



# Temporary Residents Admissions policy

**Version:** 1.3 | **Version effective:** 14/12/2022

## Audience

Temporary visa holders with Kindergarten to Year 12 (K-12) age-appropriate dependants who wish to enrol or have enrolled in a Queensland state school or at an approved state delivered kindergarten (SDK), Department of Education International (DEi) staff, Queensland state schools and SDK staff and principals.

## Purpose

This policy outlines the Department of Education's (the department) requirements for providing temporary residents holding dependant, bridging and visitor visas, access to the Queensland state education system, and the principles that guide the enrolment of temporary residents at Queensland state schools.

## Policy statement

The department is committed to contributing to vibrant communities and a stronger Queensland economy by supporting young people to thrive in a connected, diverse and rapidly changing world. Our business includes providing K-12 age-appropriate dependants of temporary visa holders equitable access to state schools.

Temporary Residents Admissions (TRA) supports the department's commitment to [Inclusive education](#) by facilitating access to a culturally diverse learning environment. Our commitment ensures that Queensland's K-12 age-appropriate temporary visa holders can participate in world class education programs.

## Principles

The department's work with temporary visa holders is guided by the following core principles:

| Principle                                       | What this means for the department  |
|---|---|
| <b>Operational efficiency and effectiveness</b> | People, systems and processes in place ensure an effective operational foundation for improved service delivery and an enhanced customer experience |
| <b>Equitable access to education</b>            | Provide an opportunity to participate in quality education that prevents inequitable barriers   |

| Principle   | What this means for the department   |
|---|--|
| <b>Compliance with relevant federal and state legislation</b> | Ensure relevant policies and procedures reflect the current prescribed legislative requirements  |
| <b>Reputational integrity of the department</b>               | Maintain accountability and transparency in activity and decision making that raises the profile of the department and state education |

## Requirements

The Department of Education International (DEi) on behalf of the department determines the [fees charged](#) to enrol a dependant child in accordance with the department's [User charging procedure](#). DEi charges fees for the education of a person at a state school or registration of a person at a state delivered kindergarten who is not an Australian citizen or permanent resident, or a child of an Australian citizen or permanent resident under the provisions of section 51(1) of the [Education \(General Provisions\) Act 2006](#) (EGPA).

When specified, temporary visa holders must meet the Department of Home Affairs (DHA) [visa condition](#) 8517 to maintain adequate arrangements for the education of school-age dependants who are in Australia for more than 3 months. Where this visa condition applies, temporary visa holders with school aged dependants must meet the compulsory schooling requirements outlined in section 176 (1)(a)(b), 235 (a)(b) and 239(1) of the EGPA.

### Enrolment

The Department of Education International (DEi) ensures the dependants of temporary visa holders satisfy the following TRA requirements prior to issuing the Authority to enrol (ATE) in a Queensland state school:

- TRA [application for authority to enrol form](#)
- TRA [terms and conditions of application](#)

The process temporary visa holders are required to follow to apply and enrol in a Queensland state school is maintained in the TRA procedure.

Temporary visa holders agree to the TRA terms and conditions of application when completing the TRA Application for authority to enrol form.

From the implementation date of this policy, Australian citizens or permanent residents with parental responsibility for a dependant child on a temporary visa are required to complete the TRA enrolment process and submit evidence of parental responsibility. This evidence is assessed by DEi in accordance with the [Guidelines for assessing parental linkage between a child and an Australian citizen or permanent resident](#).

DEi issues the ATE to temporary visa holders who have satisfied the TRA requirements of enrolment. The ATE is not a guarantee of enrolment or continued enrolment. The dependant child may also be required to meet the other departmental policies, procedures and processes outlined in the TRA terms and conditions of application.

Where there are changes to the dependant child's enrolment (e.g. change of school) or visa subclass, a new TRA [application for authority to enrol form](#) may be required as per the TRA terms and conditions of application. DHA

may require a dependant who turns 18 during the course of their enrolment to [apply for their own student visa](#).

### Temporary removal and withdrawal

Temporary visa holders may temporarily remove their dependant child from school or withdraw their dependant child's enrolment or registration in accordance with TRA terms and conditions of application.

### Fees and payments

DEi publishes the [TRA fees](#) charged by the department for the enrolment of K-12 age-appropriate temporary visa holders. TRA fees are determined in accordance with the department's [User charging procedure](#). TRA [terms and conditions of application](#) outlines DEi's expectations regarding fees and payments. Payment processes and actions taken by DEi for the non-payment of fees are in accordance with the department's [Debt management procedure](#) and the [TRA procedure](#).

The DEi [Fee Exemption Policy](#) outlines the requirements for eligible dependants of adult international students studying in Queensland tertiary institutions to be exempt from paying tuition fees in Queensland state schools.

### Financial hardship

If financial hardship is being experienced by a temporary resident visa holder, repayment agreements can be arranged in accordance with the Debt management procedure and as outlined in the [TRA payment plan fact sheet](#). As specified in section 51 (6) of the [EGPA](#) it is only when significant financial hardship can be demonstrated and at the discretion of the Director-General or delegate that a [fee may be waived](#) for temporary visa holders.

### Refunds

DEi publishes a refund statement which is outlined in the TRA terms and conditions of application. Refunds are processed in accordance with the instructions in the [TRA application for a refund form](#).

### Complaint process

A customer expressing dissatisfaction about a decision or action made by DEi or its staff may initiate a complaint in accordance to the department's [Customer Complaints Management Framework](#).

### Changes to Australian visas

DHA introduces changes that could affect people wanting to apply for an Australian visa or those who have an existing Australian visa. DHA also sets certain eligibility conditions for temporary visa holders, including having sufficient financial capacity to support the primary student visa holder's study and stay in Australia, and maintaining adequate schooling arrangement for their school-aged dependants.

DEi will implement changes relevant to temporary resident admissions as determined by DHA. Temporary visa holders are required to follow the conditions of their visa for the duration of the visa.

## Definitions

| Term   | Definition  |
|--|---|
| <b>Authority to enrol</b>                          | A letter issued by DEi confirming the student named is eligible to apply to enrol at a Queensland state school and that relevant fees have been paid.   |
| <b>Bridging visa</b>                               | A bridging visa allows a person to stay in Australia after the previous substantive visa ceases and while a new visa application is being processed.  |
| <b>Department of Education International (DEi)</b> | The international branch of the Department of Education and employees of DEi.<br>The Department of Education's trading name is Education Queensland International (EQI).  |
| <b>Dependant child or Dependant</b>                | A Kindergarten to Year 12 aged child who is named as a dependant on their parent's visa.<br><br>NOTE: DHA may require a dependant who turns 18 during the course of their enrolment to apply for their own student visa   |
| <b>Department of Home Affairs (DHA)</b>            | Australian government department responsible for immigration.   |
| <b>Fee exemption</b>                               | Prep - Year 12 dependants of student visa holders may be <a href="#">exempt</a> from the requirement to pay tuition fees for their education in Queensland state schools. Any exemption only applies for the duration of the primary student visa holder's (parent's) course of study with a Queensland education provider.       |
| <b>Financial hardship</b>                          | Where a temporary visa holder can provide documented evidences and be assessed to meet the criteria of financial hardship as outlined in the TRA <a href="#">payment plan fact sheet</a> .  |
| <b>Parent</b>                                      | Refers to definition in <a href="#">s10 Education (General Provisions) Act 2006</a> and for a person who is not the father or mother of the child, parental responsibility will be assessed using the <a href="#">Guidelines for assessing parental linkage between a child and an Australian citizen or permanent resident</a> . |
| <b>Significant financial hardship</b>              | Circumstances where a temporary visa holder can provide documented evidence and be assessed to meet the criteria of significant financial hardship as outlined in the <a href="#">Guideline for assessing temporary resident admission fee waiver applications</a> .  |
| <b>State delivered kindergarten (SDK)</b>          | Kindergarten programs offered in Queensland state schools located at least 40 kilometres by road from the nearest approved kindergarten, in a selected, discrete Aboriginal and Torres Strait Islander community or other selected communities where there are barriers to accessing kindergarten.                                |
| <b>Temporarily remove</b>                          | The voluntary removal of a dependant child enrolled at a school for less than two terms (e.g. holidays or return overseas during the school term) requiring the   |

| Term  | Definition   |
|---|--|
|   | temporary visa holder to notify the school and DEi (in writing) as per the TRA <a href="#">terms and conditions of application</a> .   |
| <b>Temporary residents admissions</b>                         | A process administered on behalf of the Department of Education by DEi which supports the <a href="#">application, enrolment and monitoring</a> of temporary visa holders in Queensland state schools and State Delivered Kindergartens, predominantly bridging visas, dependants of student visa holders and visitor visas. |
| <b>Temporary Residents Admissions (TRA) enrolment process</b> | The process outlined in the <a href="#">TRA procedure</a> .  |
| <b>Temporary visa</b>   | A visa which allows the holder to remain/reside temporarily in Australia until the expiry of the visa.   |
| <b>Visitor visa (also referred to as tourist visa)</b>        | A visitor visa is a temporary visa that allows the person visit Australia for business or personal purposes for up to 3, 6 or 12 months. There is a three-month limitation on study for this visa.   |
| <b>Withdrawal</b>   | The voluntary withdrawal of a dependant child enrolled at a school or registered in a State Delivered Kindergarten requiring the temporary visa holder to notify DEi and the school in writing as per the TRA <a href="#">terms and conditions of application</a> .  |

## Legislation

- [Anti-discrimination Act 1991](#)
- [Disability Discrimination Act 1992](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#), s.10, s.51, s.515
- [Human Rights Act 2019 \(Qld\)](#)
- [Migration Act 1958](#)

## Delegations/Authorisations

- Nil

## Policies and procedures in this group

- [Temporary Residents Admissions procedure](#)

## Supporting information for this policy

- Nil

## Other resources

- [Checklist for assessing parental linkage between a child and a Australian citizen or permanent resident](#)
- [Compliments and customer complaints](#)
- [Customer complaints management procedure](#)
- [Debt management procedure](#)
- [Department of Education International schedule of visa subclasses and enrolment conditions](#)
- [Department of Home Affairs - Check visa details and conditions](#)
- [Education Queensland International apply now \(for subclass 500 \[schools\] primary visa holders\)](#)
- [Education Queensland International Temporary residents admissions](#)
- [Enrolment in state primary, secondary and special schools procedure](#)
- [Fee exemption policy](#)
- [Guidelines for assessing parental linkage between a child and an Australian Citizen or Permanent Resident](#)
- [Inclusive education policy](#)
- [TRA payment plans fact sheet](#)
- [School Enrolment Management Plans \(School EMPs\) procedure](#)
- [State Delivered Kindergarten eligibility and locations](#)
- [Temporary Residents Admissions](#)
- [TRA application for a refund form](#)
- [TRA authority to enrol form](#)
- [TRA fee waiver procedure](#)
- [TRA Terms and conditions of application](#)
- [User charging procedure](#)

## Contact

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## Superseded versions

*Previous seven years shown. Minor version updates not included.*

1.0 Temporary Residents Admissions policy

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