

Transfer of Provider Policy and Procedure

Document

Document Name	Transfer of Provider Policy and Procedure
Brief Description	This policy provides information, procedures and guidelines on matters relating to the transfer of providers by international students at the Sydney Institute of Business and Technology (SIBT).
Responsible Officer	Director of Student and Academic Services
Delegated Approver	Senior Management Team
Initial Issue Date	30 June 2010
Date for Next Review:	12 June 2025

Version Control

Date/Approval	Version No.	Summary of Changes	Reviewer Name and Department/Office
12/6/25	13	Title changed to include Procedure. Responsible Officer appointed. Added Important Information on Visa Condition and Review clauses. Improved clarity regarding packaged students and principal program. Clarified when transfer is effective from. Improved readability and access to relevant policies, forms and websites.	Senior Management Team

Related Documents

Name	Location
Admissions Policy	SIBT Website
Assessment Policy	SIBT Website
Enrolment Policy	SIBT Website
Deferring, Leave of Absence, and Cancelling Student's Enrolment Policy	SIBT Website
International Student Under 18 Policy	SIBT Website
Refund Policy and Procedure	SIBT Website
Special Consideration Policy and Procedure	SIBT Website
Student Complaints and Appeals Policy	SIBT Website
Transfer to another Provider Application Form	SIBT Website
International Student Transfer Procedure (Western)	WSU Website

Name	Location
Higher Education Support Act 2003	https://www.legislation.gov.au/
Higher Education Standards Framework (Threshold Standards) 2021	https://www.legislation.gov.au/
Education Services for Overseas Students Act 2000	https://www.legislation.gov.au/
National Code of Practice for Providers of Education and Training to Overseas Students 2018	https://www.legislation.gov.au/

Contents

1. Purpose.....	4
2. Definitions	4
3. Application	4
4. Policy Statement	5
5. Request for Transfer	5
6. Grounds for Transfer between Registered Providers	7
6.1 Sufficient Grounds to Transfer	7
6.2 Insufficient Grounds to Transfer.....	9
7. Outcome of Transfer Request	9
8. Important Information on Visa Condition	10
9. Transfer Request Records Retention	10
10. Appeal.....	10
11. Review	10
Appendix A: Extenuating (Compassionate and Compelling) Circumstances	12
Appendix B: Acceptable Supporting Documentation	13
Appendix C: Student Applying for a Release.....	14

1. Purpose

- a) This Policy outlines the conditions under which Sydney Institute of Business and Technology (SIBT) will consider a student or applicant's request for a transfer between registered providers.

2. Definitions

Term	Meaning
AQF	Australian Quality Framework. Australia's national quality assured framework of qualifications in the school, vocational education and training and higher education sectors. The AQF provides the standards for Australian qualifications.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
DHA	Department of Home Affairs
ESOS	The Education Services for Overseas Students Act 2000, or ESOS Act, establishes legislative requirements and standards for the quality assurance of education and training institutions offering programs to international students who are in Australia on a student visa. ESOS also provides tuition fee protection for international students.
Financial Census Date	The final date students can apply for or withdraw from units without incurring a debt is the last campus day in week four (4). The Census date is a minimum of 20% of the way through a unit.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) sets nationally consistent standards for the delivery of programs to international students.
Tuition Protection Service	The Tuition Protection Service (TPS) is a placement and refund service for international students in the event of Provider default.
Principal Program	Is the main program of study to be undertaken by an international student where the student visa has been issued for multiple programs and is usually the final program of study.
PRISMS	Provider Registration and International Student Management System.
Release	Permission granted by SIBT or the University Partner depending on the Principal Program, for a student visa holder to transfer to another education provider before the end of the first six months of the principal program. Release can be granted only in limited circumstances as explained by Standard 7 of the ESOS National Code.
Releasing Registered Provider	An education provider registered on CRICOS that has formally agreed to release an overseas student from their enrolment, allowing the student to transfer to another registered provider. .
Six Months of Principal Program	The first six (6) months is calculated as six (6) calendar months from the date an international student commences their principal program. Where a deferment of study has been granted in the first study period, the deferred period or leave of absence is not included in the six months. Students are expected to complete their six months of study upon their return.
TEQSA	The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national regulator of the higher education sector.

3. Application

- a) This Policy applies to all international students enrolled at Sydney Institute of Business and Technology (SIBT) who hold a student visa to study in Australia.

4. Policy Statement

- a) This policy has been developed in accordance with requirements under Standard 7 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (the National Code 2018). Under the terms of this legislation, students on an international student visa are required to remain with their education provider for the first six (6) months of study of their principal program.
- b) The transfer restrictions apply to an international student during all programs they undertake prior to the principal program.
- c) Under Standard 7 of the National Code 2018, a student can transfer to another provider before they have completed six (6) months of their principal program if evidence supports that the transfer is in the student's best interest. No restrictions apply after the student has completed six (6) months of their principal program.
- d) SIBT will not knowingly enrol students wishing to transfer from another registered provider's program prior to the student completing six (6) months of their principal program of study, except where:
 - i. The releasing registered provider has agreed to the international student's release and recorded the date of effect and reason for release in PRISMS;
 - ii. The releasing registered provider, or the program in which the international student is enrolled, has ceased to be registered;
 - iii. The releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the international student from continuing their program with the registered provider; or
 - iv. Any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change.
 - v. Refer [Admissions Policy](#)
- e) Students considering transferring providers must continue to meet the conditions of their current enrolment and student visa Refer [Enrolment Policy](#). More information can be found at <https://www.homeaffairs.gov.au>.
- f) Students that are packaged to a Bachelor's program at Western Sydney University, Sydney City Campus (WSUSCC) are considered to be WSUSCC students and will be assessed according to the University's [International Student Transfer Procedure](#).

5. Request for Transfer

- a) SIBT markets itself as an education provider offering academic programs. Students are provided with a range of information outlining program structures and requirements and articulation pathways. Requests for student transfers will take into consideration the range of SIBT information provided to prospective students prior to application and enrolment at SIBT.
- b) Students wishing to transfer providers must:
 - i. Make an appointment with a Student Learning Advisor or Student Counsellor as part of the application process. They will be able to clarify the process including Packaged student's applications which require approval from the University (as the principal program provider);
 - ii. Complete an [Transfer to Another Provider Application form](#) available on SIBT website and outline the grounds for release and compelling reasons for the request to transfer;
 - iii. Attach documentary evidence in support of the transfer to the application form and demonstrate the grounds for release and how the transfer would be in the student's best interests. Refer to section 6.1;

- iv. Hold an unconditional Letter of Offer from the receiving CRICOS provider, with a future start date;
- v. Provide written confirmation of approval to transfer from legal guardian/parent, if under 18 years of age; or
- vi. Provide written confirmation of approval to transfer from government sponsor if a sponsored student;
- vii. Have had or have a current Confirmation of Enrolment issued by SIBT (future, current and past student of SIBT); and
- viii. Have paid all outstanding fees to SIBT.
- c) The Student Administrator Coordinator will:
 - i. Review the student's application and supporting documentation to ensure completeness prior to submission to the Student Support Manager for assessment and a decision.
- d) The Student Support Manager will:
 - i. Review the application against the circumstances SIBT states are sufficient grounds for transfer and the required supporting documentation as prescribed in Standard 7 of the ESOS National Code (refer 6. Grounds for Transfer between Providers).
 - ii. Provide a decision to approve or decline the application within 10 working days of submission
 - iii. Send the application back to the Student Administration Coordinator to process.
- e) For approved transfer applications, the Student Administration Coordinator will update the following items relevant to each student's case:
 - i. Navigate – registration, status and progression;
 - ii. COE - confirm release and note new Provider;
 - iii. Add to Enrolment Variation Application Register;
 - iv. Add to Withdrawal from Program Register;
 - v. Add notes to student's file and SMS;
 - vi. Update grades as per the Assessment Policy based on application approval date:
 - Up to Week 4
 - Between week 4 and 8 - grade is changed to W,
 - After week 8 - grade is changed to WF by default
 - vii. Notify student of outcome using email template within 10 working days of application
 - viii. Notify the following as required
 - Sponsored Student Officer who will notify the Sponsor
 - Student Learner Advisor who will notify the Under 18-year-old students Guardian
 - Finance
- f) For rejected transfer applications, the Student Administration Coordinator will complete the following process:
 - i. Notify student of outcome using email template within 10 working days of application
 - ii. Add notes to the student file

6. Grounds for Transfer between Registered Providers

6.1 Sufficient Grounds to Transfer

Circumstances which SIBT considers sufficient grounds to transfer	Supporting documentation required
<p>The transfer represents an opportunity for the student to complete a higher-level tertiary qualification with an entry point matching their academic and language levels.</p> <p>Packaged programs may not always be in the student's best interests (for example, where a student is currently studying a Diploma program and the new offer is for a package commencing with a Certificate IV program). However, pathway programs may not always be detrimental to a student (for example, where a Foundation program leads directly to a Bachelor or where the outcome leads to the same qualification i.e., Degree).</p>	<p>A valid Letter of Offer for a higher-level tertiary qualification</p>
<p>The international student is unable to satisfy prescribed conditions stipulated in SIBT's letter of offer for admission and SIBT determines the student made a genuine attempt to meet the conditions.</p>	<p>Evidence such as an IELTS certificate and/or attendance and academic results from the pathway provider.</p> <p>AND</p> <p>A valid Letter of Offer from another registered provider student wishes to transfer to.</p>
<p>The international student's inability to begin studying on the program's commencement date due to a delay in receiving a student visa.</p>	<p>Evidence of student visa grant date.</p> <p>AND</p> <p>A valid Letter of Offer from another registered provider student wishes to transfer to.</p>
<p>The transfer is considered beneficial to the student's academic progress. Circumstances considered beneficial include:</p> <ul style="list-style-type: none"> a) The transfer represents an opportunity for the student to complete a higher-level tertiary qualification; or b) The student is currently enrolled at SIBT and has applied to transfer to a discipline not offered by SIBT. 	<ul style="list-style-type: none"> a) A valid Letter of Offer from another registered provider, with a future start date. If the offer includes a pathway, it may or may not be detrimental depending on the type of qualification (pathway program); b) Evidence that the student has accessed academic support services provided by SIBT that have not improved the student's performance. A valid Letter of Offer from another registered provider student wishes to transfer to.
<p>The transfer is in the student's best interests. Circumstances considered to be in the student's best interest include:</p> <ul style="list-style-type: none"> a) The international student will be reported because they are unable to achieve satisfactory program progress at the level they are studying, even after engaging with SIBT's intervention strategy to assist the international student in accordance with Standard 8 (International student visa 	<ul style="list-style-type: none"> a) Evidence that the student has accessed the support services and strategies provided by SIBT staff that have not improved the student's performance. <p>AND</p> <p>A valid Letter of Offer from another registered provider student wishes to transfer to.</p>

Circumstances which SIBT considers sufficient grounds to transfer	Supporting documentation required
requirements); or	
b) The international student has experienced extenuating (compassionate and compelling) circumstances which are beyond the student's control. Refer to Appendix A; or	b) Evidence of the extenuating (compassionate and compelling) circumstances Refer to Appendix B. AND Statement of how the transfer would improve the student's circumstances. AND A valid Letter of Offer from another registered provider student wishes to transfer to.
c) SIBT is no longer able to provide the program in which the student is due to commence, or enrolled as outlined in the written agreement; or	c) Nil
d) SIBT is unable to offer a pre-requisite unit, or the international student has failed a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.	d) Nil
e) The government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change; or	e) Written support for the transfer from the government sponsor.
f) A parent or legal guardian of an international student under 18 years of age has provided written confirmation supporting the transfer. Where the international student is not being cared for in Australia by a parent/legal guardian, the new CRICOS registered institution has accepted responsibility for the student's accommodation, support, and general welfare arrangements in accordance with the National Code of Practice 2018, Standard 5; or	f) Written support from parent/legal guardian and/or written support of accepted responsibility from new provider, demonstrating that there is no gap in the welfare arrangements. AND Acceptance of responsibility from the new CRICOS registered institution to provide support and general welfare arrangements in accordance with National Code of Practice 2018, Standard 5. AND A valid Letter of Offer from another registered provider student wishes to transfer to.
g) There is evidence that the international student's reasonable expectations about their current program are not being met; or	g) Evidence to support the international student's reasons why the program is not meeting their expectations.
h) There is evidence that the international student was misled by SIBT or an education or migration agent regarding SIBT or its program and the program is therefore unsuitable to their needs and/or study objectives; or	h) Evidence of the misleading information that has been provided by SIBT or education agent (e.g., correspondence or marketing materials).
i) SIBT has had a sanction imposed on its registration by TEQSA that prevents the international student from continuing their program with SIBT; or	i) Nil.

Circumstances which SIBT considers sufficient grounds to transfer	Supporting documentation required
j) An appeal (internal or external) on another matter results in a decision or recommendation to release the international student.	j) Evidence of the appeal outcome.

6.2 Insufficient Grounds to Transfer

- a) SIBT considers the following (but not limited to) circumstances will have a detrimental impact on the educational outcomes for which the student's visa was granted, and will result in a request for transfer of providers being refused:
- The student has not started studying, or has only recently started studying, and has not experienced the full range of academic and support services available at SIBT;
 - The transfer may jeopardise the student's progress through a package of programs, or is not likely to provide adequate preparation for further study (e.g., the new program does not articulate into the principal provider);
 - The student is applying to transfer to a qualification of a lower AQF level or a vocational qualification for reasons other than academic ability;
 - The student expresses difficulty with the program of study but has not sought assistance from SIBT Student Learning Advisors or Program Convenors;
 - The student has not attempted an assessment item;
 - The student has been warned for non-attendance;
 - The student is experiencing homestay or other accommodation problems;
 - The student is experiencing program schedule conflict with personal, work, or other non-study commitments;
 - The student is experiencing adjustment difficulties moving to Australia;
 - The student has changed their mind about the program;
 - The student wants to live somewhere else (unless there are extenuating (compassionate and compelling) circumstances where it can be determined that living somewhere else is in the student's best interest);
 - The student wants to transfer to a provider with lower fees, or would lead to an overall reduction in costs to the student;
 - SIBT forms the view that the student is trying to avoid being reported to the [Department of Home Affairs](#) (DHA) for failure to meet attendance or academic progress requirements; and
 - The student has 25% or less of the program to complete.

7. Outcome of Transfer Request

- All requests, including packaged students, must via the SIBT Application for [Transfer to Another Provider Application form](#).
- There is no cost for the application.
- Applications are assessed by the Student Services Manager in accordance with [Transfer of Provider Policy](#) usually within 10 working days.
- Where a request for Transfer of Provider has been approved, the outcome will be effective from either the date of lodgement if it was submitted on or prior to the Financial Census Date or the end of the study period if it was submitted after the Financial Census Date.
- Where a student's application cannot be considered because the relevant documentation has not been attached, the student will be notified.
- Where a request for Transfer of Provider has been approved, the student will be notified of the decision via their student email account. The student's enrolment at SIBT will be cancelled, and notification will be provided to the Department of Education and the [Department of Home Affairs](#) (DHA) of the student's cessation of

studies at SIBT, by releasing the student from their Confirmation of Enrolment (CoE) in PRISMS. The student will incur no charges for processing their release. However, the non-refundable component of pre-paid tuition fees will remain non-refundable even if release is granted. Other unused fees may be refunded in accordance with SIBT's [Refund Policy and Procedure](#). Students will need to lodge a separate application for any refunds.

- g) Where a student under the age of 18 has had a request for Transfer of Provider approved, SIBT will liaise with the other provider in regard to the transfer of care arrangements. Refer to the [International Students Under 18 Policy](#).
- h) In all cases where a release is granted, SIBT will advise the student to contact the [Department of Home Affairs](#) to seek advice on whether a new student visa is required.
- i) Where a request for Transfer of Provider has been refused, the student's enrolment will remain current and the student will be advised in writing of the reasons for the refusal of the request, via their student email account.

8. Important Information on Visa Condition

- a) It is a student visa condition that you maintain your enrolment (condition 8202) and refer [Enrolment Policy](#). If you are applying for release after your program has started, you need to remain enrolled while your application to transfer is processed. Your receiving education provider will not be able to issue a new CoE to you until SIBT or SIBT's University Partner (for packaged students) reports that you are released.
- b) If you do not maintain your enrolment your CoE will be cancelled for that reason. Your release request will be considered separately and may still be refused. Do not risk your student visa by ceasing enrolment.

9. Transfer Request Records Retention

- a) SIBT maintains records of all requests from international students for a release and the assessment of, and decision regarding, the request for two (2) years after the international student ceases to be an accepted student.

10. Appeal

- a) Students can appeal the decisions made under this policy within 20 working days from the receipt of the notification in accordance with the [Student Complaints and Appeals Policy](#).
- b) SIBT will not finalise the student's status in PRISMS until:
 - i. The appeal outcome upholds the registered provider's decision; or
 - ii. The international student has chosen not to access the complaints and appeals processes within 20 working days of being notified of the refusal; or
 - iii. The international student withdraws from the appeal process.

11. Review

- a) SIBT monitors the effectiveness and appropriateness of the terms under this Policy to identify continuous improvement opportunities and risk identification and mitigation and to inform updates to the policy.



- b) This Policy will be reviewed by the Responsible Officer and the Quality and Compliance Manager a minimum of every three (3) years, or when there are updates to the regulatory compliance requirements, legislation, regulation, and guidelines.

Appendix A: Extenuating (Compassionate and Compelling) Circumstances

- a) Extenuating (compassionate and compelling) circumstances are unusual or abnormal events or situations that:
 - i. Occurred on or after the Financial Census Date, or the impact of which was realised on or after Financial Census Date;
 - ii. Are beyond a student's control and could not reasonably have been foreseen or prevented; and
 - iii. Have been severe enough to prevent them from successfully completing their unit of study.
- b) Extenuating (compassionate and compelling) circumstances include, but are not limited to:
 - i. Serious illness or injury, including deterioration of a pre-existing health condition;
 - ii. Family or personal circumstances which have severely impacted the student's ability to continue with study;
 - iii. Bereavement of close family members such as parents or grandparents;
 - iv. Major political upheaval or natural disaster, in the case of international students this may include such situations occurring in their home country requiring emergency travel where this has impacted on the international student's studies;
 - v. A traumatic experience, which could include:
 - Involvement in, or witnessing of a serious accident; or
 - Witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports);
 - vi. Where SIBT was unable to offer a pre-requisite unit, or the international student has failed a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
- c) Students whose circumstances are outside the ones listed above should seek assistance from the Student Support or other professional services and attach supporting documentation obtained from them.
- d) Students will need to be able to prove their claim for extenuating (compassionate and compelling) circumstances by providing appropriate supporting documentation (see Appendix B).

Appendix B: Acceptable Supporting Documentation

Circumstances	Documents
Medical and Health	<ul style="list-style-type: none"> An original certificate/letter/report from a doctor or registered treating health professional on a letterhead, including signature or providers stamp, provider's number, and a statement that student was unable to attend classes; A medical certificate stating just "illness" or "medical condition" or "medical reason" may not be sufficient.
Personal and Welfare	<ul style="list-style-type: none"> A statement from a doctor, counsellor, social worker, or independent member of the community (e.g., A Justice of the Peace or a Minister of Religion); A certificate from a funeral director; A death certificate; Letter of support for the Student Welfare Officer. A copy of an accident report;
Academic	<ul style="list-style-type: none"> A copy of any academic advice received from their program convenor or a student learning advisor.

- a) Supporting documentation for extenuating (compassionate or compelling) circumstances must be from an independent source or authority, and clearly indicate:
 - i. What the special circumstances were;
 - ii. When they occurred;
 - iii. How long they lasted;
 - iv. The level of impact of the special circumstances.
- b) A personal statement from a student, their friend or family member, outlining their circumstances is not sufficient evidence to demonstrate extenuating (compassionate and compelling) circumstances.
- c) For international students a lack of funds is not accepted by the [Department of Home Affairs](#) (DHA) as an extenuation (compassionate and compelling) reason to defer or take leave. It is a condition of a student visa that students have access to funds to cover their tuition fees and cost of living for their first year of study in Australia. International students should not rely on income from paid employment while in Australia to cover their fees and living expenses during this period. Students experiencing an unexpected and unforeseeable change in circumstances should meet with student support to discuss their situation. Refer [Defer, Leave of Absence and Cancelling Student Enrolment Policy](#).
- d) Supporting documentation must be in English (or accompanied by certified translation), on official letterhead (if relevant), signed, and dated.

Appendix C: Student Applying for a Release.

