

### Purpose

This policy is in place to ensure requests for students to transfer from another Registered Provider to the College or from the College to another Registered Provider are managed in accordance with the requirements of the National Code.

This policy does not apply to students transferring between courses within The College.

This policy does apply to students other than overseas students, noting that management of such students is not subject to the National Code.

The College is required to:

1. have and implement a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course (requirement of clause 7.2 of the National Code)
2. not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (requirement of clause 7.1 of the National Code), unless:
  - a. the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
  - b. the releasing registered provider has had a sanction imposed on its registration by ASQA that prevents the overseas student from continuing their course at that registered provider
  - c. the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
  - d. any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

### Definitions

**The College** means Lead College Pty Ltd

**Course** means any accredited qualification, unit of competency, skill set, course, or non-accredited program offered by the College

**National Code** means the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

**Principal Course** means the course noted as such on the student's CoE/s, usually the course with the latest start/finish when a student is enrolled in more than one course

**Registered provider** means a provider registered to deliver a relevant course to overseas students under the authority of the ESOS Act

**Student** means a person enrolled in one or more courses with the College

**Overseas Student** means a student that holds or intends to hold, an Australian student visa.

### Policy – incoming student transfer (overseas students)

1. The College does not accept students transferring from another provider where the student has not completed at least six months of their Principal Course
2. The above does not apply in cases where:

- a. the student's original registered provider or course has ceased to be registered or has been sanctioned with the effect the course can no longer be delivered  
or
- b. any government sponsor of a student considers the change to be in the student's best interest.

Note that the above policy position reflects technical restrictions put in place by the Australian Government in late 2023 preventing the release of students prior to completion of six months of their Principal Course.

#### Policy – outgoing student transfer (overseas students)

1. The College will only grant a letter of release to a student where all of the following apply:
  - a. a complete and correct transfer form has been submitted to the College
  - b. the student has completed at least six months of their Principal Course
  - c. the student does not have arrears of tuition and/or other fees
  - d. The College agrees the transfer is in the student's best interest
  - e. the student provides a letter of offer from another registered provider.
2. The College may also grant a letter of release to an overseas student where any of the following apply:
  - a. compassionate or compelling circumstances exist
  - b. there is evidence the student's reasonable expectations are not being met by The College
  - c. there is evidence the student was misled by The College or a representative of The College to the extent the course is unsuitable for the student
  - d. an internal or external appeal on another matter results in a decision or recommendation to release the student.

#### Policy – other students

1. The College will consider requests for transfer from other than overseas students on a case-by-case basis, using the above policy points as a guide for decision-making
2. Where any public funding applies to a student's course, any conditions of that funding will also be considered in decision-making.