

International Student Transfer Procedure

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Policy Supported:

[Admission and Support of International Students Policy](#)

Audience:

Staff, Students, public

Scope:

This procedure covers International Students with an Australian student visa that have not completed six months of their Principal Course. International Students that have completed six months of their Principal Course should see the *Suspension, Cancellation, Approved Leave and Withdrawal from Courses Procedure*.

Objectives:

- To ensure compliance with the *National Code for Providers of Education and Training to Overseas Students 2018* (National Code) and the *Education Services for Overseas Students Act 2000* (ESOS Act).

Definitions:

Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.

- **“International Student”** is a person (whether within or outside Australia) who holds an Australian student visa but does not include:
 - a Foreign Affairs student (within the meaning of the Migration Regulations 1994); or
 - a Defence student (within the meaning of the Migration Regulations 1994); or
 - a secondary exchange student (within the meaning of the Migration Regulations 1994); or
 - an international student who has been approved under a scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia; or
 - a person who satisfies the secondary criteria, but not the primary criteria, under the Migration Regulations 1994 for the grant of the visa.

- **“Principal Course”** is the main course of study to be undertaken by an International Student where a student visa has been issued. 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.
- **“PRISMS”** is the Provider Registration and International Student Management System (PRISMS). It is the system used to process information given to the Secretary of the Department of Education by Registered Providers
- **“Registered Provider”** refers to a provider that is registered under the ESOS Act and listed on the Commonwealth Register of Institutions and Courses for Overseas Students to provide a course at a location.
- **“Release”** is an approval from an International Student’s current education provider to transfer to a new Registered Provider.

Roles and Responsibilities:

Different levels of University staff have different levels of responsibility in relation to this procedure as outlined below:

- The Director, Student and Library Services may delegate any responsibilities in this procedure.

Implementation Steps:

Students applying to Murdoch

1. The Director, Student and Library Services or delegate (Director or delegate) must not admit an International Student who is seeking to transfer from a course provided by another Registered Provider prior to that student completing six months of their Principal Course, except where:
 - 1.1 the releasing Registered Provider, or the course in which the student is enrolled, has ceased to be registered as per the ESOS Act;
 - 1.2 the releasing Registered Provider has had a sanction imposed on its regulation by an ESOS Act agency that prevents the student from continuing their course with that Registered Provider;
 - 1.3 the releasing Registered Provider has agreed to the student’s Release and recorded the date of effect and reason for Release in PRISMS; or
 - 1.4 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.

Murdoch students seeking to transfer to another Registered Provider

2. International Students that have not completed six months of their Principal Course at the University must lodge a written Release request to transfer to another Registered Provider.
3. The written request may be made via the University internet site, and the request must include a valid enrolment offer from another Registered Provider and related evidence to support the request.

4. The Director or delegate will process completed Release requests and provide the applicant with an outcome within ten working days.

Grounds to grant a Release

5. The Director or delegate will grant a Release where it is in the International Student's best interests, including but not limited to where:
 - 5.1 the Director or delegate assesses that the student will be reported to the Department of Education because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the University's strategy to improve their performance;
 - 5.2 there is evidence of compelling or compassionate circumstances; such as,
but not limited to:
 - 5.2.1 the student has had a traumatic experience; or
 - 5.2.2 a close family member of the student is seriously ill or has died;
 - 5.3 the University has failed to deliver the course as outlined in the letter of offer;
 - 5.4 there is evidence that the student's reasonable expectations about their current course are not being met;
 - 5.5 there is evidence that the student was misled by the University or an education or migration agent regarding the University or its course and the course is therefore unsuitable to their needs and/or study objectives;
 - 5.6 an appeal (internal or external) on another matter results in a decision or recommendation to Release the student.

Reasonable grounds to refuse a Release request

6. The Director or delegate may refuse a Release request where:
 - 6.1 the Director or delegate assesses that a transfer is not in the student's best interests;
 - 6.2 the student has changed their mind about their enrolment;
 - 6.3 the student does not have a valid enrolment offer from another Registered Provider;
 - 6.4 the student has not made a genuine attempt to access Murdoch support services;
 - 6.5 the student claims financial hardship;
 - 6.6 the student is looking to transfer to a provider with lower tuition fees;
 - 6.7 the student has an outstanding debt with the University;
 - 6.8 the Director or delegate assesses the student is deliberately manipulating the student visa system;
 - 6.9 for students under the age of 18, their parent or guardian has not provided written approval;

- 6.10 for students under the age of 18 that are not being cared for in Australia by a parent or suitable nominated relative, the receiving provider has not confirmed it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with the National Code;
- 6.11 if there is a government sponsor, that government has not provided written approval;
- 6.12 the Director or delegate assesses that a transfer may jeopardise the student's progression through a package of courses;
- 6.13 the proposed transfer is to a course at a lower Australian Qualifications Framework (AQF) level or a course that is not at an AQF level; or
- 6.14 the proposed transfer is to a course that is similar to one offered by the University.

Where a Release request is approved

- 7. If the Director or delegate grants a Release, it must be at no cost to the student.
- 8. The Director or delegate must update PRISMS to show the approved Release.
- 9. The Director or delegate must notify the student and advise the student to contact the Department of Home Affairs to seek advice on whether a new student visa is required or whether there are any other visa implications.

Where a Release request is refused

- 10. If the Director or delegate intends to refuse the Release request, the Director or delegate must inform the student in writing of:
 - 10.1 the detailed reasons for refusal; and
 - 10.2 the student's right to access the University's appeals process, within 20 working days.
- 11. The Director or delegate must not finalise the student's refusal status in PRISMS until the appeal finds in favour of the University, or the student has chosen not to access the appeals process within the 20 working day period, or the student withdraws from the process.

Records

- 12. The Director or delegate must maintain records of all Release requests and the assessment of, and decision regarding, the request for at least two years after the student ceases to be an accepted student.

Related Documents:

[*Suspension, Cancellation, Approved Leave and Withdrawal from Courses Procedure*](#)

References:

There are no references.

Approval and Implementation:

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| Approval Authority: | Director Student and Library Services |
| Responsible Officer(s): | Director Student and Library Services |
| Contact Officer: | Manager International Compliance |

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| Approved/ Amended/ Rescinded | Date Approved | Effective Date | Next Review Date | Resolution No. (if applicable) |
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