

Refund Policy and Procedure

Version	Issue Date:	Issue History:
1.1	September 2024	Creation of policy

Regulatory Alignment
<ul style="list-style-type: none"> • Education Services for Overseas Students (ESOS) Act 2000 • National Code 2018 Standards 2 and 3 • RTO Standards 2015 (5.3, 5.4, 7.3, 8.1)

Policy Title	Refund
Purpose	<p>This policy defines how ATI manages and determines the refund of monies to commencing and continuing international students for fees or other charges related to all courses.</p> <p>By implementing this policy, we aim to foster trust and provide a structured approach to managing refund requests, ultimately contributing to a positive educational experience for all our students. This policy aims to ensure clarity, fairness, and compliance with relevant regulations and standards.</p>
Scope	<p>This policy applies to all current and future international students enrolled in all course at ATI. It applies to the refund of the unused portion of tuition fees only which have been paid in advance, and includes money collected by approved education agents on behalf of ATI.</p>
Related Policy and Procedures	<ul style="list-style-type: none"> • Complaints and Appeal Policy and Procedures • Credit and RPL Policy and Procedure • Deferral, Withdrawal and Cancellation Policy and Procedure

Version: 1.1

Approved by: RTO Administrator
 Last reviewed: 1 July 2024
 Next review: 1 July 2026

Campus: All
 RTO No: 45365
 CRICOS No: 03691K

Related Forms	<ul style="list-style-type: none"> • Enrolment Form • Letter of Offer and Student Agreement • Fee Refund Request Form
Policy Owner and Delegated Authority	<ul style="list-style-type: none"> • Accounts • Admission Team
Definitions	
<p>International student means international students or intending international students on a student visa under the Migration Act 1958.</p> <p>Provider Default means where ATI is not able to provide the CRICOS registered course that it has offered to an international student. This may include where ATI is no longer registered to offer CRICOS or any CRICOS registered course that might be relevant to an international student's enrolment at ATI.</p> <p>Student Default means: The course starts on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or The student withdraws from the course (either before or after the agreed starting day); or The registered provider of the course refuses to provide, or continue to provide, the course to the student because of one or more of the following: The student failed to pay an amount he or she is liable to pay directly or indirectly in order to undertake the course; The student breached a condition of his/her student visa; Misbehaviour by the student.</p> <p>Study Period means one (1) term (10 weeks) of scheduled classes unless specified in a Training and Assessment Strategy.</p>	

Tuition Protection Service

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.

In the unlikely event that ATI is unable to deliver a course, international students have paid for and ATI does not meet its obligations to either:

- Offer international students an alternative course that they accept; or
- Pay international students a refund of their unspent prepaid tuition fees (this is called a provider's 'default obligations');

The TPS will assist those international students in finding an alternative course or to get a refund if a suitable alternative is not found.

Requirements for Applying for a Refund

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All international students seeking a refund for any purpose must complete the *Application for Refund Form* and supply any supporting evidence as required. It should be noted that making an application for a cancellation of enrolment or a letter of release are not indicators that you are also seeking a refund and an *Application for Refund Form* must be completed at all times a refund is being sought.

A refund will not be provided in the following circumstances:

1. Where the international student still has fees outstanding;
2. Where equipment and/or resources on loan to the international student from ATI have not been returned;
3. A complaint or appeal is in progress that is related or linked to the application for a refund.

Refunds will be transferred into the international student's nominated bank account in their own name unless they are under the age of 18 years, in which case, the refund will be provided to the parent or legal guardian responsible for the international student. In the event that the international student is deceased or incapable of nominating a bank account, the refund will be provided to the parent or legal guardian as nominated on the international student's emergency contact details form. Under no circumstances will an international student's refund be paid to an education and/or migration agent or other third party without the international student's written consent and that consent is written in English.

Where a refund is processed for overseas payments for international students in accordance with this policy, international students will be charged any bank fees associated with the transfer of funds. This is because ATI absorbed the costs of the bank fees in receiving the fees upon initial payment.

In all cases where a refund is approved and processed, the international student will receive a written statement that details how the refund was calculated and where it was paid into. In all cases where an international student applies for a refund and the refund is declined, a written statement will be provided to the international student outlining the reasons for the decision ATI to reject the application for a refund.

The student agrees to repay ATI (on demand) any payments credited to the student in error. ATI reserves the right to offset the amount of any over-payment made in error against any liability (including any future debt) owing to ATI by the student.

All refunds will be proceeded within twenty-eight (28) days.

Refunds in case of Visa Refusal

Where an application for an initial student visa is refused, the Department of Home Affairs (DHA) processing office will issue a letter to confirm that the student visa application has been refused. A copy of this letter must be provided to ATI as evidence of visa refusal and in order for the student to obtain a refund in accordance with the *Refund Policy*. Where the refusal letter is not provided, the refund will be calculated as per a student withdrawal in accordance with the table given in this policy.

Refund after Student Default

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Where a student defaults in accordance with the meaning given in this policy, the cancellation and refund fees in the tables that follow will prevail. In all cases of student default, international students will have access to *ATI Complaints and Appeals Policy and Procedure*.

All international students who apply for a refund under this policy are afforded the principles of natural justice, including the ability to lodge a complaint or appeal against any decision relevant to an application for refund request.

Refunds after ATI Default

In the unlikely event of ATI default, all unspent pre-paid tuition fees to date will be refunded to the student within twenty-eight (28) days from the day of default. Other associated fees may be refunded. Alternatively, the student may be offered enrolment in an alternative course (this course may or may not be with an alternative provider) at no extra cost with any unspent tuition fees transferred to the new course and where relevant, the new provider. The student reserves the right to accept either the refund amount or a place in another course.

Where the student accepts a refund of unexpended pre-paid tuition fees from the TPS, they will be required to comply with all relevant immigration requirements and should note that this may have an impact on their student visa. Where the student wishes to obtain further information about the Tuition Protection Service (TPS), it can be found at the following website: <https://tps.gov.au/StaticContent/Get/StudentInformation>.

If ATI cannot place the student in a suitable alternative course and is unable to offer a refund of unspent tuition fees, the Tuition Protection Service (TPS) will attempt to place the student in a suitable alternative course or, if this is not possible, students will be eligible for a refund as calculated by the TPS.

If ATI is not in a position to refund the unexpended pre-paid tuition fees, it will be notified to the TPS Director within three (3) business days of the default or intention to default. At this time, ATI will have fourteen (14) days to satisfy its tuition protection obligations to current students. Subsequent to the fourteen (14) days lapsing, ATI will have a further seven (7) days to advise the TPS Director of the final outcome.

For further information, relating to the Tuition Protection Service (TPS), see Appendix A for a diagram provided for international students by the TPS. Appendix B provides a comprehensive overview of these arrangements as provided by the TPS.



Table of Refunds			
Type	Timeframe	Amount Refunded	Documents
VISA Refusal	At any time	All FEES minus the NON-REFUNDABLE Application Fee of AUD\$ 250.00 and Administration fee of AUD\$ 100.00 totaling AUD\$ 350.00	Refund Request Proof of VISA Refusal
VISA Renewal Refusal	After course has commenced	Nil	Refund Request Proof of VISA Refusal
VISA Breach	At any time	Nil	Refund Request Proof of VISA Refusal
Withdrawal, Transfer or Enrolment Cancellation	Greater than 28 days before commencement of the course	All FEES minus the NON- REFUNDABLE Application and Administration Fees totaling AUD\$ 350.00 minus cancellation fee of AUD\$ 300.00 minus Material Fees minus AGENT Commissions Paid.	Refund Request Course Offer Letter and Acceptance DSC Form
	Less than 28 days before commencement of the course	50% of FEES minus the NON- REFUNDABLE application and administration fees totaling AUD\$ 350.00 minus cancellation fee of AUD\$ 300 minus Material Fees minus AGENT Commissions Paid.	Refund Request Course Offer Letter and Acceptance DSC Form

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	After the course has commenced	Nil	DSC Form
Default by Australian Tertiary Institute		Full Refund	DSC Form

NOTE:

A student who has paid fees for more than 2 study periods in advance and withdraws during a study period and more than four weeks before the commencement of the following study period, would receive no refund of fees for the current study period, at least 70% of the following study period fees and a full refund of fees paid for any subsequent study period; less cancellation fees.

Where an international student cancels their enrolment and has tuition fees outstanding (in other words, they have not maintained their course fee payments in accordance with their payment plan and visa conditions), the cancellation fees above still apply and the fees owing would still be payable by the international student.

If students have paid money directly to an accommodation/homestay provider/booking service, this refund policy does not apply and students should contact the accommodation service provider directly.

PROCEDURE

If students are eligible for a refund they should apply in writing using the Application for Refund Form. This form can be delivered in person to Student Administration or alternatively by email to admissions@atiaus.edu.au or returned by post to:

Australian Tertiary Institute

28/8 Victoria avenue Perth 6000

Students should attach any supporting documents with their claim.

Student Administration reviews the application for refund and the supporting evidence. It is the student's responsibility to provide with all relevant documentation to support their claim.