



INTERNATIONAL STUDENT TRANSFER BETWEEN REGISTERED PROVIDERS PROCEDURE

Policy Hierarchy link	ESOS Act 2000		
Responsible Officer	Director, Student Management		
Contact Officer	Manager, Student Administration and Records Head, Direct Admissions		
Superseded Documents	Manager, Student Administration and Records Head, Direct Admissions		
File Number	2011/03742		
Associated Documents	Admission Coursework Procedures Release Letter Request (form) Excess Payment/Refund Request Form		
Version	Authorised by	Approval Date	Effective Date
1.0	Deputy Vice-Chancellor (Academic)	1 June 2011	1 June 2011

1. Purpose

These procedures ensure that UNSW complies with the requirements of Standard 7 Transfer between Registered Providers of the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students* and the Commonwealth Government's *Education Services for Overseas Students (ESOS) Act 2000*.

The procedures aim to establish a clear University-wide procedure on the administration of approving applications from international students to transfer between UNSW and other registered providers prior to completing six months of their principal course of study.

The procedures also determine responsibilities, requirements and timelines relating to these applications.

2. Scope

These procedures apply to all international students holding a student visa requesting a transfer between registered providers prior to completing six months of their principal course of study.

Under ESOS legislation, students who have completed more than six months of their principal program are not required to formally seek permission to transfer between providers. However, students must advise the University in writing of their cessation of studies at UNSW. The University will then cancel the Confirmation of Enrolment and notify the relevant Australian Government departments that they are no longer enrolled at UNSW.

3. Definitions

CoE: Confirmation of Enrolment.

Compassionate: Family, medical or 'well being' reasons for supporting a transfer.

Compelling: Circumstances that are involuntary and such that the applicant has little or no alternative.

CRICOS: Commonwealth Register of Institutions and Courses for Overseas Students.

Course: DEEWR terminology for course or program of study.

DIAC: Department of Immigration and Citizenship

Enrolled: Where a student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards completion of course requirements.

ESOS: Education Services for Overseas Students Act 2000 (ESOS Act).

Existing provider: Education provider from whom a student is seeking to transfer

Government Sponsored: An Australian or foreign Government sponsored student for study in Australia

Principal course of study: The main course of study to be undertaken by an international student where a student visa has been issued for multiple courses of study. Where the overseas student arrives in Australia with a student visa that covers multiple courses, the principal course of study would normally be the final course of study.

Receiving provider: The provider with whom the student is intending to enrol

Registered provider: The registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state.

Release Letter: A letter authorising a student to be released from one provider so that they are able to enrol with another provider

Student Visa: A visa described in the Migration Regulations 1994 as a Student (Temporary) (Class TU) visa, other than such a visa for: a) a person who satisfies the secondary criteria, but not the primary criteria, under those Regulations for the grant of the visa; or b) an exchange student or AusAID student within the meaning of those Regulations; or c) an overseas student who has been approved by the Minister for Defence to undertake a course of study or training under a scholarship scheme or training program approved by the Minister for Defence; or d) an overseas student who has been approved under another scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia

Transfer between registered providers: An international student who applies to transfer to or from another CRICOS registered provider.

4. Procedure

4.1 UNSW Responsibilities

4.1.1 International students seeking to transfer from UNSW to another registered provider before completing six months of their principal course must request approval to transfer and obtain a Release Letter from UNSW. The University of New South Wales will assist the student to transfer (i.e. issue a Release Letter) if the course the student wishes to transfer to:

- better meets the study capabilities of the student
- better meets the long term goals of the student, whether these relate to future work, education or personal aspirations or
- compassionate or compelling reasons for the transfer exist

4.2 Student Responsibilities

4.2.1 Students seeking to transfer between registered providers before completing 6 months of their principal course must complete the appropriate application (Release Letter Request and Refund Request) and provide supporting documents.

4.2.2 The following supporting documents (where applicable) must be attached to the application for a Release Letter:

- a copy of the offer letter from the other Institution confirming that a valid unconditional enrolment offer had been made at that Institution; and
- where a student's request is based on medical grounds, documentary evidence from a qualified medical practitioner, psychologist or counsellor must be provided. Failure to present evidence may adversely affect the outcome of the application; and
- written approval for the transfer from the scholarship body if the student is sponsored; and
- if the student is under the age of 18, the student must provide written evidence that the student's parent or legal guardian supports the transfer AND, if appropriate, written confirmation that the new provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5.
- if the student is under the age of 18 and has an accommodation, support and general welfare arrangement in place with UNSW the student must notify an International Student Advisor (Student Development–International) that they will be terminating their current accommodation, support and general welfare arrangements

4.2.3 Students must submit the applications and supporting documentary evidence to UNSW Student Central.

<https://my.unsw.edu.au/student/academiclife/StudentCentralKensington.html>

4.2.4 Foundation Package Offer students applying for a Release letter should apply directly to UNSW Foundation Studies.

4.2.5 Applying to transfer between registered providers does not preclude students from the requirement to enrol on time. Non enrolment will not automatically result in approval of a Release Letter request. However, it may result in the student being reported to DIAC for falling to enrol.

4.3 Student Central Responsibilities

4.3.1 Upon receipt of the application for a Release Letter, Student Central will, within 3 working days, consider the application and the supporting documentation.

4.3.2 Where the application is deemed not compliant:

The application is denied and student will be advised accordingly. This communication will explain the reasons for the decision and advise the student of the right to seek a review of the decision.

4.3.3 Where the application is deemed compliant:

The application is forwarded to Student Development–International where an International Student Advisor will review the application.

4.3.4 Upon receipt of the advice from the International Student Advisor:

- a) Student Central will notify the student in writing, within 3 working days, of the outcome of the application.
- b) where the application is successful, Student Central will issue a Release Letter after the student has been withdrawn from the current program. The Refund Form will be forwarded to Student Administration & Records to be processed.
- c) where the application is not successful, the student will be provided with written reasons for refusing the request, including:
 - The reasons for the decision not to grant a Release Letter.
 - Advise the student that he/she may freely transfer after completion of six calendar months of his/her principal program at UNSW.
 - Information on the student's right to appeal the decision.

4.3.5 After the student has been withdrawn from their intended program of study Student Central will process the Release Letter application from students with conditional offers (English Language or Academic Requirements Package Offers) who do not meet the entry requirements.

4.3.6 Release Letter applications from Foundation Package Offer students will be forwarded to UNSW Foundation Studies for processing.

4.4 International Student Advisor Responsibilities

4.4.1 An International Student Adviser:

- a) Will review the application and supporting documents according to ESOS Standard 7 guidelines.
- b) may ask the student for an exit interview to determine:
 - the circumstances surrounding the transfer request; and
 - how the student may benefit from a transfer to another provider; and
 - whether the transfer would be detrimental to the student.
- c) Make a recommendation as to whether to grant a transfer between providers. After the review of the application, the International Student Advisor will forward the application and recommendation to Student Central to be processed.

4.5 Student Administration and Records (STAR) Responsibilities

4.5.1 Where an application for transfer is approved, Student Administration and Records will withdraw the student from their current program and process the refund request in accordance to the University's refund policy. <https://my.unsw.edu.au/student/fees/FeePolicyInternational.html#RefundofFeesPaid>

4.6 Why a Release Letter may not be issued

4.6.1 A Release Letter cannot be issued if:

- The student has not attached a copy of valid letter of offer of enrolment with the receiving provider
- The student has any outstanding debt to the University. Debts include all fees, loans, library fines and blocks.
- The academic progression status is suspended or excluded.
- In accordance with ESOS NC07, S7.2 (b), The University of New South Wales will refuse the issue of a Release Letter if the transfer would be considered detrimental to the student.

Factors that may be considered to the student's detriment:

- a) the student has not accessed the University's student support services after having been requested to do so; or
- b) the transfer may jeopardise the student's progression through a package of programs; or
- c) the University or its nominated officer forms the view that the student is trying to avoid being reported to the Department of Immigration and Citizenship (DIAC) for failure to meet the University's attendance or academic progress requirements.

Students seeking to transfer to the University of New South Wales from another registered provider

4.7 Under Standard 7 of the National Code 2007, registered providers must not knowingly enrol a student seeking to transfer from another registered provider's program prior to the student completing six calendar months of his/her principal course of study, except in the following circumstances, where a Release Letter is not required:

- the student has completed six calendar months of his/her principal course of study.
- the student is government sponsored and that government sponsor body provides written support for the transfer request.
- the Institution has ceased to be registered or the course in which the student is enrolled has ceased to be registered.
- The Institution has a sanction imposed on it that prevents the student from continuing his/her principle course.

4.8 Students seeking to transfer to UNSW from another registered provider prior to completing six months of their principle course will be issued with a CoE only if:

- The student completes the required application and admissions process.
- The student provides a Release Letter from the existing provider.
- If the student is under the age of 18, she/he must provide written evidence that the student's parent or legal guardian supports the transfer
- The student has an accommodation support and general welfare arrangements in place with UNSW as per Standard 5.

5. Appeals

5.1 Where a transfer request from UNSW has not approved, the student must be provided with written reasons for refusing the request. If the student is not satisfied with the decision, he/she may apply for a review of that decision within 10 working days of receipt of the application outcome. The request should be on the basis of procedural irregularity, rather than a disagreement with the judgment of the University. A review of the procedure and decision will be undertaken by the Manager, Student Administration and Records. Students will be notified in writing of the outcome of the review within 10 working days of lodgement of the appeal.

5.2 Further appeals can be made in accordance with the Student Complaint Policy and Procedures to the Student Conduct and Appeals officer in the Office of the Pro Vice-Chancellor (Students) and Registrar.

6. Review and History

These procedures operate within the context of state and federal legislation and within the context of university policy.

7. Legal and Policy Framework

These procedures comply with the Higher Education Support Act 2003 and the National Code pertaining to the ESOS Act 2001.

8. Implementation

8.1 Roles and Responsibilities

The Director, Student Management is responsible for ensuring that procedures are administered appropriately.

8.2 Support and Advice

Advice on this procedure can be sought from the contact officer.

8.3 Forms

Release Letter Request (Form)

<https://my.unsw.edu.au/student/academiclife/ReleaseLetterRequest.pdf>

Excess Payment/Refund Request Form

<https://my.unsw.edu.au/student/academiclife/ExcessPaymentRefundRequest.pdf>

9. Review

The procedure will be reviewed regularly with a formal review scheduled for 12 months.

10. Acknowledgements

International Student Transfer between Registered Providers Policy and procedures from a range of Australian universities were reviewed and related policy documents from the following universities are gratefully acknowledged:

University of Ballarat
University of Technology Sydney
University of Western Sydney
The University of Queensland

Australian National University
University of Wollongong
University of Newcastle
Monash University

Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Deputy Vice-Chancellor (Academic)	1 June 2011	1 June 2011	New Procedure