

Transfer Between Providers Procedure



1 Purpose

To establish a framework where UniSQ as a registered provider assesses requests from Students for a transfer to another registered provider pursuant to the requirements of the Education Services for Overseas Students Act 2000 and the requirements of Standard 7 of The National Code 2018.

2 Scope

All International Students holding an Australian Student Visa who seek to transfer to another registered provider within the first six months of their principal program of study.

3 Procedure Overview

3.1 Assessment of requests to transfer to another registered provider

3.1.1 Requests to transfer

Requests from International Students for a transfer to another registered provider prior to their completing six months of the principal program of study will be assessed in accordance with the procedures contained in this Policy, and within accordance to the requirements of Standard 7 of The National Code 2018.

3.1.2 Enrolment of International Students transferring within first six months of their principal course of study

UniSQ will not knowingly enrol an international student wishing to transfer from another registered provider's program prior to the student completing six (6) months of their principal program of study at that provider except where:

1. the original registered provider has ceased to be registered or the program in which the Student is enrolled in has ceased to be registered
2. the original registered provider has provided a written Letter of Release
3. the original 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 their principal program, or

4. any Official Sponsor of the Student considers the change to be in the Student's best interest and has provided written support for that change.

3.1.3 International Students seeking to transfer

International Students seeking to transfer from UniSQ to another registered provider prior to completion of the first six calendar months of their principal program of study, should in the first instance contact UniSQ International and seek approval to transfer and obtain a Letter of Release.

Where valid grounds for granting a transfer exist, UniSQ will only grant a Letter of Release where the International Student has:

1. provided a valid letter of offer of Enrolment from another registered provider, and
2. where the Student is under 18:
 - a. provided written confirmation that the Student's parent or legal guardian supports the transfer, and
 - b. provided evidence that the registered provider will accept the responsibility for approving the Student's accommodation, support and general welfare arrangements as per the University's Under 18 International Students Policy, and
3. where the International Student is sponsored by an external agency, confirmation of support for the transfer from that agency must be received.

3.1.4 Letters of release

A Letter of Release, if granted, must be issued at no cost to the Student and UniSQ must advise the Student of the need to contact the Australian government department responsible for immigration to seek advice on whether a new Student Visa is required

Where UniSQ does not grant a Letter of Release, it must provide the International Student with a letter detailing the grounds for refusing the request to transfer.

3.2 Grievances

Where a Student is dissatisfied with a Decision to refuse the request to transfer, they have the right to request a review of the Decision, in accordance with section 4.4 of the Student Grievance Resolution Procedure.

Appeals must be lodged within 20 University Business Days of the date of the Notice refusing the transfer. All Appeals must be accompanied by relevant supporting documentary evidence.

3.3 Fee refunds

Where a Letter of Release is granted any refunds of fees paid to UniSQ will be made in accordance with the [Refund of Student Fees Policy](#).

4 Procedures

4.1 Student request to transfer to UniSQ

Where an International Student requests to transfer to UniSQ, PRISMS will alert UniSQ during the eCoE process if the Student has not completed six (6) months of their principal program of study with their original provider.

1. UniSQ will verify the operational status of the registered provider on CRICOS prior to enrolling the Student. If the registration status of the registered provider is unclear, UniSQ will liaise with the relevant government departments to confirm status.
2. UniSQ will obtain a copy of the Letter of Release from the registered provider prior to enrolling the Student, and
3. UniSQ will obtain a copy of the Official Sponsor's letter of support for the Student to transfer prior to enrolling the Student.

4.2 Student request to transfer registered providers

When a Student requests a release to transfer registered providers prior to completing six (6) months of their principle course of study, UniSQ will only issue a Letter of Release where there are Special Circumstances. UniSQ International will assess each case, in consultation with Student Services, on a case by case basis.

1. UniSQ may refuse a Student's request for transfer on the following grounds (this is not an exhaustive list):
 - a. where a transfer can be considered detrimental to the Student
 - b. where a transfer may jeopardise the Student's progression through a package of programs
 - c. where a transfer is requested within six weeks of a program commencing. Issues such as homesickness may take some time to overcome and transferring to another provider is unlikely to solve this problem. UniSQ may consider that the Student needs some time to settle into the program, and the Australian education system, and the Student should use and benefit from UniSQ's Student support services.

- d. where UniSQ forms the view that the Student is trying to avoid being reported to Australian Government department responsible for failure to meet UniSQ's academic progress requirements
- e. where UniSQ forms the view that the Student is deliberately trying to manipulate the Australian Student Visa system
- f. where a request is received after the Census Date for that Study Period.

UniSQ will assess and respond to the Student's written request to transfer within 10 University Business Days of the receipt of the written request complete with all supporting documentation.

4.3 Letters of release

UniSQ will only provide a Letter of Release upon provision of a completed Student Request for Release - Change of Provider form and other documents as specified in Section 3.1.3 of this Policy and where the Director (International Marketing, Admissions and Business Development) approves this request.

UniSQ will issue a Letter of Release, if granted, at no cost to the Student.

1. The Letter of Release issued to Students must contain the following statement: 'Please contact the relevant Australian Government Department responsible for immigration to seek advice on whether a new Student Visa is required'
2. If a Fee Refund applies, fee refunds shall be undertaken in accordance with the [Refund of Student Fees Policy](#).

A Request for release will be processed using the Student Request for Release - Change of Provider form, and completed as appropriate by an Employee(s) and the Student.

1. A Student wishing to request a release must lodge the Student Request for Release - Change of Provider form duly completed with all supporting documentation. The Student will be requested to attend an interview with International Student Services and further information from this recorded. UniSQ International is to be provided with the form and supporting documentation including the record of interview and will make the final assessment.
2. The Director (International Marketing, Admissions and Business Development) will consider the request in consultation with UniSQ Student Services, and if refused, shall be provide with a Notice of this Decision. The Notice shall include reasons for the Decision outcome.

- An International Student wishing to request a review of this Decision must do so in accordance with section 4.4 of the Student Grievance Resolution Procedure.

Copies of all communication and the Student Request for Release - Change of Provider form and documentation must be placed in the Student's file.

UniSQ will maintain all records of requests from Students for a Letter of Release and the assessment of this request using the Student Request for Release - Change of Provider form. Any correspondence relating to this request and the University's Decision will be maintained on the Student file.

5 References

Nil.

6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

7 Procedure Information

Accountable Officer	Associate Provost
Responsible Officer	Deputy Academic Registrar and Director (Student Administration)
Policy Type	University Procedure
Policy Suite	Enrolment Policy
Subordinate Schedules	
Approved Date	10/8/2023
Effective Date	10/8/2023
Review Date	
Relevant Legislation	Education Services for Overseas Students Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students (The National Code) 2018: Standard 7
Policy Exceptions	Policy Exceptions Register

Related Policies	Student Grievance Resolution Policy Under 18 International Students Policy
Related Procedures	Assessment of Special Circumstances Procedure Student Appeals Procedure
Related forms, publications and websites	Non-Academic Appeal Form Student Request for Release - Change of Provider
Definitions	<p>Terms defined in the Definitions Dictionary</p> <p>Appeal</p> <p>A formal, written request made by a Student or Employee to a higher authority to have a Decision overturned.</p> <p>Census Date</p> <p>The date on which the Student's enrolment related requirements must be finalised in line with the University's important dates. A Higher Education Provider must, for each unit of study it provides or proposes to provide during a year, determine for that year, a particular date to be the Census Date for the unit. Students are responsible for meeting the University's Census Date deadline and must check that all enrolment and payment details are correct on or before the Census Date.</p> <p>Decision</p> <p>A determination made by an Employee, contractor or other authorised delegate in the course of their duties on behalf of the University.</p> <p>Enrolment</p> <p>The process of admitting Students to one or more Courses for the current Academic Year.</p> <p>International Student</p> <p>A Student who is not an Australian citizen, a New Zealand citizen, an Australian Permanent Resident or the holder of an Australian permanent humanitarian visa.</p> <p>Notice</p> <p>A Notice from the University is a document, whether physical or</p>

electronic. A Notice may be: given by hand to the addressee or delivered to the address provided by the addressee to the University; or sent by registered or pre-paid mail to the address provided by the addressee to the University; or sent by electronic communication to the University-issued email account provided by the University to a Student during the period of Enrolment until the completion of their program; or sent by electronic communication to the email address provided to the University by an addressee not enrolled at the University. A Notice is taken to be received if: given by hand to the addressee or delivered to the address provided to the University by the addressee; or sent by registered or pre-paid mail - three University Business Days after the date of posting; or sent by electronic communication - at the time that would be the time of receipt under the Electronic Transactions Act 1999 or its succeeding legislation. A Notice that would be deemed to have been received out of business hours or on a non-University Business Day will instead be deemed received on the next University Business Day.

[Official Sponsor](#)

A third party or entity, located either within Australia or overseas, who has formally contracted with the University to accept debts on behalf of a Student, and therefore make payments and receive refunds on behalf of a Student.

[Special Circumstances](#)

Matters which are, in most cases, beyond the control of the Student and which will impact their capacity to progress with their planned program of study or meet a submission deadline. In some legislation, Special Circumstances are referred to as “compassionate and compelling circumstances”.

[Student](#)

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.

[Study Period](#)

The period during which a Course or study unit is offered. Examples of Study Period include, but are not limited to, semesters, trimesters, blocks, intensives and sessions.

[University](#)

	<p>The term 'University' or 'UniSQ' means the University of Southern Queensland.</p> <p>University Business Days</p> <p>The days of Monday to Friday inclusive between 9am and 5pm Australian Eastern Standard Time (AEST), with the exclusion of gazetted Public Holidays for the relevant campus location, plus the closure of the University between 25 December and 1 January in the following year inclusive as specified in the Enterprise Agreement, as well as any closure of the University either at one or several campuses in accordance with a direction of the Crisis Management Team.</p>
	<p>Definitions that relate to this procedure only</p>
	<p>Student Visa</p> <p>An authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying in Australia as defined by the <i>Migration Act (1958)</i>.</p>
<p>Keywords</p>	<p>National Code 2018 Standard 7 - Transfer Between Providers, ESOS, compliance</p>
<p>Record No</p>	<p>13/371PL</p>