassionate reasons or
- granting the visa would significantly benefit the relationship between the Australian Government and the government of another country

The child must meet the same <u>health requirements</u> (/help-support/meeting-our-requirements/health) as you and have health insurance for the duration of their stay in Australia.

You can't include children under 6 years old after you have submitted your application.

Children 6 years old or older can come with you but they must apply for their own student visa.

### Cost

The visa costs from AUD710.00 for the main applicant.

There is also a charge for each family member who applies for the visa with you.

You might also have to pay other costs for health checks, police certificates and biometrics.

To work out what your visa will cost use the <u>Visa Pricing Estimator (/visas/visa-pricing-estimator?visa=590)</u>. The estimator does not take into account the other costs.

## **Apply from**

You can be in or outside Australia when you apply for the visa and when we decide on your application.

# **Processing times**

For an indication of processing times for this visa, use the visa processing time guide tool (/visas/getting-a-visa/visa-processing-times/global-visa-processing-times). This will show the processing times for recently decided applications. It is a guide only and not specific to your application.

Your application may take longer to process if:

- you do not fill it in correctly
- you do not include all the documents we need or we need more information from you
- it takes us time to verify your information

We cannot process your application if you do not pay the correct visa application charge. We will notify you if this is the case and if necessary return your application.

# Your obligations

You and your family members must meet all visa conditions and obey Australian laws.

See which conditions will and might be attached to this visa. (/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions?product=590)

### Travel

You can travel outside Australia and return as many times as you want while the visa is valid. But you can't leave Australia without the student visa holder unless you have made <u>alternative welfare arrangements</u> (/visas/getting-a-visa/visa-listing/student-500/welfare-arrangements-students-under-18).

The time you spend outside Australia does not extend the visa.

# **Financial support**

You will need to be able to financially support yourself while in Australia. You will need to be able to financially support accompanying family members

## Visa label

We will digitally link your visa to your passport. You will not get a label in your passport.

# Eligibility

## Have a certain visa

You can be in or outside Australia when you apply for the visa.

You can apply in Australia if you hold a substantive visa except for one of these:

- Domestic Worker (Temporary) Diplomatic and Consular visa (subclass 426)
- Temporary Work (International Relations) visa (subclass 403) in the Domestic Worker (Diplomatic or consular) stream
- Diplomatic (Temporary) visa (subclass 995) primary visa holder only. A family member of a Diplomatic (Temporary) visa (subclass 995) can apply for a Student visa in Australia
- Transit visa (subclass 771)
- Visitor visa (subclass 600) in the Sponsored Family stream or in the Approved Destination Status stream

## Be a parent, a custodian or a relative

You must be:

- the parent of the student visa holder, or
- a person who has custody of the student, or
- a relative of the student, aged 21 years or older, nominated in writing by a parent or person who has custody of the student

You will provide care and support for:

- a student visa holder who is under 18 years of age or
- a student visa holder who is 18 years of age or older and needs care and support due to exceptional circumstances

For this visa, a relative is the student's:

- parent or step-parent
- · grandparent or step-grandparent
- sibling or stepsibling
- aunt, uncle, step-aunt or step-uncle
- · niece, nephew or step-niece or step-nephew
- partner
- child or stepchild

## Be able to provide for the student

You must be able to provide accommodation, general welfare and support to the student.

# Have enough money for your stay

You must show us evidence that you have enough money to pay for your stay in Australia for meeting the costs and expenses of yourself, your accompanying family members and in most cases, the student visa holder.

To see what you will need to provide go to <u>Gather Documents in the 'Step by Step' (/visas/getting-a-visa/visa-listing/student-590#HowTo)</u> tab.

## **Bringing children**

If any member of your family unit has not turned 6, you cannot be granted the visa unless:

- there are compelling and compassionate reasons or
- granting the visa would significantly benefit the relationship between the Australian Government and the government of another country, you are 21 and if the student visa holder has not turned 18, the nomination is supported by a parent or someone with custody of the student.

# Make welfare arrangements for dependants overseas

You must make adequate arrangements for the accommodation, support and welfare of any member of your family who:

- is not coming with you to Australia
- is under 18 years of age
- · does not have a Student visa

We consider you have made adequate welfare arrangements for your children aged 6 to 18 years if they will be living with:

- another parent or custodian
- a relative who is at least 21 years old

# Have adequate health insurance

You are personally liable for all your healthcare costs while you are in Australia. Medical insurance helps limit your financial liability.

You must maintain adequate health cover for the whole of your stay if you are granted this visa. Your insurance should cover you for medically necessary treatment, including transport.

See a guide to what we consider <u>adequate health insurance</u> (/help-support/meeting-our-requirements/health/adequate-health-insurance).

Learn more about health insurance for overseas visitors (https://www.privatehealth.gov.au/health\_insurance/overseas/index.htm).

### Reciprocal healthcare agreements

Some countries have a reciprocal healthcare agreement with Australia. Find out more from Services Australia about reciprocal healthcare agreements (https://www.humanservices.gov.au/individuals/enablers/rhca-medical-care-visitors-australia).

## Be a genuine temporary entrant

You must only intend to:

- · stay temporarily in Australia
- · do the things you are allowed to do on this visa

You must have substantially complied with the conditions of the last substantive or subsequent bridging visa that you held.

When we assess whether you plan to stay in Australia temporarily we will consider:

- your personal circumstances in your home country
- your potential circumstances in Australia
- your immigration history
- anything else that relates to your plan to remain in Australia temporarily.

# Meet our health requirement

You and any family members who apply for the visa with you must meet our <u>health requirement (/help-support/meeting-our-requirements/health)</u>

## Meet our character requirement

If you are a relative of the student visa holder, you must meet our <u>character requirement</u> (/help-support/meeting-our-requirements/character).

## Sign the Australian values statement

You must:

- have read, or had explained to you, the Life in Australia booklet (/help-support/meeting-our-requirements/australian-values) and
- sign an Australian Values Statement (/help-support/meeting-our-requirements/australian-values) that confirms you will respect the Australian way of life and obey Australian laws

### Have no debt to the Australian Government

If you or any family members owe the Australian Government money, you or they must have paid it back or arranged to pay it back.

# Not had a visa cancelled or an application refused

We will consider your immigration history when we make a decision on your application, which means you might not be eligible for this visa if you have had a visa cancelled or refused.

In some circumstances you may still apply for a permanent visa if you have had a visa cancelled or an application refused see Limitations on applications in Australia (/form-listing/forms/1026i.pdf).

If applying for a visa from outside Australia see Can I go to Australia (/entering-and-leaving-australia/entering-australia/can-i-go-to-australia/re-entry-ban).

If you want immigration assistance, see Who can help with your visa application (/help-support/who-can-help-with-your-application/overview).

## Best interests of the child

We might not grant this visa if it is not in the best interests of an applicant under 18.

Meet all these criteria? Check how to apply in our step by step (#HowTo) guide.

# Step by step

Step 1

## Before you apply

You might need to organise health exams. See what to do if you want help with your application. (/help-support/who-can-help-with-your-application/overview)

Get help with your application

Only some people can help you with your application. If you appoint someone to give you immigration assistance they must be:

- a registered migration agent (/help-support/who-can-help-with-your-application/using-a-migration-agent)
- a legal practitioner (/help-support/who-can-help-with-your-application/using-a-legal-practitioner), or
- an exempt person (/help-support/who-can-help-with-your-application/exempt-person).

You can appoint anyone to receive documents (/help-support/who-can-help-with-your-application/authorised-recipents) on your behalf relating to your visa matter.

Step 2

# **Gather your documents**

Provide accurate information. See what happens if you cannot <u>prove your identity or do not provide true</u> information *(/help-support/meeting-our-requirements/providing-accurate-information).* 

### **Identity documents**

We need proof of your identity. If you cannot prove your identity:

- we will refuse your visa application
- we might not grant you another visa for 10 years
- we might not grant any family members you listed on your application a visa for 10 years

Provide the pages of your current passport showing your photo, personal details, and passport issue and expiry dates.

Also provide:

- a national identity card, if you have one
- · proof of change of name

Documents that prove a change of name include:

- a marriage or divorce certificate
- change of name documents from an Australian Registry of Births, Deaths and Marriages, or the relevant overseas authority
- documents that show other names you have been known by

### Student guardianship documents

Provide completed <u>Form 157N - Student guardianship arrangements (291KB PDF)</u> (/form-listing/forms/157N.pdf).

Your application will not be valid if you do not provide the completed form.

### Evidence you have enough money for your stay

The living costs we ask you to declare and provide with your visa application indicate the cost of living in Australia. Actual living costs vary throughout Australia. We recommend you research the area you intend to live including the cost of living in that area

There are options to prove you have enough money for your stay.

# Enough money to support yourself, the student visa holder(s) and any children who come to Australia with you.

You need to have enough money to pay for:

- Travel for you and the student visa holder(s)
- 12 months of course fees for the student visa holder(s)
- 12 months specified annual living costs for you
- 12 months of living costs for the student visa holder(s) and accompanying family members
- school fees for school-age children who accompany you

### **Annual income**

Alternatively, you can show us that your spouse or de facto partner (who is not travelling to Australia) will support you and has an annual income of AUD72,592 or more in the 12 months immediately before you apply.

From 1 October 2023, you can show us that your spouse or de facto partner (who is not travelling to Australia) will support you and has an annual income of AUD84,543 or more in the 12 months immediately before you apply.

Provide evidence in the form of official government documents of personal income such as tax assessments less than 12 months old. We won't accept bank statements or direct evidence from an employer.

## Work out how much money you need

Use the following information to work out how much money you need. To calculate pro rata costs, divide the annual cost by 365 and multiply the result by the number of days you intend to stay in Australia.

#### Living costs

12-month living costs are:

- for students or guardians AUD21,041
- for a child under the age of 6 years coming with you AUD3,152

From 1 October 2023, the 12-month living costs will increase to:

- for students or guardians AUD24,505
- for a child under the age of 6 years coming with you AUD3,670.

#### Schooling costs

12 month course fees for the student visa holder(s) (or pro-rata if less than 12 months).

If you are including school-age children (under 6 years) in your application, add schooling costs of at least AUD8,296 per year per child. Costs vary between states, territories and schools in Australia – you are responsible for finding out how much the child's schooling will cost.

From 1 October 2023, if you are including school-age children (under 6 years) in your application, add schooling costs of at least AUD9,661 per year per child.

### **Travel Costs**

As a guide, allow \$2000 per person.

### Evidence you have genuine access to the money

You must show you will have genuine access to funds while you are in Australia for:

- meeting the costs and expenses of yourself, your accompanying family members and in most cases, the student visa holder.
- proving your financial capacity for the matters specified above

If someone else is providing you funds, give us:

- · evidence of your relationship with them
- their identity documents

If you are providing evidence of deposits of money, explain their source.

### **Health insurance**

You will need to provide evidence of adequate health insurance (/help-support/meeting-our-requirements/health/adequate-health-insurance) for you and your family members for the first 12 months of your stay in Australia.

This can be Overseas Visitors Health Cover (OVHC) premium or another health insurance product from Australia or your home country that provides a similar level of cover.

OVHC is available through several private and general insurers in Australia. However, the benefits available, membership costs and eligibility can vary between insurers.

### **Genuine temporary entrant documents**

Show proof that you are staying in Australia temporarily:

Write a personal statement addressing the Genuine Temporary Entry requirement. If you are not comfortable writing it in English, you can write your statement in your own language and submit a translated copy with your application.

In your written statement, provide evidence or information about circumstances in your home country, ties to your home country or country of residence and incentive to return. This could include:

- evidence of immediate family members in your home country
- your visa or residence status in your home country and your right to return
- proof of property or other significant assets in your home country
- a return air ticket
- · a letter from your employer confirming your leave

We consider your personal circumstances when we make a decision. When we assess whether you are a genuine temporary entrant, we consider your situation as a whole.

Ministerial Direction 69 (52KB PDF) (52KB PDF) (/Visa-subsite/files/direction-no-69.pdf) sets out a number of factors we take into account when determining if you meet the GTE requirement. It is not a checklist. We encourage you to read Ministerial Direction 69 before drafting your GTE statement.

#### **Character documents**

If you are a relative of the student vida holder, provide an Australian police certificate if you have spent a total of 12 months or more in Australia in the last 10 years since you turned 16.

We only accept complete disclosure National Police Certificates issued by the <u>Australian Federal</u> Police (https://www.afp.gov.au/what-we-do/services/criminal-records/national-police-checks). We do not accept standard disclosure certificates or national police certificates issued by Australian state or territory police.

Depending on your circumstances, we may ask you to also provide an <u>overseas police certificate from</u> <u>every country (/help-support/contact-us/offices-and-locations/offices-outside-australia)</u>, including your home country, where you spent a total of 12 months or more in the last 10 years since you turned 16

### **Dependants under 6 documents**

For every dependant 6 years old or younger who is applying with you:

- demonstrate compelling and compassionate circumstances or
- provide written support from the government of your home country or a letter of support from the Australian Department of Foreign Affairs and Trade

Also provide:

- copies of birth certificates or the family book showing the names of both parents of all your dependent children
- · copies of the adoption paper, if applicable.

### Parental responsibility documents

You must get consent for any applicant under 18 years of age to migrate to Australia from anyone who:

- has a legal right to decide where the child lives and
- is not coming to Australia with the child

They must complete either:

- Form 1229 Consent form to grant an Australian visa to a child under the age of 18 years (276KB PDF) (/form-listing/forms/1229.pdf)
- a statutory declaration giving their consent for the child to visit Australia on this visa

Alternatively, you can show us:

- an Australian court order that allows your child to migrate to Australia, or
- that the laws of your home country allow them to migrate

#### Include:

- an identity document that shows the signature and photo of the person who completed the form or declaration, such as a passport or driver's licence
- · adoption papers or other court documents if applicable

### Tell us you are getting help

To nominate someone to:

- receive your correspondence, use <u>Form 956A Appointment or withdrawal of an authorised recipient</u> (301KB PDF) (/form-listing/forms/956a.pdf)
- provide immigration assistance, use Form 956 Appointment of a registered migration agent, legal practitioner or exempt person (308KB PDF) (/form-listing/forms/956.pdf).

Upload your written notification or your forms to <a href="ImmiAccount">ImmiAccount</a> (/help-support/applying-online-or-on-paper/overview).

### **Prepare your documents**

#### **Translate**

Have all non-English documents translated into English.

Translators in Australia must be accredited by the <u>National Accreditation Authority for Translators</u> and Interpreters *(http://www.naati.com.au).* 

Translators outside Australia do not have to be accredited. But on each translation, they must include their:

- full name
- · address and telephone number
- · qualifications and experience in the language they are translating

These details must be in English.

Note: You do not need to have any documents certified.

### Scan or photograph documents

Scan or photograph all documents (English and non-English) in colour.

The scans and photos must be legible.

If a document is more than 1 page, save it all as 1 file.

### Keep a copy

Keep a copy of your completed application.

#### Step 3

# Apply for the visa

You must apply for this visa online. You should apply for your visa at least 6 weeks before the student's course starts.

### Do not provide false and misleading information

Provide accurate information. See what happens if you can't prove your identity or don't provide true information (/help-support/meeting-our-requirements/providing-accurate-information).

### **Apply online**

- 1. Log in or create an ImmiAccount (https://online.immi.gov.au/lusc/login)
- 2. Attach documents (/help-support/applying-online-or-on-paper/online)
- 3. Pay the application fee (/help-support/applying-online-or-on-paper/online/how-to-pay). We will not process your application until you pay the fee.

### Step 4

# After you apply

We will let you know when we have received your application and documents. See what you can and must do after you apply.

### Status updates

We can't provide any further updates on your application. You can see if we have asked for more information in your ImmiAccount (/help-support/applying-online-or-on-paper/online).

### Travel after you apply

You do not have to tell us if you want to travel outside Australia while we process your application. This is because you can be outside Australia when we make a decision.

But if you leave Australia, make sure you have a valid visa to return.

You can't leave Australia without the student visa holder unless you you have made <u>alternative welfare</u> arrangements (/visas/getting-a-visa/visa-listing/student-500/welfare-arrangements-students-under-18).

Learn about visa expiry (/visas/visa-about-to-expire).

#### **Health exams**

We will let you know if you need health examinations (/help-support/meeting-our-requirements/health).

#### **Biometrics**

We might ask for <u>biometrics</u> (/help-support/meeting-our-requirements/biometrics) (fingerprints and photo). We will let you know if you need to provide them.

#### **Provide more information**

If you did not attach all documents when you applied, attach them as soon as possible in <a href="mailto:lmmi.gov.au/ola/app">lmmiAccount</a> (https://online.immi.gov.au/ola/app).

We might also ask you to provide more information.

### Stay lawful

If you are in Australia, make sure you stay lawful by holding a valid visa while we process your application.

If you were in Australia when you applied for this visa, you were granted a Bridging visa A (BVA). If your current visa expires before we decide on your application, the BVA will start. You can stay in Australia on the BVA while we process your new visa application. You cannot travel on the BVA - there is no right of return on this visa; it cancels on departure.

Do not get cancel your current visa cancelled. If you do, you will be in Australia unlawfully.

Learn more about visa expiry (/visas/visa-about-to-expire).

### Mistakes on your application

Let us know as soon as you can. If you do not tell us you made a mistake on your application, we might refuse it.

Complete Form 1023 Notification of incorrect answers (168KB PDF) (/form-listing/forms/1023.pdf) and upload in ImmiAccount.

### Help with your application

Let us know if you no longer want someone to:

- receive your correspondence complete Form 956A Appointment or withdrawal of an authorised recipient (301KB PDF) (/form-listing/forms/956a.pdf)
- provide immigration advice complete Form 956 Appointment of a registered migration agent, legal practitioner or exempt person (308KB PDF) (/form-listing/forms/956.pdf).

Upload your written notification or your forms to <a href="ImmiAccount">ImmiAccount</a> (/help-support/applying-online-or-on-paper/overview).

For more information see Who can help you with your application (/help-support/who-can-help-with-your-application/overview).

### Tell us if things change

Things you need to let us know about after you have applied include:

- · changes to your phone number, address or passport
- changes to your marital or de facto status
- · the birth of a child
- you want to withdraw your application

See how to tell us if your situation changes (/change-in-situation).



## Visa outcome

We will let you know in writing our decision about your visa application. If we grant you the visa, we will tell you:

- your visa grant number
- the date your visa starts
- · your visa conditions

Keep a copy of the decision with you when in Australia.

If we refuse your visa, we will tell you why it was refused and whether you have a right to a review of the decision.

We will not refund the application fee if we refuse your application.

# When you have this visa

- Now you have your visa (#haveThisVisa-index-0)
- Coming to Australia (#haveThisVisa-index-1)
- In Australia (#haveThisVisa-index-2)
- Leaving Australia (#haveThisVisa-index-3)

## Now you have your visa

If we have granted you a Student Guardian (subclass 590) visa, you may want to consider withdrawing any other undecided visa applications you have lodged with us.

We will continue to progress any undecided visa applications. If they meet the requirements it may result in your current visa ceasing. It may also affect your eligibility for government benefits such as Centrelink or Medicare.

To withdraw any other visa application, you must tell us in writing. More information is available on our website at <u>You</u> want to withdraw an application (/change-in-situation/withdraw-visa-application).

## **Coming to Australia**

## Before you leave

#### **Check your travel documents**

You must have:

- a valid visa to enter Australia
- a valid passport or other travel document

### At the border

### Completing an Incoming Passenger Card

All people arriving Australia must complete the <u>Incoming Passenger Card</u> (https://www.abf.gov.au/entering-and-leaving-australia/crossing-the-border/at-the-border/incoming-passenger-card-(ipc)). You will get the card on board.

## In Australia

## What you can do when you have this visa

- come to Australia to provide care and support for a student visa holder who is under the age of 18 years of age (or over 18 in exceptional circumstances)
- · care for more than one student
- study an English Language Intensive Course for Overseas Students (ELICOS) for less than 20 hours per week, or any
  other study or training for no more than 3 months

You cannot work.

### What you must do on this visa

You, and your family members, must comply with all visa conditions and Australian laws. Check your conditions in your grant letter or in VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview).

## Tell us if things change

Things you need to let us know about include

- changes to your phone number, email, address or passport
- · changes to your relationship status
- · changes to your work
- · the birth of a child

See how to let us know if there is a change in your situation (/change-in-situation).

## How long you can stay

This is a temporary visa. You can stay in Australia until the date provided in your visa grant letter.

To see when you must leave, use VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview).

## Staying longer

You can stay in Australia longer by applying for a further Student Guardian visa.

### Travelling on your visa

You can travel outside Australia and return as many times as you want while the visa is valid.

But you can't leave Australia without the student visa holder unless you have made <u>alternative welfare arrangements</u> (*visas/getting-a-visa/visa-listing/student-500/welfare-arrangements-students-under-18*).

The time you spend outside Australia does not extend the visa.

### Proving you have a visa

To prove you have a visa and show your conditions to someone, use <u>VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview)</u>.

## Working on this visa

To see your conditions for work, use VEVO (/visas/already-have-a-visa/check-visa-details-and-conditions/overview).

# **Leaving Australia**

### Before you leave

### **Check your travel documents**

You must have a valid passport or other travel document to leave Australia.

### At the border

### Leaving the airport faster (all visas)

We have an automated process that uses facial recognition technology and your ePassport. You might be able to leave the airport faster if you use SmartGate (https://www.abf.gov.au/smartgates).

## After you leave

#### To prove you have been to Australia

Request your international movement records (https://immi.homeaffairs.gov.au/entering-and-leaving-australia/request-movement-records) to get proof of your travel in and out of Australia.

Last updated: 15 September 2023