

International Students - Transfer Between Registered Providers Procedures

INTRODUCTION

The University is required to have a student transfer assessment procedure for international students holding an Australian student visa in accordance with the [Education Services for Overseas Students Act 2000](#) (the ESOS Act) and Standard 7 of the [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2017](#) (the National Code).

The University may not approve a student to transfer between registered providers where the student has not completed six (6) months of the principal course of study with the original registered provider, except in limited circumstances.

COMPLIANCE

This is a compliance requirement under the:

- [Higher Education Standards Framework \(Threshold Standards\)](#);
- [Standards for Registered Training Organisations \(RTOs\)](#); and
- [National Code of Practice for Providers of Education and Training to Overseas Students](#)

INTENT

This document outlines the procedures for assessing requests made by students who seek to transfer to another registered provider; or are studying with another registered provider and seek to transfer to the University.

RELEVANT DEFINITIONS

In the context of this document

CoE means Confirmation of Enrolment which is a document issued by the University to approved students from the PRISMS system, which must accompany the student's application for an Australian Student Visa;

CRICOS means Commonwealth Government Register of Institutions and Courses for Overseas Students;

DIBP means the Australian Government Department of Immigration and Border Protection, responsible for the Student Visa program;

National Code means the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas students. The National Code sits under the ESOS framework and provides standards for the conduct of registered providers and the registration of their courses;

Principal course of study means the main course of study which and would normally refer to the final course to be undertaken by a student where a Student Visa has been issued for multiple and sequential courses of study;

PRISMS means the Provider Registration and International Student Management System used to process information given to the Secretary of DIBP by registered providers;

Registered provider means a provider of education, such as Charles Darwin University, that is approved and registered by CRICOS as a provider for the course in the approved jurisdiction;

Release letter means a letter supplied by a current registered provider indicating the release of an international student within the first six (6) months of his or her principal course, to transfer to another registered provider; and

Student means an International student who holds an Australian student visa, and is enrolled in a CRICOS registered course at Charles Darwin University.

PROCEDURES

The Office of International Services is responsible for the assessment of all requests from students seeking to transfer to or from another registered provider. A Letter of Release may only be issued by the University in accordance with Standard 7 of the [National Code](#).

Criteria for Transferring to another Registered Provider

A student who has not completed six (6) months of his or her principal course must submit a written request to the Office of International Services seeking a Letter of Release to transfer to another registered provider. The written request must include a formal letter of offer from the other registered provider, including the course name, campus location, and expected commencement date, and justification and evidence for the transfer.

A letter of release is not required by a student who has completed six (6) months or more of his or her principal course. However, the student must submit a written request to the Office of International Services seeking approval to transfer to another registered provider. The written request must include a formal letter of offer from the other registered provider.

Where a student is under eighteen (18) years of age, the Office of International Services requires written confirmation from the student's parent or legal guardian supporting the transfer, and written confirmation that the registered provider will accept the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 of the [National Code](#).

Assessment

When making an assessment of a student's request for a transfer to another registered provider, the Manager, International Admissions in conjunction with the Senior International Student Adviser will take into consideration the student's individual circumstances and any supporting documented evidence, such as:

- The student's long-term education goals, and personal and welfare needs;
- The student's attendance record and academic performance to date and whether there are any outstanding fees owing to the University;
- The academic level of the proposed program and whether the discipline area is available at the University; and
- The existence of extenuating circumstances that cannot be addressed by the University's academic or welfare support services.

In determining requests to transfer to another registered provider from a student with a package offer, the University will take into account the recommendation of the registered provider. However, the University reserves the right to differ with the recommendation of the registered provider and the decision of the University will be final.

Where appropriate, the student may be counselled to:

- Explore the student's reasons for seeking to transfer;
- Ascertain any compassionate or compelling circumstances that may apply in that student's case; and/or
- Identify any alternative academic pathway or programs within the University that may be relevant to the student's academic aspirations.

A request by a student may not be approved if:

- The student has not started studying or has only recently started studying;
- The transfer may jeopardise the student's progression through a package of courses;
- The student applies to transfer from a course/package that was processed under Streamlined Visa Processing (SVP) to a course or provider that is not eligible for SVP; and/or
- The transfer is considered detrimental to the student in some other way, including where the transfer does not represent a clear educational progression to a higher level program in the student's academic discipline.

A transfer request will always be refused if:

- The student does not have a formal letter of offer from the receiving registered provider; or
- The student has outstanding debts to the University.

In the case of a student under the age of eighteen (18), a transfer will always be refused unless there is also written confirmation from the student's parent or legal guardian supporting the transfer and that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Standard 5 of the [National Code](#).

Notification of Outcome

Within ten (10) working days of receiving a written request to transfer to another registered provider, the Office of International Services will make an assessment and formally notify the student of the outcome in a letter or by e-mail.

Where a student's request to transfer to another registered provider is approved the student will receive:

- A Letter of Release;
- Instruction to complete a *HE104 Complete Cancellation/Intermission form* or *VET Change of Enrolment/Withdrawal from Course form* for submission to Student Administration;
- Information that the University will cancel the student's CoE and notify the Department of Immigration and Border Protection through PRISMS; and
- Instruction to contact Department of Immigration and Border Protection for advice on whether a new student visa is required.

Where a student's request to transfer to another registered provider is not approved the student will receive:

- A statement of the reasons for the decision;
- Information that a transfer is permissible after the student completes a minimum of six (6) months of study in his or her principal course (if applicable); and
- Information that the student may appeal the decision through the Student Administrative Complaints Procedures.

Criteria for Transferring from another Registered Provider

A student seeking to transfer from a current registered provider to the University must follow the policy and procedures applicable to that registered provider.

The University will act in accordance with Standard 7 of the National Code and will not knowingly enrol a student seeking to transfer from another registered provider prior to the student completing six (6) months of the principal course, except where:

- The original registered provider has provided a Letter of Release;
- The Government sponsor of the student, if applicable, has provided written support for the transfer and considers it to be in the student's best interest;
- The original registered provider has ceased to be registered or the program in which the student is enrolled, has ceased to be registered;
- The original registered provider has had a sanction imposed on its registration that prevents the student from continuing in his or her principal course;

A student who applies for enrolment with the University and has not completed six (6) months of his or her principal course/s must provide documentary evidence of at least one (1) of the circumstances listed above before the University will accept the student for enrolment and issue a CoE.

Applications to transfer enrolment to the University will be assessed in accordance with the University's relevant admissions policies and procedures.

Reporting and Records

The University may be required to make available any information provided by students to Commonwealth and State Government and law enforcement agencies.

In accordance with Section 19 of the [ESOS Act](#), the Office of International Services will notify Department of Immigration and Border Protection via the PRISMS system of any changes to a student's enrolment, or any non-compliance matter.

All records of enrolment, attendance and progression, interventions, documentary evidence, assessment, notifications and any information provided to the student will be retained electronically on the student's file in accordance with the University's [Records Management Policy](#).

Complaints and Appeals

A student has the right to make a complaint and/or appeal if the student is not satisfied with any decision of the University or believes the decision was not made in accordance with this procedure through the [Student Administrative Complaints Procedures](#).

Cancellation of a student's enrolment will not take place until the expiry of the twenty (20) working day complaint period, or if an appeal is lodged, until after the appeal has been finalised.

If the student is not satisfied with the final outcome of an appeal, the student may refer the matter to an external organisation such as:

- The Northern Territory Ombudsman;
- The Administrative Appeals Tribunal (Commonwealth); or
- A lawyer.

ESSENTIAL SUPPORTING INFORMATION

Internal

HE104 Complete Cancellation/Intermission Form

[International Student Policy](#)

[Records Management Policy](#)

[Students - Administrative Complaints Procedures](#)

VET Change of Enrolment/Withdrawal from Course form

External

[Migration Act 1958](#) (Commonwealth)

[Education Services for Overseas Students Act 2000](#) (Commonwealth)

[National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#) (Commonwealth)

Document History and Version Control

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