

Policy Link	ESOS Act 2000			
Responsible Officer	Registrar			
Superseded Documents	Student Transfer Request Assessment Policy & Procedures (Overseas Students) 2010			
Associated Documents	Credit Transfer Policy International Student Letter of Release International Student Transfer Request Procedures Student Admissions Procedures			
Review Date	September 2020			
Access Flag	Student Public			
Version	Endorsed By	Authorised By	Approval Date	Effective Date
1.0	The Principal	Governing Board	15/09/2015	15/09/2015

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 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.
Letter of release	A letter authorising a student to be released from one provider so that they are able to enrol with another provider.
National Code	National Code of Practice for Registration Authorities and Providers of Education and Training to International Students (the National Code 2007).
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.

5. POLICY STATEMENT

5.1 Students Seeking to Transfer to Moore College

In accordance with the requirements of Standard 7 of [the National Code 2007](#), 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 original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
- (ii) the original registered provider has provided a written letter of release
- (iii) 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 in his or her principal course; 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 course is academically unsuitable for the student;
- (iii) compassionate or compelling reasons exist for the transfer; or
- (iv) the student can provide evidence that they have been misled by the College regarding the course.

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

5.3 Letter of Release

- (i) A letter of release is not required where:
 - The course for which the student has received a CoE is no longer offered by Moore College, or, the course has ceased to be registered on CRICOS.
 - A student is sponsored by their government and the sponsor considers that the transfer is in the best interest of the student and has provided written support for that change.
- (ii) A letter of release is only granted where the student has provided a letter from another registered provider confirming that a valid enrolment offer has been made and has satisfied conditions under 5.2.
- (iii) Where Moore College does not grant a letter of release the student is provided with written reasons why the request was refused and informed of the available appeals processes.
- (iv) There is no charge for a letter of release.

5.4 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 inform the DIBP and cancel the Moore College CoE. The student will be advised that they must contact DIBP 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) Moore College keeps records of requests for letters of release and the process used to make a decision in relation to the request.

6. APPEALS

A student may appeal any decision using any of the College's complaints and appeals processes.

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 Registration Authorities and Providers of Education and Training to International Students (the National Code 2007). 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.

Southern Cross University. *International Student Transfer Request Policy*. August 2012.

University of Melbourne. *International Student Transfer Policy*.

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.