

Fees Refund Policy (Overseas Students)



1.0 Purpose

This policy establishes the criteria for granting refunds to ensure that the refunds of fees are made in accordance with Standard 3 of the National Code 2007.

2.0 Related Standard

Standard 3 (The National Code 2007)

3.0 Scope

This policy applies to all international students at the Institute.

4.0 Responsibility

The CEO and the Administration Manager will be responsible for the implementation of this policy and to ensure that the staff are aware of its application and procedures.

Definitions

- **Tuition Fee**
The Tuition Fee is a compulsory academic fee payable by the students for enrolled Courses offered by the Institute. It excludes course material fee.
- **Tuition Protection Service**
Tuition Protection Service is a national placement and refund service for all registered CRICOS providers.
- **Agreed Start Day**
Agreed Start Day means the day on which the course was scheduled to start as per the CoE, or a later date agreed between Ultimate Institute of Australia and the Student for the start of the course.
- **Material Fee**
A non-tuition fee charged for the cost of providing course materials, textbooks, student guides and resource materials that are retained by the student as his/her personal property.
- **Administration Fee**
The Administration Fee is a non-refundable fee that may be charged to students for providing services to the students.
- **Study period**
At Ultimate Institute of Australia, a study period is a period (stage/term) of 10 weeks (excluding term breaks and re-assessment weeks) (i.e. 13 weeks including term breaks and re-assessment weeks)
- **Institute default**
The Institute defaults when:
 - a. the course does not start on the agreed starting day; or
 - b. the course ceases to be provided at any time after it starts but before it is completed;or

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- c. the course is not provided in full to the student because of a sanction has been imposed on the Institute; and
 - d. the student has not withdrawn before the default day.
- **Student default**

A student default occurs when the Institute refuses to provide, or continue providing, the course to the student because of one or more of the following events:

 - a. The course starts on the agreed starting day, but the student does not attend the classes on that day (and has not previously withdrawn); or
 - b. The student withdraws from the course (either before or after the agreed start day); or
 - c. The student fails to pay an amount he or she was liable to pay to the institute, directly or indirectly, in order to undertake the course;
 - d. The student breached a condition of his or her student visa; or
 - e. Misbehaviour by the student.

Policy Requirements

1. All refund requests are conditional on the following:

- a. The Institute must have had received funds in order for any refunds to be made available (i.e. cheques are cleared, telegraphic transfers have been received);
- b. Any debts to the Institute must be paid in full or the outstanding amounts will be deducted from the refund.

2. The Australian Government refuses visa

If the student visa application or visa renewal is refused by the Australian Government, a full refund of course fees less the administration fees will be made. In order to receive the refund students will have to provide authenticated evidence of the student visa refusal to the Institute.

However, no refunds will be granted where:

- a. an international student, currently in Australia, has their student visa cancelled by the Department of Immigration and Border Protection (DIBP) for a breach of visa conditions; or
- b. an international student, currently in Australia, has their student visa extension application refused by DIBP after the commencement of their studies, for not meeting visa requirements.

3. Institute default

- a. In an unlikely event that the Institute is unable to start or continue to deliver the course after a period of commencement (known as an Institute default), the Student can choose to accept either:
 - i. get a refund of the course fees, which will be issued to the Student within 14 days; or

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- ii. to be placed in an alternative course with the Institute or another provider. If the Student chooses placement in an alternative course, the Student must sign a new written agreement to indicate the student accepted the placement.
- b. If the student chooses to receive a refund of the course fees after commencing the course, the Institute will calculate the unspent portion of the tuition fees paid to date (i.e. tuition fees the student has paid for but has not been delivered by the Institute). The refund will be paid within 14 days on which the course ceased to be provided.
- c. If the Institute is unable to provide a refund or place student in an alternative course, the Tuition Protection Service (TPS) will provide the student with options for suitable alternative courses (if any such courses are available) or if this is not possible, the student will be eligible for a refund as calculated by the TPS Director.

4. Student defaults and withdrawal

- a. When student defaults or where written notice of withdrawal is received by the Institute **before the agreed start date** of the course, the Institute will refund the fees as per the table below less an administration fee.

Outline of Refunds	
Enrolment fee	\$150 non-refundable
Administration fee	\$150
Visa refused prior to course commencement	Full refund*
Withdrawal at least 10 weeks prior to agreed start date	Full refund *
Withdrawal at least 4 weeks prior to agreed start date	75% refund of the study period fee*
Withdrawal less than 4 weeks prior to agreed start date	50% refund of the study period fee*
Withdrawal after the agreed start date	No Refund
Visa cancelled due to actions of the student	No refund

* less an administration fee of \$AU150

Please note: All fees are quoted in Australian dollars and are subject to change without notice.

- b. If the refund application is approved, refunds will be made available within 28 days (20 working days) of written notification being received by the Institute.

5. Special circumstances

Where a student withdraws from the course and returns home because of exceptional and extenuating circumstances of a compassionate nature, such as a death or severe illness in the immediate family, 100% of all the unspent fees paid less administration fees will be refunded.

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6. Refund procedure

- a. The Student must complete an Application for Refund form to apply for a refund and attach all evidence and supporting documentation. Such documents may include, but not limited to:
 - i. a completed course withdrawal form provided by the Institute and
 - ii. a letter from DIBP advising of a rejection of the student visa application or a refusal to extend a student visa; or
 - iii. proof of extenuating circumstances of a compassionate nature; or
 - iv. an unconditional offer letter from another institution along with a DIAC approved letter to transfer
- b. For an Institute default on the agreement, refunds will be made within 14 days of the default date.
- c. All other refunds will be made within 28 days (20 working days) of written notification from the student being received by the Institute.
- d. The CEO or the delegate must approve student refunds.
- e. Refunds will be paid to the student or to the person nominated by the student on the refund application in Australian dollars
- f. Details of refunds provided will be maintained in individual student files.

7. Payment of Refunds

- a. Payment of refunds to the applicant will be made in Australian dollars by a bank draft, telegraphic or electronic transfer (or other approved payment options). Bank fees or postage charges may apply.

8. Student's Rights to Appeal

- a. Any student who is refused a refund by the Institute may appeal within 14 days in writing to the Administration Manager.
- b. The Institute's appeal process does not circumscribe the student's right to pursue other legal remedies.
- c. This agreement, and the availability of complaints and appeal processes, does not remove the right of the student to take action under Australia's consumer protection laws.

5.0 Resources and Forms

Refund Application Form

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6.0 Revision history

Revision	Date	Description of modifications
1 1.0	June 2015	Policy created and approved
2 1.1	August 2016	Policy updated and approved