



Visa Refusal Cases

In considering whether the applicant met the genuine temporary entry criterion I had regard to the following factors, consistent with clause 500.212 and Ministerial Direction No 69. The factors were used to weigh up the applicant's circumstances as a whole, in reaching a finding about whether they satisfy the genuine temporary entrant criterion.

From the application form and associated evidence provided, I note that applicant intends to pursue Bachelor of Business (Professional Accounting) from ██████████.

I have considered the applicant's circumstances in their home country. In making the assessment, I note that the applicant completed XII standard education in 2021. They have not provided evidence that, since that time, they have made thorough investigation of further study options in intended course in their home country which raises serious concerns regarding their motivation to now study in Australia.

I have also considered the applicant's potential circumstances in Australia. I note the applicant has claimed no significant ties to Australia in the form of family or friends; I weight this neutrally. With their application, the applicant has not demonstrated they have sufficiently researched their options in Australia, other countries, or their home country. Further, I am not satisfied the applicant has shown a realistic level of knowledge regarding their potential circumstances in Australia. This raises concerns regarding the applicant's motivation to study in Australia.

I have considered the value of the course to the applicant's future. The applicant has indicated that after the course they will return to their home country and that they expect to return to a significantly improved employment prospect and remuneration level. I note the applicant has not clearly demonstrated / provided evidence as to how they would achieve this against the prevailing employment circumstances for individuals with their current and anticipated educational background.

I have taken into consideration the applicant's previous immigration history. As the applicant has no immigration history of concern to Australia or a third country, this factor was not relevant to my assessment.

I have considered whether there are any other relevant matters, however in this case I have determined there are none.

