

International Student Transfer Request Procedure

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Purpose

This procedure outlines how the University of Tasmania (the University) assesses requests from international students to transfer to or from the University prior to a student completing 6 months of their principal course as specified by their Confirmation of Enrolment (CoE).

Applicable governance instruments

Instrument	Section	Principles
<i>National Code of Practice for Providers of Education and Training to Overseas Students, 2018 (Cth)</i>	Standard 5: Younger Overseas Students Standard 7: Overseas Students Transfers Standard 8: Overseas Student Visa Requirements Standard 10: Complaints and Appeals	N/A

Procedure

1. Introduction

This procedure is consistent with the requirements of Standard 7: Overseas Student Transfers of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (the National Code).

It applies to:

- a) international students studying in Australia with a CoE requesting to transfer to the University of Tasmania from another registered provider prior to completion of the first 6 months of their principal course; and
- b) international students studying at the University of Tasmania with a CoE requesting to transfer to another registered provider prior to completion of the first 6 months of their principal course.

For the purposes of this procedure and the National Code, principal course means the main course of study to be undertaken by an international student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the international student arrives in Australia with a student visa that covers multiple courses.

For the purposes of determining the first 6 months of a principal course, 6 months means 6 calendar months from the start date of the principal course and may cover more than one study period.

2. Requests to Transfer to the University of Tasmania from another registered provider

2.1. Principles

In accordance with the National Code, the University will not knowingly enrol an international student wishing to transfer from another registered provider prior to the student completing 6 months of their principal course, except where any of the following apply:

- a) the releasing registered provider, or the course in which the student is enrolled, has ceased to be registered; or
- b) the releasing registered provider has had a sanction imposed on its registration that prevents the student from continuing their course at that registered provider; or
- c) the releasing registered provider has agreed to the student's release and recorded the date of effect and reason for release in Provider Registration International Students Management System (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.

2.2. Initial assessment of requests

The Executive Director Student Services or the Director, Performance Optimisation or their nominee will review all applications from international students requesting to transfer to the University to determine their eligibility to transfer to the University. Students applying to the University from another registered provider may be required to provide documentation supporting their transfer during the assessment process.

The review will:

- a) assess the student's time spent in Australia to ensure there has been proper disclosure of previous studies (including any gaps in study) with all other providers; and
- b) establish whether the student holds a CoE with another registered education provider and if so, determine whether the student holds an Australian visa through the Visa Entitlement Verification Online (VEVO) system; and
- c) establish if the original registered provider or the course the student is studying has ceased to be registered or has a sanction imposed on its registration by the ESOS agency that prevents the student from continuing study at that provider; or
- d) establish whether the original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS; or

- e) establish if the student has a government sponsor and if the government sponsor considers the change to be in the best interest of the student with written support confirming this.

2.3. Letter of offer and acceptance process

Where the assessor determines that the transfer requirements specified in section 3.1. have not been met, any letter of offer will be made conditional upon meeting those requirements.

The assessor will also validate a student's eligibility to transfer to the University via PRISMS during the acceptance process.

Where the assessor is alerted by PRISMS that a student requires a release from another registered provider, they will:

- a) not proceed with the CoE; and
- b) notify the applicant or their registered education agent in writing that a CoE will only be issued once the University has confirmed that the original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS.

Where a release is granted by the original registered provider the assessor will ensure that the date of effect and the reason for release recorded in PRISMS by the releasing registered provider is copied and placed on the student's file.

2.4. Under 18 students

For students under the age of 18, applications will only be approved where:

- a) the student's parent or legal guardian has approved the transfer in writing; and
- b) if the student is not being cared for in Australia by a parent or suitable nominated relative, the University is willing to accept responsibility for the student's accommodation, support and general welfare arrangements in accordance with *Standard 5: Younger Overseas Students* of the National Code; and
- c) if the student has a sponsor, the sponsoring organisation has approved the transfer in writing.

Where the University accepts responsibility for a student's welfare, the University will:

- a) negotiate the transfer date for welfare arrangements with the original registered provider to ensure there is no gap; and
- b) inform the student and their parent or guardian of their visa obligation to:
 - i. maintain their current welfare arrangements until the transfer date; and
 - ii. have alternate welfare arrangements approved and, if necessary, return to their home country until the new approved welfare arrangements take effect; and
 - iii. acknowledge this assumption of responsibility in any letter of offer provided by the University to the student.

3. Requests to Transfer from the University of Tasmania to another registered provider

3.1. Situations where release is not required

Section 7 of the National Code does not apply and a transfer request is not required if:

- a) the student is not studying on Student Visa and does not hold a CoE with the University; or
- b) the student has completed at least 6 calendar months from the commencement of their principal course of study at the University.

Where a student has not completed 6 months in their principal course, a transfer request is not required if:

- a) the University has ceased to be registered, or the course in which the student is admitted has ceased to be registered; or
- b) the University has had a sanction imposed on it by the ESOS agency that prevents the student from continuing their principal course; or
- c) a government sponsor of the student considers the change to be in the student's best interests and has provided written support for the change.

In all other circumstances a transfer request will be required.

3.2. How to request a transfer

When requesting a transfer from the University, students must submit the following documents:

- a) a completed [Transfer Education Provider and Release Request Application Form](#); and
- b) a written statement detailing the grounds for transferring to another registered provider explaining how the student expects to benefit from the transfer and any evidence in the form of supporting documentation as outlined in section 4.3.; and
- c) a copy of a valid letter of offer from the other registered provider confirming that the student has been offered an unconditional place (excluding any condition requiring release from the University).

Under 18 students must include the following additional documents:

- a) written confirmation that the parent or legal guardian supports the transfer; and
- b) confirmation from the new provider that they will provide an accommodation and welfare guarantee, where applicable, without any gaps.

Applications should be emailed to U.Connect@utas.edu.au

There will be no cost to the student in relation to the request for transfer.

3.3. Acceptable evidence in support of claims

Types of acceptable evidence in support of claims may include, but are not limited to:

- a) evidence to support claims that the student was misled regarding the University or the course the student is undertaking;
- b) documents from qualified counsellors, psychologists or medical practitioners stating any compassionate and compelling circumstances as to why a transfer release is required;
- c) evidence of a medical treatment plan or details of medical treatment if a medical condition is listed in a transfer release request;
- d) a letter from the relevant academic unit to demonstrate genuine efforts to engage with a support plan.

3.4. Examples of 'compassionate or compelling circumstances'

A compassionate or compelling circumstance is one that is beyond the student's control and has had an impact on their wellbeing or progress in their study.

Evidence of compassionate or compelling circumstances must demonstrate how these circumstances have impacted the student's ability to continue to study at the University and why changing to another registered provider will be in the student's best interest.

Compassionate or compelling circumstances may include, but are not limited to:

- a) serious illness or injury where relocation is in the best interests of the student;
- b) caring responsibilities for a close family member requiring the student to relocate;

- c) a traumatic experience where a student has been a victim of, or a witness to, a serious accident or crime, and this experience has adversely impacted on the student in a way that they need to relocate and transfer to another registered provider.

Circumstances that are within the control of the student and/or will not have an impact on the student's capacity to progress with their planned course of study will not be considered as compassionate or compelling. These include, but are not limited to:

- a) difficulties in adjusting to living in Australia or academic life; and
- b) minor illness.

3.5. Other evidence the University may use in its assessment

Types of evidence that the University may use in its assessment may include, but are not limited to:

- a) documentation provided with the student's application to study at the University, including Genuine Student statements and financial documentation;
- b) records of the student's engagement in study;
- c) records of the student's engagement with University support services and/or intervention strategies.

3.6. Grounds upon which requests will generally be approved

The University will grant the transfer request when the transfer is assessed to be in the best interests of the student, including but not limited to where the University assesses that:

- a) the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, despite engaging with the University's intervention and support strategies; or
- b) there is evidence of compassionate or compelling circumstances that are beyond the student's control and which emerged after accepting the most recent letter of offer from the University (see section 4.4.); or
- c) the University has failed to deliver the course as outlined in the written agreement with the student; or
- d) there is evidence that the student's reasonable expectations about their current course are not being met; or
- e) there is evidence that the student was misled by the University or a University registered education or migration agent regarding the University or its course (excluding information that is verifiable on the University's website) and the course is therefore unsuitable to their needs or study objectives; or
- f) an appeal on another matter results in a decision or recommendation to release the student; or
- g) the student has a government sponsor and the government sponsor considers the change to be in the best interests of the student and the government sponsor has provided written support for that change; or
- h) the student can demonstrate deterioration in their financial position since they were assessed as a Genuine Student by the University and accepted their letter of offer.

3.7. Grounds upon which requests may be refused

Requests for transfer will generally be denied in cases where:

- a) the student has not commenced study at the University; or
- b) the University considers the change of course to detrimental to the student; or

- c) the student has not provided the necessary documentation and supporting evidence required; or
- d) the student provides false or misleading information with their transfer release request; or
- e) the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student; or
- f) the student has not genuinely engaged with a University intervention strategy; or
- g) the transfer may jeopardise a student's progression through a package of courses; or
- h) the student applies to transfer to another provider in a different education sector, or another course level and the University determines that the transfer will not be in the student's best interests or forms the view that the student is deliberately trying to manipulate the Australian student visa system; or
- i) the University forms the view that the student is deliberately trying to avoid being reported to the Department of Home Affairs for failure to meet the University's academic progress requirements; or
- j) the student is studying at the University because of the Simplified Student Visa Framework and attempts to transfer to another registered provider that does not have the Simplified Student Visa Framework arrangements with the Department of Home Affairs; or
- k) the student has made decisions regarding accommodation, travel and employment that are not aligned with the student's course requirements; or
- l) the request is received after the census date of the current study period; or
- m) the student wishes to change to a similar program with lower fees; or
- n) the student has a tuition fee or other debt owing to the University; or
- o) the student's CoE has been cancelled previously due to unsatisfactory attendance; or
- p) the student has already applied for and been denied a transfer and the student's reasons for seeking a transfer have not changed.

3.8. Maintaining attendance and enrolment

In accordance with their visa conditions, ELICOS and Foundation students must continue to satisfy attendance requirements until a decision on the transfer request is made.

All other students must remain enrolled and engaged in their course until a decision on the transfer request is made.

Students who do not maintain attendance (ELICOS and Foundation students) and/or enrolment and engagement may have their CoE cancelled in accordance with the *Student Attendance Monitoring Procedure* and/or the *International Student Appeal Against Notice of Intention to Report Procedure*.

Transfer requests will be considered separately and may still be refused following cancellation.

3.9. Assessment and Notification of Request Outcome

The Executive Director Student Services or the Director, Performance Optimisation or their nominee will review the request and make a determination based on the application and supporting information, and eligibility criteria.

A student who requests a transfer may be asked to meet with University staff to discuss the reasons for their request and to review all options to resolve any problems or issues that are impacting the decision to pursue a transfer.

The student will be notified of the outcome of their request within 10 working days of the date they submitted a complete application under section 4.2.

The student is deemed to have received the transfer request decision on the day the email was sent notifying the student of the decision.

3.10. Successful outcome

If the request is granted, the University will:

- a) advise the student to contact the Department of Home Affairs to seek advice on whether a new student visa is required; and
- b) within 5 working days of the date the transfer request is granted, report the release and cancel the student's CoE/s in PRISMS.

Any refunds of course fees paid to the University will be made in accordance with the *International Student Fee Refund Procedure* and the Tuition Protection provisions of the [Education Services for Overseas Students Act, 2000](#).

3.11. Unsuccessful outcome

Where a request is refused, the University's written response will detail the reasons for the refusal. These reasons will be sufficiently detailed to enable the student to make an informed decision with respect to the submission of an appeal.

The notification of refusal will also advise the student:

- a) of the University's appeal process; and
- b) that any appeal must be lodged within 20 working days of the date of the notification.

The University will not report the student's release refusal in PRISMS until:

- c) 20 working days have passed after the date of notification of refusal and the student has not lodged an appeal; or
- d) if the student lodges an appeal, the appeal is heard and the University's decision to refuse the request for transfer is upheld; or
- e) the student withdraws their appeal.

4. Appeals Process

If a request to transfer from the University to another registered provider is refused, the student may appeal within 20 working days of the date of receiving the transfer request outcome. All appeals are conducted in accordance with *Standard 10: Complaints and Appeal* of the National Code.

An appeal must be submitted by the student by email to the International Compliance Office at International.Compliance@utas.edu.au. The appeal must include:

- a) a statement outlining the basis of the appeal, specifically addressing the grounds on which the original transfer request was refused; and
- b) any additional supporting documentation that was not considered or available with the initial transfer request application.

Appeals are assessed by the Compliance Coordinator or nominee and the student will be notified of the outcome within 10 working days.

Following a successful appeal, the University will follow section 4.10 of this procedure. If the appeal is unsuccessful, the University will follow section 4.11 of this procedure.

In addition to the University's appeal process, students may refer the matter to an external agency, for example the [Tasmanian State Ombudsman](#) or the [National Student Ombudsman](#) for consideration.

5. Recordkeeping

The University maintains a record of all student transfer requests, the assessment of requests and final determinations.

Where the student has requested a transfer from the University to another registered provider, this record and all associated correspondence will be retained for at least two years after a student ceases to be a student at the University.

Related Procedures

Student Attendance Monitoring Procedure

International Student Appeal Against Notice of Intention to Report Procedure

International Student Fee Refund Procedure

Versions

Versions of this procedure and the details of their approval are as per the following table:

Version	Action	Approved by	Business Owner/s	Approval Date
1	Approved	Chief Marketing Officer	Executive Director Student Operations	21 Dec 2020
2	Approved	Vice President, Strategy, Finance, and Marketing	Director, Student Systems and Administration Director, Academic Quality Standards	18 May 2022
3	Approved	Head Student Services and Operations	Executive Director Student Services Director, Academic Quality Standards	21 May 2023
4	Approved	Deputy Vice-Chancellor (Student Services and Operations)	Executive Director Student Services Director, Academic Quality Standards	10 May 2024
5	Approved	Deputy Vice-Chancellor (Student Services and Operations)	Executive Director Student Services Director, Performance Optimisation	5 May 2025

* Currency of procedures is confirmed annually. For the details of when this procedure was last confirmed as current, visit the [version history page](#).

Definitions

[census date](#) | [Confirmation of Enrolment \(CoE\)](#) | [principal course of study](#) | [study period](#) | [tuition fee](#) |