

## REFUND POLICY (INTERNATIONAL STUDENTS)

### INTRODUCTION

ACTB is aware of its responsibilities under Australian Consumer Law, the ESOS Act and the Standards for Registered Training Organisations 2015 with regard to the need to inform students of the fee and refund administration requirements prior to enrolment in the training program.

This policy outlines the procedures for handling fee refunds for international students.

### LEGISLATION

*Standards for Registered Training Organisations 2015*

- Clause 5.3

*Education Services for Overseas Students Act 2000 (ESOS Act)*

- Section 19

*Australian Consumer Law*

### POLICY STATEMENTS

#### Payment of Fees

All fees must be paid prior to the commencement of the course or as per an agreed payment plan accepted in writing by the Student. All ongoing fees must be paid as invoiced for the course.

All fees are payable in Australian dollars.

Students will not be permitted to commence or continue their course until all outstanding fees have been paid.

ACTB reserves the right to cancel a Student's enrolment for non-payment of fees, where fees are overdue by more than 14 days. Any cancellation of enrolment due to non-payment of fees will be reported to the Department of Home Affairs ("DHA") as prescribed under Section 19 of the Education Services for Overseas Students Act 2000 (ESOS Act).

ACTB reserves the right to change fees at any time, subject to the relevant authority's approval.

#### Refunds

Refund of the fees will only be granted in accordance with the refund policy set out below.

Enrolment fees are non-refundable under any circumstances, except in the unlikely circumstances where ACTB is unable to provide the course.

Material Fees are non-refundable if the student does not commence the course or withdraws after the intended course start date.

Other Non-Tuition Fees are non-refundable under any circumstances once paid.

Refunds for any non-tuition fees received by ACTB on behalf of the Student for ancillary services, such as Overseas Student Health Cover etc. must be requested from the company delivering the service and students will be subject to the respective companies refund policies.

Tuition Fees will be refunded as follows:

## 1. Full Refund

ACTB has a fee refund policy for situations where special circumstances exist.

We will make a full refund of course fees paid (less applicable Cancellation Fee) in the following circumstances:

- *Visa Not Granted*

Where an application for a Student visa is unsuccessful, ACTB reserves the right to charge a Cancellation Fee of AUD\$500. Refund of any balance of pre-paid Tuition Fees will be made within 14 days. A request of refund in writing and proof of visa refusal, from the Australian Government must be sent to ACTB.

- *Provider Default*

- In the unlikely event that ACTB is unable to start your course on the agreed starting date, you will be offered a full refund of all the course money you have paid to date. The refund will be paid to you within 14 days from the day on which the course ceased being provided. Alternatively, you may be offered enrolment in an alternative course by ACTB at no extra cost to you. You have the right to choose whether you would prefer a full refund of the unspent 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.
- In the unlikely event that ACTB is unable to deliver your course in full, you will be offered a refund of all the unspent course money you have paid to date. The refund will be paid to you within 14 days from the day on which the course ceased being provided. Alternatively, you may be offered enrolment in an alternative course by ACTB at no extra cost to you. You have the right to choose whether you would prefer a full refund of the unspent 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.
- If ACTB is unable to provide a refund or place you in an alternative course the Australian Government's Tuition Protection Service (TPS) will assist you with your placement in an alternative course or manage any applicable refunds.
- The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study. The TPS ensures that international students are able to either:
  - complete their studies in another course or with another education provider, or
  - receive a refund of their unspent tuition fees
- ACTB reserves the right to cancel or postpone any courses prior to their scheduled commencement dates, if necessary. In such circumstances, if a Student is unable to enrol in a similar course at ACTB all fees will be refunded within 14 days.

## 2. Partial Refund

ACTB will make a partial refund of any Tuition Fees **paid** to ACTB *before the Course Start date* in the following circumstances (all amounts are less or subject to payment of a Cancellation Fee of \$500 per COE):

- Withdrawal at least 10 weeks prior to agreed course start date - Full refund of tuition.
- Withdrawal at least 6 weeks prior to agreed course start date - 75% refund of tuition.
- Withdrawal at least 4 weeks prior to agreed course start date - 50% refund of tuition.
- Withdrawal at least 2 weeks prior to agreed course start date - 25% refund of tuition.
- Withdrawal less than 2 weeks prior to agreed course start date - 10% refund of tuition.

In the above circumstances the refunds will be processed within 4 weeks from the date the refund request is received AND all required supporting documentation is supplied.

### 3. No Fee Refund

- If a Student withdraws from, cancels or fails to attend a program or course on or after the agreed course start date, with the exception of visa refusal, ACTB will not refund any of the tuition fees paid for the course package or stand-alone course.
  - *For Packaged Courses* (2 or more courses) – The Student will be required to pay a Cancellation Fee of up to \$500 per CoE, in addition to 50% of the principal course tuition fees and any outstanding balances for the current course they are withdrawing from.
  - *For Stand-alone Courses* (enrolled in 1 course only) – The Student will be required to pay a Cancellation Fee of up to \$500 in addition to full payment of any remaining tuition fees for that course.
- No refunds will be issued for any deposits and payment plan fees paid on additional COEs at ACTB. Any pre-paid fees for future courses within a packaged program will not be refunded after the student has commenced their study at ACTB.
- In the event that an extension to the Student's visa is not granted and the course has commenced a refund will not be issued to the Student for the course duration that has already finished.
- In the event that the Student seeks and is granted approval by ACTB to transfer to another provider prior to completion of six months' study of the principal course, no refund of any course money paid in advance will be granted. Any outstanding fees for the course must be paid prior to release.
- In the event that the Student's enrolment is cancelled because of infringement of ACTB's disciplinary Policy or breach of Student visa conditions or non-payment of fees, no refund of any course money will be granted.

## REFUND PROCEDURES

### Process for claiming a Refund

All applications for refunds must be made in writing by completing a '*Cancellation, Suspension or Deferral Form*' (available from the ACTB Student Administration Team) and submitting the form to the Student Administration Team. Students who are overseas should contact the Student Administration Team for assistance with this process.

### Payment of Refund

All refunds for which a Student is eligible will be forwarded to the bank account nominated in writing by the Student, unless the Student is transferring to another institution in Australia (subject to Visa conditions), in

which case any refund may be remitted to that institution, as authorised by the Student or his/her legal guardian (if under 18). ACTB will provide the Student with a statement detailing the calculation of the refund.

## Approvals

All refunds must be approved by the Principal Executive Officer (PEO). Exemptions to any of the above-mentioned cases may only occur where the Student has extenuating, or compassionate grounds as determined by the PEO.

## Appeals

Please refer to ACTB's 'Complaints and Appeals Policy' (copy available on the ACTB website) if you wish to appeal the decision related to your refunds.

**NOTE:** *The right to make complaints and seek appeals of decisions and action under various processes, does not affect the right of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.*

## Non-payment of fees and debt collection for all Students

Students are required to pay all their course fees as they become due (as per the conditions outlined in the enrolment documentation). Late payments will attract the Late Payment Fee, which will be applied to the next instalment or invoiced separately. Ongoing delays in payment of College fees may result in suspension or cancellation of enrolment. Please refer to the 'Deferment, Suspension and Cancellation Policy' (copy available on the ACTB website) for details.

The College reserves the right to utilise the services of a debt-collection agency for the collection of overdue fees, in circumstances where the College's internal processes to collect the fees have not been successful. In such circumstances, costs for full debt collection/ recovery, including costs such as demand letters, skip/trace, solicitor's involvement etc. will be added to the amount outstanding and the Student will be liable for the costs.

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## DOCUMENT CONTROL

Date	Rationale / Summary of changes	Actioned By
June 2021	Policy reviewed, no changes required. Footer updated.	Saurabh Thaper
August 2022	Policy updated to reflect revised refund conditions	Monique Harris (Maddie Mohammed – Approver)
December 2022	Formatting updated as per revised Policy Template	Tracey Peng
December 2022	Introduction and Legislation sections added.	Monique Harris