

# TEMPORARY RESIDENTS PROGRAM

## Fact sheet – Link to an Australian citizen or permanent resident

If your child has a parent or step-parent who is an Australian citizen or permanent resident of Australia, you may be eligible for exemption of the Temporary Residents Program administration fee and education fee.

The Australian citizen or permanent resident of Australia may be:

- the biological mother to the child
- the biological father to the child
- a step-parent who is married to the biological parent of the child
- a step-parent who is in a de facto relationship with the biological parent of the child
- a person who legally adopted the child.

### Conditions of exemption

- The child must have a parent or step-parent who is an Australian citizen or permanent resident of Australia.
- The child must have a valid application lodged with the Department of Home Affairs for a permanent resident visa.
- Where the biological parent and step-parent are in a de facto relationship, the child must have a valid application lodged with the Department of Home Affairs for a permanent resident visa under the family stream of the Migration Program.
- The Temporary Residents Program *Application form for an Authority to Enrol* must be completed for the child.
- A copy of the child's passport and current visa issued by the Department of Home Affairs must be submitted with the Temporary Residents Program *Application form for an Authority to Enrol*.
- Additional documents to prove the link to an Australian citizen or permanent resident are required. These are listed on the next page.

### Exclusions to exemption

- If the child is holding, or applying, for a student visa (subclass 500, 570, 571, 572, 573, 574, 575, 580 or 590), you are not eligible for the fee exemption.

### Information supplied to the Temporary Residents Program

If you provide false or misleading information to the Temporary Residents Program, it may lead to termination of your child's enrolment. The New South Wales Department of Education may also commence legal action to recover education fees.

**Additional documents**

These documents must be provided in your application to prove your child has a valid link to an Australian citizen or permanent resident of Australia.

**If the biological parent is an Australian citizen or permanent resident of Australia, you need to provide:**

- a copy of your child's birth certificate
- proof your child has a valid application lodged with the Department of Home Affairs for a permanent resident visa
- proof the biological parent is an Australian citizen or permanent resident of Australia. This may be a copy of the biological parent's Australian passport or permanent resident visa.

**If the biological parent is married to an Australian citizen or permanent resident of Australia, you need to provide:**

- a copy of your child's birth certificate
- proof your child has a valid application lodged with the Department of Home Affairs for a permanent resident visa
- a copy of the marriage certificate between the biological parent and the Australian citizen or permanent resident
- proof the step-parent is an Australian citizen or permanent resident of Australia. This may be a copy of the step-parent Australian passport or permanent resident visa.

**If the biological parent is in a de facto relationship with an Australian citizen or permanent resident of Australia, you need to provide:**

- a copy of your child's birth certificate
- proof your child has a valid application lodged with the Department of Home Affairs for a permanent resident visa under the family stream of the Migration Program
- proof the step-parent is an Australian citizen or permanent resident of Australia. This may be a copy of the step-parent Australian passport or permanent resident visa
- proof the biological parent is in a genuine de facto relationship with an Australian citizen or permanent resident. The biological parent and step-parent must complete the *Statutory Declaration* on the next page.

**If the child is legally adopted by an Australian citizen or permanent resident of Australia, you need to provide:**

- a copy of your child's birth certificate
- proof your child has a valid application lodged with the Department of Home Affairs for a permanent resident visa
- proof the adopted parent is an Australian citizen or permanent resident of Australia. This may be a copy of the adopted parent's Australian passport or permanent resident visa
- a copy of the adoption compliance certificate or a copy of the order effecting the adoption.

**Need more information**

To find out more about the Temporary Residents Program, please visit [deinternational.nsw.edu.au/trp](http://deinternational.nsw.edu.au/trp) or call our Customer Service Team on 1300 300 229 (then option 1).

# TEMPORARY RESIDENTS PROGRAM

## Statutory Declaration

### What is a statutory declaration

A statutory declaration is a written document setting out certain facts to the best of the knowledge or belief of the person making it and is made subject to the provisions of certain legislation.

In New South Wales, statutory declarations are made under the provisions of the *Oaths Act 1900*.

The Act prescribes penalties for making a false declaration and for witnessing a declaration without authority. The declarants must sign the statutory declaration in front of a qualified witness.

### What if I make a false declaration

When you make a statutory declaration, you are declaring the statements in it are true. If you intentionally make a false statement in a statutory declaration, you could be penalised, and it may lead to termination of enrolment of the child and legal action to recover education fees to the New South Wales Department of Education.

### Who can witness a statutory declaration in New South Wales

In New South Wales, an authorised witness must be a:

- Justice of the Peace (JP)
- Notary Public
- Commissioner of the court for taking affidavits
- Solicitor (with a current practising certificate issued under Part 2.4 Division 3 of the *Legal Profession Act 2004*)
- Person by law authorised to administer an oath.

The authorised witness must either:

- know the person making the statutory declaration for at least 12 months; or
- confirm the identity of the person making the statutory declaration before it is made, by sighting an original or certified copy of an identification document in respect of the person and make a note of the identification in the space provided.

**New South Wales  
Statutory Declaration**  
Oaths Act 1900, New South Wales, Eighth Schedule

We \_\_\_\_\_  
full name declarant 1
full name declarant 2

of \_\_\_\_\_  
address of declarants

do solemnly and sincerely jointly and severally declare that:-

1. we are both over 18 years of age
2. we are in a relationship as a couple with the other person
3. our relationship is genuine and continuing
4. we live together or do not live separately and apart, on a permanent basis
5. we have been in the relationship for a minimum of 12 months
6. we are not married or in a relationship as a couple with anyone else
7. we are not related to each other by family,

and we make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at \_\_\_\_\_  
place

On \_\_\_\_\_  
date

\_\_\_\_\_  
signature of declarant 1
signature of declarant 2

in the presence of an authorised witness, who states:

I \_\_\_\_\_ a \_\_\_\_\_  
full name of authorised witness
qualification of authorised witness

certify the following matters concerning the making of this statutory declaration by the person who made it: (**\* please cross out any text that does not apply**)

1. \* I saw the face of the person **OR**  
 \* I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering; and
2. \* I have known the person for at least 12 months **OR**  
 \* I have confirmed the person's identity using an identification document and the document I relied on was:-

\_\_\_\_\_  
 describe identification document relied on

\_\_\_\_\_  
signature of authorised witness
date