

# Transfer Between Registered Providers Procedure

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## Purpose

To provide a procedure for students and staff in relation to Application for Transfer Between Registered Providers.

This procedure ensures the University is compliant with Standard 7 of the ESOS National Code of Practice 2018.

Students apply to change teaching locations should refer to the [Transfer Between Teaching Locations Procedure](#).

## Scope

This procedure relates to international students studying with the University on an Australian student visa.

## Legislative Context

- [Education Services for Overseas Students Act 2000](#)
- [National Code of Practice for Providers of Education and Training for Overseas Students 2018](#)

## Definitions

TERM	DEFINITION
Application for Transfer Between Registered Providers	An application by a student for Transfer Between Registered Providers (to a provider other than Federation University). May also be known as a transfer application or release application.
Approved transfer	Authorising a student to be released from one registered provider so that they are able to enrol with another registered provider.
CoE	Confirmation of Enrolment - A document provided electronically which is issued by the University to intending international students and which must accompany their application for a student visa. It confirms the student's eligibility to enrol in the course/qualification of the University, at a specific teaching location.
Compassionate or compelling circumstances	Circumstances generally out of the control of the student which will have an impact on the student's wellbeing or course progress.
Cross Institutional Enrolment	When a Federation University student studies at another university in Australia for one or more individual units/modules.
Cross Provider Enrolment	When a Federation University student studies at another Federation University teaching location for one or more individual units/modules.
ESOS Act	Education Services for Overseas Students Act 2000 of the Commonwealth of Australia, as amended from time to time.
HE	Higher Education. Students studying in a higher education course by coursework or research.
Immigration	Department of Home Affairs
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018, as amended from time to time.
Offer	International Student Offer Letter and Acceptance Agreement or Deed of Variation as applicable – Legal binding document that outlines the conditions of enrolment. Must be accepted by the student prior to a CoE being issued.
Partner Provider	Educational institution providing units and courses/qualification of the University through an education agreement.
Principal course/qualification	The main course/qualification of study to be undertaken by an overseas student where a student visa has been issued for multiple course/qualifications of study. The principal course/qualification would normally be the final course/qualification of study where the overseas student arrives in Australia with a student visa that covers multiple courses/qualifications.
PRISMS	Provider Registration and International Student Management System.
Course	Course of education and training for HE. Defined as Course in the ESOS Act.

Qualification	Qualification of education and training for VET. Defined as Course in the ESOS Act.
Release	Authorising a student to transfer from one registered provider so that they are able to enrol with another registered provider.
Restricted period	Period of time in which student is restricted from enrolling at registered provider other than the registered provider in which their student visa has been granted. The restricted period concludes once the student has completed 6 calendar months of their principal course/qualification as per the CoE/s.
Student	A person who holds an Australian student visa, who wishes to be released from the University to study at another registered provider in Australia. Defined as an 'overseas student' in the ESOS Act.
Student counsellor or equivalent	Includes a student support officer/advisor or welfare officer appointed by the University and working at the University. In the case of students enrolled/enrolling at a partner provider, a student counsellor/student support officer or welfare officer appointed by and working at the partner provider.
Teaching Location	Where Federation University course/qualifications are delivered.
University	Federation University
VET	Vocational Education and Training
Working day	Monday to Friday excluding public holidays.

## Granting of Release

Where a student requests to transfer prior to completing six calendar months in their principal course, the University will assess the request to transfer to another registered provider against this procedure.

Students must cooperate with the University staff or its nominated officers (in the case where a student is studying at a partner provider, nominated officer means partner provider staff) and attend any interviews or other appointments scheduled for them including in respect of support services provided by the University or its partner providers.

Applying to transfer between registered providers does not preclude students from the requirement to enrol on time. Non-enrolment will not automatically result in a transfer between registered providers, however it will result in the student being reported to Immigration via PRISMS for failing to enrol.

Circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas students' best interests, include, but are not limited to where the registered provider has assessed that:

- The student will be reported because they are unable to achieve satisfactory unit progress at the level they are studying, even after engaging with the registered provider's intervention strategy to assist the student in accordance with Standard 8 (Overseas student visa requirements) of the National Code.
- There is evidence of compassionate or compelling circumstances.
- The registered provider fails to deliver the course/qualification as outlined in the Offer.
- There is evidence that the student's reasonable expectations about their current course/qualification are not being met.

- There is evidence that the student was misled by their registered provider or an education or migration agent regarding their registered provider or its course/qualification and the course/qualification is therefore unsuitable to their needs and/or study objective.
- An appeal (internal or external) on another matter results in a decision or recommendation to release the student.

Students are required to provide documentation to support their application to transfer to another registered provider.

Compassionate or compelling circumstances may include but are not limited to:

- Medical grounds, which may include but are not limited to serious illness or injury.
- Death of a student's immediate family member.
- Other compassionate circumstances where adequate evidence can be provided to show reason for release.

## Refusal of Release

The University may refuse an application for transfer in the following circumstances:

- The student has not completed the first four weeks of their principal course/qualification in which they are enrolled and has not accessed the full range of support services available at their teaching location.
- The student is transferring to a similar course/qualification with another registered provider and has not provided documentation that supports their transfer request.
- The student is applying to transfer to a course/qualification with a lower qualification without consultation with the University or nominated officer.
- If the transfer may jeopardise the student's progression through a package of courses/qualifications.
- The transfer to the new course/qualification may be detrimental to the student's wellbeing and/or career/study objectives as stated in the student's original admissions application.
- The student's personal statement is inconsistent with other information provided to the University.
- The student has outstanding debts with the University.

A student who is applying for a transfer between registered providers due to a required unit in their course/qualification not being offered at their current teaching location should apply for a transfer between teaching location or cross provider enrolment where no other compassionate or compelling reasons and supporting documentation support a transfer between registered providers. If a required unit is not being offered at any teaching locations, the student may apply for cross institutional enrolment at another provider in Australia.

## Actions

### Applying for and Assessing Transfer Between Registered Providers Applications

	ACTIVITY	RESPONSIBILITY	STEPS
A	Applying for Transfer Between Registered Providers	Student	1. Students wishing to transfer between registered providers must complete, sign, date and lodge the Application to Transfer Between Registered Providers form at the office of the Nominated Officer at their current teaching location. This

			<p>can be done in person or via email (<i>See Supporting documents for form</i>).</p> <ol style="list-style-type: none"> <li>2. Students must attach to the Application to Transfer Between Registered Providers form as part of the application:       <ol style="list-style-type: none"> <li>a. A letter detailing the reasons for the request to transfer to another institution and how the student will benefit from the transfer; and</li> <li>b. A copy of the offer letter from the other institution confirming that a valid enrolment offer has been made at that institution; and</li> <li>c. A copy of the documentary evidence referred to in the letter of the application e.g. medical evidence, if for family reasons – evidence of the relationship. Where a student’s request is based on medical grounds documentary evidence from an appropriately qualified medical practitioner, psychologist or counsellor must be provided. <b>Failure to present evidence may adversely affect the outcome of the application;</b> and</li> <li>d. Written approval for the change from the scholarship body if a sponsor is paying the tuition fees.</li> </ol> </li> </ol>
B	Receiving application for Transfer Between Registered Providers	Nominated Officer (current teaching location)	<ol style="list-style-type: none"> <li>1. Application is date stamped by the current teaching location if a paper form is submitted. If the application is not date stamped, the University will consider the application lodged as per the date the student signed the form</li> </ol>

			unless there is evidence that the student submitted the form at a later date.
C	Assessing application for Transfer Between Registered Providers	<p>Nominated Officer (current teaching location)</p> <p>Senior International Reporting Officer</p>	<ol style="list-style-type: none"> <li>1. Upon receipt of the Application for Transfer Between Registered Providers form, the Nominated Officer must consider the application and documentation and if appropriate, forward a copy of the Transfer Between Registered Providers application to the relevant student counsellor (or equivalent) for assessment.</li> <li>2. If deemed appropriate, the Nominated Officer and/or student counsellor (or equivalent) should:             <ol style="list-style-type: none"> <li>a. Interview the student to determine:                 <ol style="list-style-type: none"> <li>i. The circumstances surrounding the application; and</li> <li>ii. How the student may benefit from a transfer to another education provider; and</li> <li>iii. Whether the transfer would be detrimental to the student or their future studies, wellbeing and/or career objectives.</li> </ol> </li> <li>b. Consider the options available to the student to achieve their learning goals, including any support services offered by the University or Partner Provider to assist the student to adjust to study and life in Australia.</li> <li>c. Consider any supporting documentation provided by the student.</li> <li>d. Consider the student's educational goals and individual circumstances.</li> <li>e. Consider any recommendation made by</li> </ol> </li> </ol>

			<p>the student counsellor (or equivalent).</p> <p>f. Make a recommendation as to whether a transfer would be detrimental to the student or their future studies, wellbeing and/or career objectives and formally notify the nominated officer for responding to the request.</p> <p>3. Application for Transfer Between Registered Providers form, offer letter from new institution, accompanying documents/evidence, original email and recommendation are submitted to the Senior, International Reporting Officer <b>within 5 working days</b> of receipt of application for final assessment.</p> <p>4. Senior International Reporting Officer will make and record a decision as to whether to grant a transfer between registered providers and release the student <b>within 5 working days</b> of receipt of the application being forwarded by the Nominated Officer.</p>
D	Notifying student of outcome	Senior International Reporting Officer	<p>1. If a decision is made to approve the Transfer Between Registered Providers application, the student is issued with the following:</p> <p>a. A letter at no cost and is to include:</p> <p>i. Confirmation of the transfer approval;</p> <p>ii. Advice to the student that their new provider will be advised of the release via PRISMS;</p> <p>iii. Advice that the student is to formally withdraw in MySC if they have already done so;</p> <p>iv. Advise the student that their CoE will be</p>

			<p>cancelled and to seek advice from Immigration regarding whether they a new student visa is required;</p> <ul style="list-style-type: none"> <li>v. Advise the student that they may apply for a refund in accordance with the University’s Refund for International Students Policy and Refund for International Students Procedure.</li> <li>b. Their approved and signed Transfer Between Registered Providers form.</li> </ul> <p>2. The restricted period on their CoE is released in PRISMS.</p> <p>3. If a decision is made not to approve the Transfer Between Registered Providers application, the student is issued with the following:</p> <ul style="list-style-type: none"> <li>a. A letter that is to include: <ul style="list-style-type: none"> <li>i. The reason/s for the decision not to grant a transfer between registered providers;</li> <li>ii. If the reason is because the documents provided by the student do not, in the view of the Senior International Reporting Officer, provide adequate grounds to justify the transfer, the student must be advised what additional documentation should have been lodged with the application;</li> <li>iii. Information on the student’s right to appeal the decision <b>within 20 working days of the outcome</b></li> </ul> </li> </ul>
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			<p>in accordance with the University's appeal processes.</p> <p>4. If the student does not appeal the decision, the transfer between registered providers non-grant is recorded in PRISMS after the <b>20 working days</b> appeal opportunity has expired.</p> <p>5. If the student does appeal the decision, the outcome of the appeal is not recorded in PRISMS until the appeal has been completed.</p>
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## Appeal Provisions

	ACTIVITY	RESPONSIBILITY	STEPS
A	Appealing outcome of Transfer Between Registered Providers application	Student	<ol style="list-style-type: none"> <li>1. If the student does not agree with the decision as to whether or not to grant their transfer to another provider, or believes the decision was not made in accordance with this Procedure, the student may appeal the decision to the Coordinator, International Student Compliance <b>within 20 working days</b> of the outcome of their application. In this event the University will maintain the student's enrolment in the course in which they are enrolled to study until the appeals process is completed.</li> <li>2. The student completes <i>Application for Transfer Between Registered Providers Appeal (Section 1)</i> and submits it to the Senior international Reporting Officer.</li> <li>3. The student may access the <a href="#">Student Advocacy</a> support service for assistance with the appeal process.</li> </ol>
B	Receiving appeal for Transfer Between Registered Providers	Senior International Reporting Officer	<ol style="list-style-type: none"> <li>1. Appeal is date stamped by Senior International Reporting</li> </ol>

			<p>Officer if a paper form is submitted. If the appeal is not date stamped, the Coordinator, International Student Compliance will consider the appeal lodged as per the date the student signed the form unless there is evidence that the student submitted the form at a later date.</p> <p>2. The Senior International Reporting Officer completes <i>Application for Transfer Between Registered Providers Appeal (Section 2)</i> and submits it to the Coordinator, International Student Compliance <b>within 48 hours</b> of the receipt of the appeal along with any supporting documentation provided and the original application and supporting documentation.</p>
C	Assessing appeal for Transfer Between Registered Providers	Coordinator, International Student Compliance	<p>1. The Coordinator, International Student Compliance will facilitate the appeal process taking into account the student's original application, appeal application, supporting documentation and adherence with this Procedure.</p> <p>2. The student will be notified in writing of the outcome of the student's appeal <b>within 5 working days</b> of the receipt of the appeal application forwarded by the Senior, International Reporting Officer.</p> <p>3. If the appeal is approved, the Coordinator, International Student Compliance will issue the student with the following:</p> <ol style="list-style-type: none"> <li>a. A letter at no cost and is to include: <ol style="list-style-type: none"> <li>i. Confirmation of the transfer approval;</li> <li>ii. Advice to the student that their new provider</li> </ol> </li> </ol>

			<p>will be advised of the release via PRISMS;</p> <ul style="list-style-type: none"> <li>iii. Advice that the student is to formally withdraw in MySC;</li> <li>iv. Advise the student that their CoE will be cancelled and to seek advice from Immigration regarding whether a new student visa is required;</li> <li>v. Advise the student that they may apply for a refund in accordance with the University's Refund for International Students Policy and Refund for International Students Procedure.</li> </ul> <ul style="list-style-type: none"> <li>b. Their approved and signed Transfer Between Registered Providers form.</li> </ul> <p>4. The restricted period on their CoE is released in PRISMS.</p> <p>5. If the appeal is unsuccessful, the Coordinator, International Student Compliance will issue the student with a letter advising them of the following:</p> <ul style="list-style-type: none"> <li>a. The reason/s for the decision not to grant a transfer between registered providers;</li> <li>b. If the reason is because the documents provided by the student do not, in the view of the Senior International Reporting Officer, provide adequate grounds to justify the transfer, the student must be advised what additional documentation should have been lodged with the application;</li> <li>c. Information on the student's right to appeal the decision externally</li> </ul>
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			<p>with the Victorian Ombudsman and provide the contact details of the Victorian Ombudsman;</p> <p>d. Advise to the student that they are to remain enrolled until the appeal process is completed;</p> <p>e. Advise to the student that regardless of whether they withdraw from all studies with Federation University, they need approval or release and that by enrolling with a new provider with no release, they are at risk of having their student visa cancelled by Immigration.</p> <p>6. Student's release non-grant is recorded in PRISMS.</p>
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## Prospective Students

Students transferring from another provider to Federation University who have not completed six months of study at their current provider will not be eligible for admission until the restricted period has been released in PRISMS.

No transfer approval is required where evidence is provided:

- That the student has completed at least six calendar months of study in their principal course; or
- The student is government sponsored and the government sponsor provides written support for the change as it considers the change to be in the best interests of the student; or
- The releasing registered provider has ceased to be registered or the course in which the student is enrolled ceased to be registered (evidence to be provided); or
- The releasing registered provider has a sanction imposed on it that prevent the student from continuing their principal course (evidence to be provided); or
- The releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS, therefore releasing the restricted period.

## Supporting Documents

- [Higher Education International Student Refund Procedure](#)
- Application for [Transfer Between Teaching Locations Procedure](#)

### Forms.

- [Application for Cross Provider Enrolment](#) (PDF 227.3kb)
- [Application for Cross-Institutional Study \(Outbound\)](#) (PDF 225.7kb)
- [Application for Transfer Between Registered Providers](#) (PDF 625.1kb)
- [Application for Transfer Between Registered Providers Appeal \(Section 1\)](#) (PDF 429.5kb)

- [Application for Transfer Between Registered Providers Appeal \(Section 2\)](#) (PDF 242.5kb)
- [Application for Transfer Between Registered Teaching Locations](#) (PDF 799.6kb)

## Responsibility

- Deputy Vice-Chancellor (Global and Engagement) (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- Dean, Global Professional School (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Deputy Vice-Chancellor (Global and Engagement).
- Policy Editors: Coordinator, International Student Compliance

## Promulgation

This procedure will be communicated throughout the University community via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Distribution of e-mails to Head of School / Head of Department / University and Partner Providerstaff.

## Implementation

This procedure will be implemented throughout the University via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Staff induction sessions.
3. Training sessions.

## Record Management

DOCUMENT TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Application to Transfer Between Registered Providers	Student File	Senior International Reporting Officer	7 years after date of completion or withdrawal
Copy of Application to Transfer Between Registered Providers outcome letters	Student File	Senior International Reporting Officer	7 years after date of completion or withdrawal
Application to Transfer Between Registered Providers Appeals	Student File	Coordinator, International Student Compliance	7 years after date of completion or withdrawal
Application to Transfer Between Registered Providers Appeals outcome letters	Student File	Coordinator, International Student Compliance	7 years after date of completion or withdrawal