

International Student Transfer Procedures

Section 1 - Overview

(1) These Procedures establish processes for Student Visa Holder's to apply for a request to Transfer Registered Providers or locations and provides practical assistance to UNE Representatives involved in the assessment and administration of such requests.

(2) These Procedures articulate the University's practices as they apply to Student Visa Holder's in compliance with [Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students \(2018\)](#) and must be read in conjunction with the [International Student Transfer Rule](#).

Section 2 - Scope

(3) These procedures apply to:

- a. Student Visa Holder, including those enrolled at the UNE English Language Centre and in courses delivered in collaboration with another provider where UNE is the Registered Provider, who request to Transfer to another Registered Provider; and
- b. UNE Representatives involved in the assessment of Transfer requests and admission of Student Visa Holders.

Section 3 - Procedures

Transferring from UNE to another provider

(4) Where a Student requests to transfer from their UNE Principal Course within the Restricted Period under clauses 4(a,b and d) of the [International Student Transfer Rule](#) no release is required and will be actioned on request.

(5) Where a Student requests a Transfer from their UNE Principal Course within the Restricted Period for reasons other than those listed under clause 4(a,b and d) of the [International Student Transfer Rule](#), the Student must apply to the Manager International Compliance for a Release to transfer. The Student must complete the [Request to Transfer Between Registered Providers Form](#) and provide:

- a. a written explanation, supported by appropriate evidence, of the reason/s for the transfer (which may include compassionate or compelling circumstances); and
- b. a valid letter of offer from another Registered Provider:
 - i. if the Student is under 18 years of age, written confirmation that the Student's parent or legal guardian supports the transfer: or
 - ii. if the Student is under 18 years of age, and not in the care of a parent or guardian, the letter of offer must confirm the other Registered Provider will accept responsibility for approving the Student's accommodation, support and general welfare arrangements; and
- c. if the Student is on a scholarship, written advice from the sponsoring organisation approving the Transfer; and
- d. if the Student is enrolled with a Partner, the relevant Partner's Request to Transfer Between Registered

Providers Form must be completed and include a recommendation by the Partner.

(6) Where a Student requests to Transfer from the English Language Centre to another Registered Provider, a recommendation is sent from the Director, ELC, English Language Centre to the Manager International Compliance for assessment and action.

(7) The request for Transfer is considered against clauses 6(a-f) and 7 of the [International Student Transfer Rule](#) by the Manager International Compliance, who may also seek comment from the relevant Faculty and where applicable the Partner.

(8) The Manager International Compliance, will inform the Student, and where applicable the Faculty and/or Partner, in writing, of the outcome within ten (10) working days of receiving the request

(9) A Release constitutes:

- a. a covering letter outlining the reasons why the Release was granted, notes the Registered Provider to which the Student has been released and advises the Student to contact the [Department of Home Affairs](#) to seek advice on whether a new visa is required; and
- b. is recorded with the date of effect and reason for Release in the [Provider Registration and International Student Management System \(PRISMS\)](#).

Transferring between UNE teaching or Partner locations

(10) A UNE Student enrolled with a Partner requesting a Transfer between domestic Partners or the Armidale campus, must complete the Partnership [UNE Transfer Between Registered Providers Form](#) and submit it to the Partner for recommendation before it is forwarded to the Manager International Compliance for assessment and action.

(11) The Transfer will be considered against clauses 8-9 of the [International Student Transfer Rule](#). Consideration will be given to advice received from a government sponsor of a Student.

(12) The Manager International Compliance will assess, rule on the request, and provide written notification of the outcome to the Student and the Partner within ten (10) working days of receiving the request.

UNE Student Successful Applications

(13) If a Release is granted the Manager International Compliance or the Manager International Recruitment & Admissions, will assess this against the Refund of Tuition Fees for International Students, (dependent on when the request was received). The Director, ELC, English Language Centre will assess against The Refund of Fees for English Language Students and provide a recommendation to the Manager International Recruitment & Admissions. UNE Student Accounts will action any approved refund of fees.

(14) If a Release is granted, UNE International will liaise with Student Experience to arrange for the Student to be withdrawn from their current units and their Course to be discontinued. UNE International will cancel all UNE Confirmation of Enrolments (CoE) via the [Provider Registration and International Student Management System \(PRISMS\)](#).

Transferring to UNE from another provider

(15) Applications for admission will be received and registered under the direction of the Manager International Recruitment & Admissions. If the applicant is deemed eligible for admission (which includes meeting any of the principles in clauses 6(a-d) of the [International Student Transfer Rule](#)), an offer of admission will be issued.

(16) Upon receiving a signed acceptance of offer from the applicant the Manager International Recruitment &

Admissions, will arrange for the Student's details to be entered into the [Provider Registration and International Student Management System \(PRISMS\)](#) to create a Confirmation of Enrolment (CoE).

Refusal of a Request to Transfer

(17) If a Request to Transfer is denied, the Student will be provided with written notification of the decision including:

- a. an explanation of the reason/s for refusal;
- b. the Student's right to appeal the decision; and
- c. that the University will not finalise the refusal to transfer until:
 - i. the appeal finds in favour of the Registered Provider and upholds the University's decision not to Release the Student; or
 - ii. the Student does not access the appeals process within twenty (20) working days of being notified of the decision; or
 - iii. the Student withdraws the appeal against the refusal.

Appeals

(18) Students may appeal a request to Transfer decision providing the following conditions are met:

- a. there are circumstances that have arisen since the Student lodged their original application that now make the Student eligible for a Release;
- b. the Student presents a case demonstrating that relevant University rules, policies or procedures were not applied correctly.

(19) Appeals must be submitted in writing within twenty (20) working days of notification of the decision and addressed to the Director International.

(20) The Director International will review the case and provide the appellant with the outcome of their appeal (including reasons for the decision) in writing within ten (10) working days of receipt of the appeal. If it is not possible to respond to the Student within ten (10) working days an explanation should be provided within this period. The decision of the Director International is final.

(21) The appellant must be advised that they can lodge a complaint with the [NSW Ombudsman](#) .

Records Management

(22) Records of all requests, assessments and decisions related to a student's request to transfer must be recorded on the Student's file in accordance with the [Records Management Rule](#).

Responsibilities

(23) The Manager International Compliance is responsible for ensuring:

- a. all international Students applying for a Transfer are fully informed of the relevant Rule and appropriate Procedures, and advised of their rights and responsibilities accordingly;
- b. all international Students applying for a Transfer are treated equally and fairly; and
- c. all Transfer request outcomes are recorded in the [Provider Registration International Student Management System \(PRISMS\)](#).

Status and Details

Status	Current
Effective Date	28th February 2018
Review Date	5th October 2022
Approval Authority	Director International
Approval Date	26th February 2018
Expiry Date	To Be Advised
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"Partner" - Means spouse, former partner, de facto or same sex partner.

"Student Visa Holder" - Is an international student studying in Australia on an appropriate visa.

"Course" - Course means a syllabus, a curriculum, a training package, units of study, or structured workplace learning, the successful completion of which leads to the conferral of an award on the student by the University (including but not limited to a regulated qualification under the Australian Qualifications Framework).

"Principal Course" - Is the main course of study undertaken by an international on-shore Student where the student visa has been issued for multiple courses of study. The Principal Course will normally be the final course of study and that which leads to the highest qualification in a package of courses.

"Registered Provider" - The process whereby a provider is recommended by the relevant ESOS Agency for registration under the Education Services for Overseas Students Act 2000 to provide a specified course/s to overseas students.

"Restricted Period" - Six calendar months from the date that the student commences the Principal Course of study. Where a Student has had a break from their studies due to deferment or suspension, the break is not counted for the purposes of determining if the Student has completed six months of their Principal Course. (International Student Transfer Rule)

"Release" - Granted by a Provider via PRISMS to allow a student to transfer from one institution to another.
(international Student Transfer Rule)

"Transfer" - Movement of an international student on an Australian student visa between Registered Providers.
(International Student Mobility Rule)