

International Student Factsheet

Transferring between education providers



This factsheet provides an overview of your options to transfer to another education provider whilst you are in Australia.

1. Introduction

If you are studying in Australia and you want to transfer to another education provider, there are a number of factors you will need to consider before making a decision to transfer.

If you are thinking about changing your course, you also need to ensure you continue to meet the conditions of your student visa. Changing courses might affect your student visa. You should get legal advice before you make a decision to transfer.

Standard 7 of the National Code* sets out the requirements that must be met before a provider can release a student or accept a student from another provider.

2. When can you transfer to another provider?

If you have completed six months of your principal course of study, you can transfer to another provider so long as you:

- Transfer to a course that is covered by the type of student visa you hold. If, for example, your visa is a subclass 573 Higher Education student visa, you cannot transfer to a vocational diploma course of study. You must undertake a higher education course of study
- If you were granted a student visa under the streamlined visa processing arrangements and you would like to change to a new course of study, you generally need to enrol in another streamlined eligible course (or package of courses) at the same level as your current course in order to remain compliant with the conditions on your current student visa. If you

are unsure, you should seek legal advice

- If you choose to change education sectors, (e.g. from degree to certificate), you must apply for a new visa and continue to study your original course until your new visa is granted for your new course
- If you are under 18, different provisions apply and you should seek legal advice

What is the principal course of study?

If you are granted a student visa to undertake more than one course (i.e. packaged courses), your principal course is the highest qualification course for which your visa was granted.

For example, you may be granted a visa based on a package offer by a university that includes an offer for a place in a pathway English course, plus an offer for a place in a degree program. Your principal course will be the degree program.

3. If you have not completed 6 months of the principal course

If you want to change institutions before you have completed the first six months of your principal course of study you must contact your current provider for permission to transfer unless limited exceptional circumstances exist (discussed below).

To transfer, you need a letter of offer from the new institution and a release letter from your current provider.

All education providers who accept international students must have a transfer release policy. You will need to carefully consider your provider's transfer release policy before applying for a release letter. If your provider does not have a transfer policy, or if the transfer policy does not comply with the National Code, you may be able to complain to your state or territory ombudsman or the Overseas Students Ombudsman.

Exceptions to the requirement for a transfer release letter

You will not need a release letter to transfer in the following circumstances:

- The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- The original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, or
- Any government sponsor of the student considers the change to be in the student's best interests and has provided written support for the transfer

Current education provider's assessment

When a student wants to transfer before completing six months of his or her principal course, the provider must assess the student's request against its documented transfer policy and procedure.

The provider can refuse the student's request, but must give written reasons for its decision and the decision must be consistent with the intent of Standard 7 and the provider's documented transfer policy.

4. What to do if your education provider refuses to grant you a transfer release letter

If your provider refuses to issue you a transfer release letter, and if none of the limited exceptions listed in the previous section apply, you can access your provider's internal appeal/complaints process.

For more details about making a complaint or appealing a decision made by your provider, please refer to the RLC factsheet on 'Making a complaint about your education provider'.

5. Tips for transferring to another provider

- When requesting a transfer release letter, it is important to highlight how the new course will meet your long term goals (for example, how the new course will help you to achieve future work, education or personal aspirations). Additionally, you may also discuss how the new course has better support services suited to your

individual circumstances, how the current course is not meeting your current expectations, and any other relevant factors to explain why the transfer is in your best interests

- A provider may refuse to grant a transfer release letter where a student is trying to avoid being reported for attendance/academic progress compliance issues or where a student wants to transfer to a course that does not adequately meet their long term goals
- If your provider has refused your transfer release letter request, the provider must give you written reasons for its decision. You should always get a copy of the provider's written reasons and consider the merits of appealing the decision

Produced by the Redfern Legal Centre.

This factsheet is not a substitute for legal advice. If you have a problem with an education provider, please seek legal advice from your local community legal centre.

Last updated: 21 September 2015.

** National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (Cth).*