

# National Code Standard 3

## *Refund policy*

ISSUE	PAGE
Overview	1
Definitions	1
Application	1
Student transfer	1
Processing timeframe	2
Student default	2
Visa application rejection	2
Disciplinary reasons	2
Provider default	2
Issue of refund	3
Appeal	3
Related forms	3
Related policies	3

### **Overview**

1. This policy sets out when refunds will and will not be available to students. In accordance with the National Code 2007, the contents of this policy will be advised to prospective students prior to their acceptance of an offer or enrolment at the College.

### **Definitions**

2. 'Course Money' means any money that a student has paid to the College in order to undertake a course to which the refund application relates. It includes any amounts paid in respect of tuition fees, textbooks, uniforms and equipment, working permit applications and overseas student health cover.
3. 'Direct Expenses' means any portion of Course Money paid in respect of textbooks, uniforms and equipment, working permit applications and overseas student health cover.

### **Application**

4. All applications for refund must be made by submitting a signed Application for Refund Form together with all relevant, certified documentary evidence supporting the reasons for the refund application.

### **Student transfer**

5. In the case of a refund application where a student is transferring provider before the expiry of their initial 6 months of studying their principal course, refund applications will not be considered until the transfer is approved. This means that students should not lodge their Application for Refund Form until they have been granted a letter of release from the College.

### **Amounts not refundable**

6. The registration application fee is not refundable under any circumstances.
7. Except in the unlikely event of Provider Default occurring, moneys paid for Direct Expenses are not refundable where the College has, at the date that the refund application is lodged with the College, incurred costs in obtaining the goods or services for which the Direct Expenses relate. For example, if a student has paid an amount for overseas student health cover and this cover has

been arranged by the College, no refund will be issued. For refunds in the case of Provider Default, see paragraphs 15 to 17 below.

### **Processing timeframe**

8. All approved refunds will be provided within 28 days of the College receiving an Application for Refund Form in satisfactory form.

### **Student Default**

9. If a student who has not yet commenced a course informs the college in writing of a cancellation not later than 28 days prior to the commencement of the course the registration application fee plus 20% of the total course money will not be refunded.
10. If a student cancels their course in writing within or less than 28 days before the commencement date the registration application plus 40% of the total course money will not be refunded.
11. All applicable fees will be due and payable and no refunds will be issued if the course starts on the agreed starting day, and:
  - 11.1. a student has commenced their course; or
  - 11.2. a student has commenced their course but the College cancels their enrolment because the student fails to pay an amount due to the provider in order to undertake the course; or
  - 11.3. a student does not start the course on the agreed starting day and has not previously advised the College in writing of their intention to withdraw.
12. In the circumstances listed at (a) and (c) above, the College may in its discretion issue a refund if the student proves to the College's satisfaction that exceptional circumstances existed (such as severe medical illness requiring hospitalisation, death or natural disaster) which prevented the student from commencing the course on the agreed starting day.

### **Visa Application Rejection**

13. Total course fees will be refunded in full (less the registration application fee) if the visa application is rejected by the relevant embassy provided that the original rejection letter is supplied to the College along with the signed Application for Refund Form in satisfactory form.

### **Disciplinary Reasons**

14. No refund will be issued if a student's enrolment is cancelled because of student misbehaviour or if a student visa is cancelled due to breaches of visa conditions.

### **Provider Default**

15. In the unlikely event that the College is unable to deliver your course in full, you will be offered a refund of all the course money you have paid to date. The refund will be paid to you within 2 weeks of the day on which the course ceased being provided. Alternatively, you may be offered enrolment in an alternative course by the College at no extra cost to you. You have the right to choose whether you would prefer a full refund of course fees, or to accept a place in another course. If you choose placement in another course, we will ask you to sign a document to indicate that you accept the placement.
16. If the College is unable to provide a refund or place you in an alternative course our Tuition Assurance Scheme (TAS) ACPET will place you in a suitable alternative course at no extra cost to you.

17. Finally, if ACPET can not place you in a suitable alternative course, the ESOS Assurance Fund Manager will attempt to place you in a suitable alternative course or, if this is not possible, you will be eligible for a refund as calculated by the Fund Manager.

#### **Issue of refund**

18. Refunds will be paid to the student unless the student has nominated an education agent on their International Student Enrolment Application Form in which case the College may in its discretion pay the refund to the education agent.

#### **Appeal**

19. Students may appeal a decision by the College to refuse a refund or appeal against the amount of refund given by accessing the College's complaints and appeals procedure. The availability of a complaints and appeals process does not remove the right to take further action under Australia's consumer protection laws.

#### **Related forms**

- Refund application form

#### **Related policies**

- Student complaints and appeals policy
- Student transfer policy
- Deferring, suspending or cancelling student enrolments' policy