



Hawthorn

Melbourne

Overseas student transfers

Policy and Procedure

Overseas student transfers Policy and Procedure

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1. Purpose and Scope

This policy has been developed in accordance with *Standard 7 – Overseas student transfers* 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 months of study of their principal course. However, *Standard 7* recognises overseas students as consumers and supports them in exercising choice whilst acknowledging that they may also be a group that requires support to transition to study in Australia.

More information about the National Code 2018 can be found here: [National Code](#).

Hawthorn-Melbourne is committed to abide by and implement a transfer policy in accordance with the National Code 2018. As such, this policy should be read in conjunction with the National Code.

This policy and procedure supports the intent of *Standard 7* and outlines the circumstances under which Hawthorn Learning Pty. Ltd, trading as Hawthorn-Melbourne will consider a student request for a transfer:

1. Between Hawthorn-Melbourne campuses and/or Navitas entities;
2. From another registered provider to Hawthorn-Melbourne;
3. From Hawthorn-Melbourne to another registered provider.

This Policy and Procedure applies to all students who are enrolled in or intending to enrol in courses delivered by Hawthorn-Melbourne (CRICOS Provider Code 02931G).

2. Policy

1.1. Overseas student transfers between Hawthorn-Melbourne and Navitas entities.

Students may transfer between Hawthorn-Melbourne and Navitas entities as long as the following conditions are met:

- a) The student must have an enrolment period of 20 plus weeks and be studying a minimum of 5 weeks at Hawthorn-Melbourne.
- b) A *Change of Centre Request form (to Navitas English)* has been completed and signed by the student and Hawthorn-Melbourne, Student Services Manager.
[Change of Centre form \(to Navitas English\)](#)
- c) The student must have sat the entrance test and been accepted into the Navitas entity (if applicable).
- d) The student has paid any upgrade fees (if applicable).
- e) The student's attendance is not jeopardised by the transfer.

1.2. Overseas student transfers from another registered provider to Hawthorn-Melbourne

Hawthorn-Melbourne will not knowingly enrol students seeking to transfer from another registered provider prior to the overseas student completing six months of their principal course except where:

- 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 the ESOS agency that prevents the overseas student from continuing their course.
- 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 that change.

1.3. Overseas student transfers from Hawthorn-Melbourne to another registered provider

Overseas students enrolled with Hawthorn-Melbourne who have not completed six months of their principal course of study will not be granted approval to transfer to another registered provider unless it is deemed by Hawthorn-Melbourne to be in the student's best interests.

Overseas students may hold a packaged enrolment whereby the student holds a packaged student visa to study a preliminary English course at Hawthorn-Melbourne followed by the principal course with another registered provider. The registered provider of the principal course is responsible for the approval in releasing an overseas student, irrespective of whether the overseas student has commenced the principal course of study.

To be eligible for a transfer to a course at another education provider (excluding English language studies) students must meet the education provider's published IELTS, TOEFL or PTE result, or achieve a satisfactory level of English through [Hawthorn-Melbourne's – Direct Entry Agreements](#), students must provide evidence acceptable to Hawthorn-Melbourne of a valid enrolment from the new education provider and their current attendance rate at Hawthorn-Melbourne must be over 80 percent.

The student may not be released from enrolment at Hawthorn-Melbourne prior to the commencement date of the new studies.

Circumstances in which Hawthorn-Melbourne will grant approval for an overseas student transfer, include but are not limited to the following:

- a) The student is unable to achieve satisfactory course progress even after engaging with Hawthorn-Melbourne's intervention strategy to assist the overseas student in accordance with *Standard 8 (Overseas Student Visa requirements)*.
- b) There is evidence of compassionate or compelling circumstances. These are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing.
- c) Hawthorn-Melbourne is unable to deliver the course as outlined in the written agreement.
- d) There is evidence satisfactory to Hawthorn-Melbourne that the overseas student's reasonable expectations about their current course are not being met.
- e) There is evidence that the student was misled by Hawthorn-Melbourne or a Hawthorn-Melbourne education agent regarding Hawthorn-Melbourne or the Hawthorn-Melbourne courses, and the course is therefore unsuitable to the student's needs and /or study objectives.
- f) An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
- g) Any government sponsor of the student considers the change to be in the student's best interests and has provided written, authorised support for that change.
- h) If the student who is under 18 years of age provides written evidence that the student's parent or legal guardian supports the transfer. If the student is not being cared for in Australia by a parent or suitable nominated relative, written confirmation must be provided that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements.

Circumstances which Hawthorn-Melbourne considers reasonable grounds to refuse an overseas student transfer request:

- a) Fees are outstanding.
- b) The transfer may jeopardise the student's progression through a package of courses.
- c) The course for which the student is intending to enrol is similar to, or the same as the course in which the student is currently enrolled at Hawthorn-Melbourne.
- d) Hawthorn-Melbourne reasonably forms the view that the student is trying to avoid being reported to the Department of Home Affairs for failure to meet the provider's attendance requirements and/or progress requirements.
- e) The student has had a change of mind.
- f) The student wishes to move to another registered provider to be with friends.
- g) The student is experiencing adjustment difficulties moving to Australia.

- h) The student is experiencing a course scheduling conflict with personal, work, or other non-study commitments.
- i) The student is experiencing homestay or other accommodation problems.
- j) The distance of the student's residential address from Hawthorn-Melbourne is presenting difficulties.
- k) The student wishes to transfer fees to another person or another English language centre.

Hawthorn-Melbourne reserves the right to take into consideration other factors which are not specified above.

3. Procedure

Hawthorn-Melbourne maintains electronic records and enters details into the Student Management System of all requests from overseas students for a release and the assessment of, and decision regarding the request, for two years after the overseas student ceases to be an accepted student.

Hawthorn-Melbourne will consider applications for a transfer as per the guidelines outlined in this policy and advise the student of the outcome in writing within 10 working days from receipt of the application.

1.1. Overseas student transfers from Hawthorn-Melbourne to another registered provider.

1. The student applies to the Student Services Manager / Director of Studies who ensures that the *Transfer Request Form* has been completed and relevant supporting documents have been provided. [Transfer Request Form](#)
2. If the transfer is approved, the Student Services Manager / Director of Studies will forward the application to the Manager, Admissions.
3. The Manager, Admissions will notify the student (or parent/legal guardian of a student under the age of 18 years) of the following in writing:
 - a. that the student's release has been recorded in PRISMS (if applicable) and the CoE and CAAW (if applicable) have been cancelled;
 - b. to seek advice from the Department of Home Affairs on the potential impact on their student visa (if any).
4. The student, or parent/legal guardian of a student under the age of 18 years must sign and date the written notification confirming their agreement and return it to the Manager, Admissions for action.
5. If the transfer is declined, the student, or the parent/legal guardian of a student under 18 years of age, will be provided with written reasons for the refusal and informed of their right to appeal. [Complaints and Appeals - Process for Overseas Students](#)

6. Hawthorn-Melbourne will not finalise the student's refusal status in PRISMS until one of the following applies:
 - a) The appeal finds in favour of Hawthorn-Melbourne.
 - b) The overseas student has chosen not to access the complaints and appeals processes within the 20 working day period.
 - c) The overseas student has withdrawn from the process.

1.2. Overseas student transfers between Hawthorn-Melbourne and Navitas entities.

1. Student Services Manager counsels the student regarding their transfer to a Navitas English provider. If the student's current and/or overall attendance could fall below 80% as a result of the transfer, the Student Services Manager will counsel the student on the impact and possible implication on their current student visa.
2. Student Services Manager will ensure that a *Change of Centre Form (to Navitas English)* has been completed and signed by the student and will forward the completed form to the Manager, Admissions.
3. The Manager, Admissions liaises with the receiving Navitas entity for an offer for the course.
4. The receiving Navitas entity provides an offer for the student to accept and pay any additional fees.
5. Hawthorn-Melbourne will activate the "Release" and "Change of Provider" in PRISMS, which includes the date of effect, and reason for release. The CoE will be cancelled.
6. Acceptance of the offer and any additional fees must be finalised before the Navitas entity issues a CoE.

1.3. Overseas student transfers from another registered provider to Hawthorn-Melbourne

To accept an overseas student transfer from another registered provider to Hawthorn-Melbourne, the following applies:

- a) At the time of application, the Admissions Officer will obtain details of the student's current visa and enrolment.
- b) If a release is required, the Admissions officer will provide a conditional letter of offer to the overseas student which is subject to "Release" from the original registered provider.
- c) Once the original education provider has activated the "Release" in PRISMS, the overseas student can accept the Hawthorn-Melbourne offer and make payment.
- d) The Admissions Officer will generate the CoE confirming the enrolment.
- e) If the student is sponsored by their government, the Admissions Officer will issue a conditional letter of offer subject to the written support from the sponsor.
- f) Hawthorn-Melbourne will direct the student to seek advice from Department of Home Affairs on the potential impact on their student visa;
- g) If a release is not required, the Admissions Officer will process the application as usual.

4. Responsibilities

Student Services Manager, Director of Studies and Senior Teacher are responsible for:

- Monitoring and proper application of these procedures;
- Interviewing and counselling students and contacting receiving registered provider (if required), particularly in the case of students under the age of 18 years;
- Providing detailed information to the Manager, Admissions as described in the relevant Policy and Procedure, using *Transfer Request Form / Change of Centre Form (to Navitas English)*.

Manager Admissions is responsible for:

- Overall guidelines on Transfers;
- Authoritative decisions on all individual Transfer requests;
- Processing the Transfer Request in accordance with the Hawthorn-Melbourne Policy and Procedure and Conditions of Enrolment.

Admissions staff are responsible for:

- Proper application of these procedures;
- Ensuring the release is generated in PRISMS by the releasing registered provider prior to accepting the enrolment from the student;
- Entering details of and maintain all documentation electronically.

Manager Business Development is responsible for:

- Liaising with agents where necessary regarding the mechanism of transfer between registered providers.

5. Definitions

CRICOS	: Commonwealth Register of Institutions and Courses for Overseas Students
DHA	: Department of Home Affairs
ESOS Act 2000	: The Education Services for Overseas Students Act 2000.
National Code 2018	: The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Student 2018.
Principal Course	: The final or highest level of study to be undertaken by an international student.
SMS	: Student Management System (eBECAS)

6. Related documents

Transfer Request Form

Transfer of Fees Under 18

Transfer Request Declined

Student Attendance Policy and Procedure

Conditions of Enrolment

Complaints and Appeals Policy and Procedure

Course Progress Policy and Procedure

7. Review

This document is reviewed by the relevant manager at least once per two years to ensure alignment to appropriate strategic direction and its continued relevance to Hawthorn-Melbourne's current and planned operations.