



# 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.

I have considered the applicant's circumstances in their home country. The applicant is proposing to undertake Advanced Diploma in Information Technology from Sydney City College of Management.

I have taken into account the financial capacity and support of applicant's family members and I acknowledge that the applicant has personal ties in their home country. However, based on the information provided with the application regarding their family's economic and occupational circumstances in their home country and known information about the two countries I find that these ties do not, of themselves, constitute a strong incentive for the applicant to return to their home country at the completion of the proposed study.

The applicant has chosen courses that are applicable to their chosen education and career pathways, and that represents a higher level of education than they have undertaken previously. The applicant has demonstrated limited research about the proposed course, educational objectives, and education provider. Applicant's limited familiarity with the course brings into question their understanding of what their circumstances will be in Australia, and how they have assessed the course as being beneficial to their future without understanding its objectives.

I have also taken into consideration the value of the course to the applicant's future. I have considered their answers to question on setting out their reasons for undertaking the intended course of study in Australia. 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 prospects and remuneration level. I note the applicant has not clearly demonstrated as to how they would achieve this against the prevailing employment circumstances for individuals with their current and anticipated educational background.

As the applicant had no immigration history to consider that may be beneficial or adverse to their application, this aspect was not relevant to my assessment.

I have considered whether there is any other relevant matter, however in this case I have determined that there are no other relevant matters.

After weighing up these factors as a whole, the applicant has not been able to satisfy me that they genuinely intend a temporary stay in Australia.

