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|-----------------------------|--------------------|--|----------------------|-----------------------|
| Policy Link | | ESOS Act 2000 | | |
| Responsible Officer | | Registrar | | |
| Superseded Documents | | International Student Transfer Request Policy (v.2.0) | | |
| Associated Documents | | Credit Transfer Policy International Student Transfer Request Procedures Student Admissions Procedures | | |
| Review Date | | September 2026 | | |
| Version | Endorsed By | Authorised By | Approval Date | Effective Date |
| 3.0 | The Principal | Governing Board | 23/09/2021 | 23/09/2021 |

1. PURPOSE

This policy documents Moore College's policy for assessing requests from international students to transfer to another provider prior to the student completing at least six months of the course for which a student visa was granted and the student admitted to the College.

2. BACKGROUND

This policy seeks to comply with legislation under the *Education Services for Overseas Students Act 2000 (ESOS)* and the requirements of the National Code 2018 Standard 7. It is framed against a background of the College not having received any requests from an enrolled student for transfer to another provider since first being registered under the ESOS Act.

3. SCOPE

3.1 This policy applies to international students holding a student visa seeking to transfer between registered providers within the first 6 months of their principal course of study.

3.2 International students who have studied longer than the 6 month period in their principal course can apply to transfer as normal, and no letters of release need to be sighted or produced. This policy does not apply to those students.

3.3 This policy does not apply to domestic students.

4. DEFINITIONS

This section sets out definitions for key terms and acronyms used in the Policy.

| Term | Definition |
|-----------------------|--|
| CoE | Confirmation of Enrolment |
| CRICOS | Commonwealth Register of Institutions and Courses for Overseas Students |
| DIBP | Australian Department of Immigration and Border Protection |
| International student | An international student means a person (whether within or outside Australia) who holds a student visa. ¹ An international student is also known as an overseas student. |
| National Code | National Code of Practice for Providers of Education and Training to International Students 2018 (the National Code 2018). |
| Principal course | Where a student visa has been issued for one course only, that course is the Principal course. Where a student visa has been issued for a package of courses the Principal course is normally the course that leads to the highest qualification in the package. |
| PRISMS | Provider Registration and International Student Management System |

5. POLICY STATEMENT

5.1 Students Seeking to Transfer to Moore College

In accordance with the requirements of Standard 7 [of the National Code 2018](#), Moore College will not enrol any international student visa holder who seeks to transfer from another provider prior to completion of the first 6 months of their principal course at that provider, except where:

- (i) the releasing registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
- (ii) the releasing registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing in his or her principal course;
- (iii) the releasing registered provider has agreed to the international student's release and has recorded the date of effect and reason for release in PRISMS, or
- (iv) any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

5.2 Students Seeking to Transfer from Moore College

Moore College considers requests for transfer fairly. A request to transfer from Moore College will only be considered if:

- (i) the student has a valid enrolment offer from the receiving provider;
- (ii) the student will be reported in PRISMS because they are unable to achieve satisfactory course progress even after engaging with Moore College's intervention strategy;
- (iii) compassionate or compelling reasons exist for the transfer;
- (iv) Moore College fails to deliver the course as outlined in the written agreement,

¹ *Education Services for Overseas Students Act 2000 (ESOS)*, §5 Definitions.

- (v) the student can provide evidence that they have been misled by the College regarding the course and the course is therefore unsuited to their needs or study objectives, or
- (vi) an appeal on another matter results in a decision to release the student

5.3 Outcomes

- (i) Moore College will assess and respond to the transfer request within ten working days.
- (ii) Where the request is successful the College will inform the student of approval to transfer. The College will cancel the Moore College CoE in PRISMS. The student will be advised that they must contact Immigration to seek advice on whether a new student visa is required.
- (iii) Where the request is unsuccessful the student will be informed of the reasons and advised that they may freely transfer between providers after 6 months.
- (iv) Approval to transfer to another provider does not indicate any agreement to a refund. Decisions on refunds are governed by the Refund Policy for International Students.
- (v) There is no charge for release
- (vi) Moore College will maintain records of all requests for release and the process used to make a decision in relation to the request.

6. APPEALS

- (i) A student may appeal any decision using any of the College's complaints and appeals processes.
- (ii) Moore College will not finalise a refusal status in PRISMS until all appeal mechanisms have been completed and the status remains as refused.

7. LEGAL AND POLICY FRAMEWORK

This Policy operates within the following legislative context.

Education Services for Overseas Students Act 2000 (ESOS)

National Code of Practice for Providers of Education and Training to International Students 2018 (the National Code 2018). Standard 7.

8. IMPLEMENTATION

Additional information necessary for carrying out this policy is detailed in the associated procedure. The Registrar is responsible for the implementation of procedures.

9. ACKNOWLEDGEMENTS

Acknowledgement is made of the following documents in reviewing this policy.

Monash University. *International Student Transfer between Registered Providers Policy*. Version 2.0, 6 August 2014.

10. REVIEW AND HISTORY

| Version | Authorised By | Approval Date | Effective Date | Sections modified |
|---------|------------------|---------------|----------------|---|
| 1.0 | Board of Studies | 16/04/2010 | 16/04/2010 | New policy. |
| 2.0 | Governing Board | 15/09/2015 | 15/09/2015 | Reviewed for legislative compliance, revised format. |
| 3.0 | Governing Board | 23/09/2021 | 23/09/2021 | Reviewed against revised National Code 2018. 1. Updated name of legislation throughout 2. Delete section 5.3 Letter of release – no longer applicable 3. Delete reference to Letter of release throughout and add new requirements at 5.1 (iii), 5.2 (vi). 4. Update wording to reflect the revised National Code 2018. |