Administrative Appeals Tribunal

Migration & Refugee Division

[State Office Address]

In reply quote:

Client Name: Al-Momen Reyad

Date of Birth: 2002-11-03

Application ID: 123456789

File Number: 12345679

Visa Subclass: Student Visa (Subclass 500)

Date of Refusal: 2025-05-30

Representative: Jane Doe

MARN: 654149849849

RE: Submission in Support of Student Visa Review Application

Refusal Under Clauses 500.212, 500.213, 500.214, and 500.217 of Schedule 2 to the Migration Regulations 1994

Dear Tribunal Member,

I respectfully submit this statement on behalf of the applicant in support of their application for merits review before the Tribunal. The applicant seeks review of a decision to refuse their Student visa (subclass 500) and maintains they meet all relevant criteria.

1. CLAUSE 500.212 – GENUINE STUDENT CRITERION

a) Circumstances in Home Country:

The applicant has family residing in India, including parents and siblings, who provide both emotional and financial support. Despite these ties, the applicant seeks to gain an internationally recognized qualification to enhance future employment opportunities in India.

b) Circumstances in Australia:

The applicant has no immediate family in Australia and maintains limited connections, with the primary focus being education. Accommodation is arranged near the university, and financial support is sourced through family funds.

c) Value of the Course to Future:

The Master of Information Technology course at the University of Sydney provides advanced technical knowledge and international exposure, significantly improving career prospects in the applicant’s home country where IT professionals are in high demand.

d) Previous Study and Gaps:

The applicant previously completed a Bachelor of Computer Science at Delhi University with strong academic results, demonstrating the ability to complete higher education successfully.

e) Immigration History:

The applicant initially applied for a student visa in 2021, which was refused due to insufficient financial documentation. A subsequent application in 2022 was granted. The applicant has complied with all visa conditions since arrival.

f) Other Relevant Matters:

The applicant has strong incentives to return home after studies, including family ties and a confirmed job offer with an Indian IT consultancy firm upon graduation. The applicant has no history of overstaying visas or breaching immigration laws.

2. CLAUSE 500.213 – ENGLISH LANGUAGE REQUIREMENT

The applicant satisfies LIN 24/022. He completed an IELTS Academic test on 12 March 2025 with an overall score of 6.5 and sub-scores of Listening 6.5, Reading 6.5, Writing 6.0, and Speaking 6.5. This exceeds the minimum “Genuine Student” benchmark and was valid at the time of decision and remains valid for the Tribunal’s consideration. No ELICOS packaging or exemption is relied upon.

3. CLAUSE 500.214 – CONFIRMATION OF ENROLMENT

The applicant holds a current Confirmation of Enrolment issued on 12 June 2025 for the Master of Information Technology at the University of Sydney, a CRICOS-registered principal course. Any earlier documentary deficiencies have been rectified by providing the updated COE and semester enrolment evidence, together with proof of Overseas Student Health Cover for the full course duration.

4. CLAUSE 500.217 – FINANCIAL CAPACITY

The applicant meets the Department’s financial capacity framework for 12 months’ costs (tuition, living expenses, OSHC, and travel):

- Tuition: Evidence of a paid tuition deposit of AUD 20,000 and a university statement showing first-year tuition of approximately AUD 52,000.

- Living costs: Personal savings of AUD 42,500 held for over three months in a State Bank of India account (Dec 2024–Jun 2025 statements), exceeding the current living cost benchmark.

- Sponsor income/funds: The applicant’s father provides supplementary support, evidenced by Indian FY 2023–24 income tax returns and Form 16 indicating annual taxable income of approximately AUD 95,000 equivalent, recent salary slips, and bank statements showing readily available funds of AUD 30,000. A sworn affidavit/statutory declaration outlines the commitment to cover any shortfall and ongoing expenses.

- Ancillary costs: OSHC policy paid in full for the course duration and provision for return airfare (~AUD 2,500) demonstrated within the savings balance.

When combined—tuition already paid, accessible savings, and verified sponsor income—the evidence meets and exceeds the required threshold for first-year tuition, living costs, OSHC, and travel.

Conclusion

For the reasons above, the applicant is a genuine student who satisfies clauses 500.212, 500.213, 500.214, and 500.217. We respectfully request that the Tribunal:

1) set aside the refusal decision; and

2) remit the matter to the Department with the finding that the visa criteria are satisfied.

Yours sincerely,

Jane Doe

Registered Migration Agent

MARN: 654149849849