International Student Refund Policy

References: National Code 2018 Standard 3
SRTO 2015 Standard 5.3
ESOS Act 2000, Amendment 2011

1.0 Purpose

This policy is to outline the refund arrangements for international students of QAT. It is made available to students via the written agreement and the QAT website.

2.0 Background

The need for a formalised refund policy is referenced in the ESOS Legislative Framework, including the ESOS Act 2000, Amendment 2011 concerning the Tuition Protection Service. In addition, Standard 5.3 from the Standards for Registered Training Organisations (RTOs) 2015 states:

Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment of the commencement of training and assessment, whichever comes first, specifying:

a. all relevant fee information including:
   i. fees that must be paid to the RTO, and
   ii. payment terms and conditions including deposits and refunds
b. the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies
c. the learner's right to obtain a refund for services not provided by the RTO in the event the:
   i. arrangement is terminated early, or
   ii. the RTO fails to provide the agreed services.

Also the National Code of Practice for Providers of Education and Training to Overseas Students 2018 states:

National Code,2018 , Standard 3 Formalisation of Enrolment and Written Agreements

3.1 The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of tuition fees and non-tuition fees in the case of student default and provider default:

3.1.1 amounts that may or may not be repaid to the overseas student (including any tuition and non-tuition fees collected by education agents on behalf of the registered provider)

3.1.2 processes for claiming a refund

3.1.3 the specified person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act

3.0 Definitions

DHA- Department of Home Affairs

Enrolment Fee- a charge levied on the student to cover the administrative costs of enrolling the student
Pre-Paid Tuition Fee- course fees paid by the student in advance of commencing their studies
Provider Default- when, for whatever reason, QAT fails to provide the course to the student
Student Default- when the student elects not to proceed with their course at QAT

4.0 Policy & Procedures

4.1 Student Default

The student must fill out a "Refund Form" which must either be handed to the reception staff at QAT or emailed (enrol@qat.qld.edu.au) together with any supporting documents (i.e. DHA visa refusal letter flight tickets, medical certificate etc.).

Any refund will be paid within a period of **four weeks** after the official day of default/ cancellation which is the receipt of written notice of cancellation by the student.

Under the legislation, refunds will only be paid to the person who entered into the contract with QAT, unless the person who entered into the contract gives written direction to QAT to pay the refund to someone else, (in this case the agent).

4.1.1 Cancellation of enrolment- General rule (29 days or more before commencement)

If written notice is received **29 days or more** before the date of course commencement, then:

- **Enrolment Fee-** Enrolment fees are **non-refundable.** In the event that the enrolment fee was waived or discounted as a promotion, **$250** will be charged for administration costs on cancellation. This will be deducted from the prepaid fees.
- **Instalment Plan Service Fee $50** and other **Administration Fees $50** - **Non-refundable**.
- **OSHC-** QAT will **not refund** Overseas Student Health Cover (OSHC) if the health cover certificate has already been issued. Students may have to apply directly to Bupa.
- **Homestay Placement Fee-** Accommodation placement fee is **not refundable.** If a student cancels his/her accommodation and airport pick-up booking before arrival, refund of homestay fee is subject to **BECAB Homestay's refund Policy.**

4.1.2 Cancellation of enrolment 28 days or less before commencement

If written notice is received **28 days or less** before the date of course commencement, then any refund is calculated:

- As per general rule (see above), **plus**
- **A Part Refund**
    - If the student's pre-paid tuition fees is **30% or less**, there will be **no refundable amount.**
    - If the student's pre-paid tuition fees is **more than 30%,** the refundable amount is the **excess of 30%.**

4.1.3 Cancellation of enrolment on or after the date of course commencement

If written notice is **received on or after the date of course commencement**, there will **be no refund** of any moneys paid unless the Executive Director deems that exceptional circumstances apply.

QAT is under **no obligation to refund** any course fees paid if:

- the student cancels after the student has **started** his or her course.
- a student's visa is cancelled by DHA because of poor attendance/ academic course progress.
- the student arrives at QAT later than the agreed start date or does not start their course on time as per QAT's Non-Commencement Policy.

4.1.4 Cancellation of enrolment due to visa refusal

Refund of **unspent tuition fees under Section 47(E)** of the ESOS Act in other cases: this refund relates to student default in case of **visa refusal:**

QAT will refund all **pre-paid tuition fees** less the following:

The lesser of:

- **5%** of the total amount of pre-paid fees that we received in respect of the student for the course before the default day; or
- The sum of **$500**

QAT will notify ASQA and the TPS Director of student default within 5 business days, and of the outcome of discharge of obligations to said student within 7 days of the end of the default period.

4.2 Provider Default

If QAT defaults, it will notify ASQA and the TPS Director within 3 business days, and will notify the students in writing within the same timeframe.

In the event that QAT is unable to deliver the course in full, the student will be offered a refund of all the course money paid. The refund will be paid within 4 weeks of the day on which the course ceased being provided. Alternatively, the student may be offered enrolment in an alternative course by QAT at no extra cost within 14 days. The student has the right to choose whether they would prefer a full refund of course fees, or to accept a place in another course. If the student chooses placement in another course, the student will be asked to sign a document to indicate that the placement has been accepted. QAT will notify ASQA and the TPS director of this outcome within 7 days.

If QAT is unable to provide a refund then the school will, under the (TPS) Tuition Protection Service, place the students in a suitable alternative course at no extra cost, unless students choose a more expensive alternative course.

If QAT cannot place the student in a suitable alternative course, the ESOS Assurance Fund Manager will attempt to place the student in a suitable alternative course or, if this is not possible, the student will be eligible for a refund as calculated by the Fund Manager

5.0 Forms

Refund Form

6.0 References

Education Services for Overseas Students (ESOS) Act 2000 Legislation Amendment Act 2011

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Non-Commencement Policy

Standards for Registered Training Organisations (RTOs) 2015

Written Agreement

Version History

Date	Version	Author	Status	Reviewers
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12/08/2019	4	John Hunt	Approved	Beverly Ordono