

# Transfer of Student Visa Students between Registered Providers - Operational Policy

## 1. Purpose of policy

This Policy, required for compliance under the *Education Services for Overseas Students (ESOS) Act 2000*, addresses Standard 7 of the National Code 2018: Overseas student transfers.

## 2. Policy scope and application

This policy applies to all staff and agents of the University, and is of special relevance to those involved in marketing to, admitting, managing the enrolments of, and providing advice to international students on Student visas.

## 3. Definitions

Please refer to the university Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to this policy and are critical to the effectiveness of it:

ESOS agency has the meaning given by section 6C of the *Education Services for Overseas Students (ESOS) Act 2000*, i.e., in the case of USC as a registered higher education provider the ESOS agency is the Tertiary Education Quality and Standards Agency (TEQSA).

Genuine Student is a student that intends to obtain a successful educational outcome and has the language, educational and material background to have a reasonable chance of achieving the educational outcome. Factors that are considered under the existing requirement to be a genuine applicant for entry and study as a student include: English language proficiency, financial capacity, prerequisite schooling, age requirements, and intention to comply with visa conditions.

Genuine Temporary Entrant is where the individual circumstances of an applicant indicate that their intention is for a temporary stay in Australia.

National Code is the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

PRISMS is the Provider Registration International Student Management System, administered by the Department of Education, in association with the Department of Home Affairs.

Registered Provider is an institution listed on the Commonwealth Register of Institutions and Courses for Overseas Students

## 4. Policy Statement

4.1 It is an ESOS compliance requirement that registered providers assess requests from students for a transfer between registered providers prior to a student having completed six months of their principal program of study in accordance with the provider's documented procedures.

a) Where a student is undertaking a packaged offer comprising two or more programs, the highest qualification (normally the last program) is the principal program.

4.2 Staff must not actively recruit, nor knowingly admit, a student from another registered provider prior to the student having completed six months of his or her principal program of study except where:

a) the releasing registered provider has ceased to be registered or the program in which the student is enrolled has ceased to be registered; or

APPROVAL AUTHORITY

Vice-Chancellor and President

RESPONSIBLE EXECUTIVE MEMBER

Vice-Chancellor and President

DESIGNATED OFFICER

Pro Vice-Chancellor (Global and Engagement)

FIRST APPROVED

9 July 2012

LAST AMENDED

29 August 2022

REVIEW DATE

11 April 2023

STATUS

Active

- b) the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing his or her principal program; or
- c) the releasing registered provider has agreed to the release and recorded the date of effect and reason for release in PRISMS; or
- d) any government sponsor of the student considers the change to be in the student's best interests and has provided written support for the change.

4.3 Students who have been issued with a Confirmation of Enrolment (CoE) by USC and who have not yet completed six months of their principal program of study may be permitted to transfer to another registered provider where that transfer is in the student's best interests. The student must have a valid enrolment offer from the receiving provider and they must make a request in writing using the 'Application for release' form to the Pro Vice-Chancellor (Global and Engagement) (or nominee). Release will not be granted in cases where it is deemed detrimental to the student, including the student's ability to progress through a package of courses.

END

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#### RELATED DOCUMENTS

- Transfer of Student Visa Students between Registered Providers - Procedures

#### LINKED DOCUMENTS

- Transfer of Student Visa Students between Registered Providers - Procedures

#### RELATED LEGISLATION / STANDARDS

- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018