

## **INTERNATIONAL STUDENT TRANSFER POLICY**

### **1. Purpose**

- 1.1 This document applies to Brunswick Institute, its courses, its clients (students) and its controlled entities (collectively "BI", "Institute", "the Institute", "we", "us", "our").
- 1.2 This policy is implemented in compliance with the requirements of the Education Services for Overseas Students Act 2000 (the ESOS Act), the Standards for Registered Training Organisations (2025), and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018).

### **2. Definitions**

- 2.1 An education agent refers to an entity (in or outside Australia) that
  - i. Engages in any of the following activities in relation to a provider:
    - A. The recruitment of overseas students, or intending overseas students;
    - B. providing information, advice or assistance to overseas students, or intending overseas students, in relation to enrolment;
    - C. otherwise dealing with overseas students, or intending overseas students;and
  - ii. is not a permanent full-time or part-time officer or employee of the Institute.
- 2.2 Agent Agreement refers to the agreement between the Institute and the agent, including the schedules.
- 2.3 CRICOS refers to the Commonwealth Register of Institutions and Courses for Overseas Students.
- 2.4 ESOS Act refers to the Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
- 2.5 National Code refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

- 2.6 Prospective student/applicant/client refers to a person who intends to become, or who has taken any steps towards becoming, an 'overseas student' or 'intending overseas student' as defined by the ESOS Act.
- 2.7 DHA refers to the Department of Home Affairs.
- 2.8 OSHC refers to the Overseas Student Health Cover.
- 2.9 eCoE refers to the electronic Confirmation of Enrolment.
- 2.10 2025 Standards for RTOs refers to the National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025.

### **3. Policy**

- 3.1 The Institute must not actively recruit students where the recruitment would conflict with the requirements of this procedure and/or Standard 7 of the National Code.
- 3.2 The Institute must not knowingly enrol an international student who wishes to transfer from another registered provider's course before completing six (6) calendar months of their principal course of study unless:
  - i. The registered provider has agreed to the student's release and recorded these details in PRISMS; or
  - ii. The registered provider of the principal course has ceased to be registered; or
  - iii. The course in which the student was enrolled has ceased to be registered; or
  - iv. The registered provider of the principal course has had a sanction imposed on its registration by the Australian Government or a State or Territory Government, which prevents the student from continuing their course with that registered provider; or
  - v. The student is government-sponsored, and the government sponsor provides written support for the change, as it considers it in the student's best interest.

- 3.3 For the international students who wish to transfer to another education provider from the Institute
- i. International students seeking to transfer from the Institute must submit a written request along with a completed Request to Release Form. The application must include a Letter of Offer from the registered provider to which they intend to transfer, along with any additional supporting documentation.
  - ii. The Institute reserves the right to determine the conditions under which a Release will be granted or denied. International students must provide evidence that the proposed transfer is in their best interests.
  - iii. Circumstances for which approval for transfer to another registered provider within the first six (6) months will be granted include:
    - A. Compassionate or compelling circumstances beyond the student's control that cannot be resolved through the support of the Institute's student support services and which adversely affect the student's course progress or well-being.
    - B. The student has not made satisfactory progress in the course at their current level of study, despite the implementation of an intervention strategy.
    - C. The Institute is unable to deliver the course as specified in the written agreement.
    - D. There is evidence that the course is not meeting the students' reasonable expectations.
    - E. There is evidence that the student was misled by the Institute, or by an education or migration agent acting on its behalf, and the course is therefore inappropriate for the student's needs or academic objectives.
    - F. An internal or external appeal on a separate matter results in a recommendation or decision that supports the student's release.

- iv. Once a letter of release is granted, the student is advised to contact the Department of Home Affairs (DHA) to seek advice on whether a new student visa is required.
- v. A letter of release will normally not be granted in the following situations:
  - A. The student has not completed the first six months of their principal course and has not fully engaged with the Institute's support services.
  - B. The reason for the transfer request does not constitute an exceptional circumstance related to the student's welfare.
  - C. The Institute determines that the request is an attempt to avoid being reported to the Department of Home Affairs (DHA) due to non-compliance with attendance or academic progress requirements.
  - D. The student has outstanding financial obligations from the current or previous study periods owed to the Institute.
  - E. The transfer is considered potentially detrimental to the international student's future academic progress, well-being, or career goals, including situations where the proposed course is deemed unsuitable for the student's academic capabilities.
  - F. The transfer request is based on a desire to change courses, and the Institute already offers the same course.
  - G. The transfer is likely to disrupt the student's progression within a packaged course pathway.
  - H. The student has submitted the request due to a change of mind, without presenting compelling reasons.
  - I. The justification for transfer may include factors such as campus distance or travel inconvenience.
  - J. The documentation submitted, in the Institute's view, does not provide sufficient grounds to support the transfer request.
- vi. The institute will assess and reply to an overseas student's transfer request within five (5) working days.

- vii. There is no cost to an international student for requesting or receiving a release.

#### 3.4 Communicating a release application outcome

- i. A written notification will be sent to the international student advising the outcome of the application for release within five (5) working days.
- ii. If a release is approved, the decision will be recorded in PRISMS, and the relevant Confirmation of Enrolment (CoE) will be cancelled within three (3) business days.
- iii. If a release request is denied, international students have 20 working days from the date of receiving the notification to initiate the Institute's complaints and appeals process.
  - A. If the student does not access the appeals process within 20 working days, the original decision will remain in effect.
  - B. The Institute will not finalise the student's release refusal status in the Provider Registration and International Student Management System (PRISMS) until either the appeals process upholds the Institute's decision or the student fails to initiate the complaints and appeals process.

#### 3.5 Transfer to another education provider without requiring a release

- i. All students seeking to transfer to the Institute after completing six (6) calendar months of their principal course must submit a valid application, which will be assessed through the standard international admissions process.
- ii. International students intending to transfer from the Institute to another registered provider after completing six (6) calendar months of their principal course are required to submit a formal application to withdraw.

#### 3.6 The Institute's CEO is responsible for implementing this procedure and ensuring that staff and students are aware of its application and that staff comply with its requirements.

**VERSION HISTORY**

| Version Number | Date           | Summary of changes                                                                                                  |
|----------------|----------------|---------------------------------------------------------------------------------------------------------------------|
| 1.0            | September 2021 | New policy                                                                                                          |
| 2.0            | July 2025      | Revised and updated to include the changes according to the Standards for Registered Training Organisations (2025). |
| 3.0            | December 2025  | Revised and updated to include the changes according to the ESOS 2000 Act.                                          |